

With the dismantling of USAID, is the Trump administration defying the constitution?

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It's too soon to tell how serious President Trump is in defiance of the Constitution. In his first 28 days, he signed an order to nullify birthright citizenship for some—a right guaranteed by the 14th Amendment. And he has closed agencies and frozen spending that Congress mandated by law. Lower courts are holding up many of the president's priorities, but nothing has risen to the Supreme Court where these battles over presidential power could rewrite history. Presidents often push limits — FDR's New Deal for example — and voters in this last election *wanted* change. But the scope and speed of Trump's reach for power may be unprecedented. One example is a 63-year-old agency created by Congress, codified in law and eviscerated, by Trump, in a matter of days.

Kristina Drye: People are really scared. I think that, you know, 12 days ago, people knew where their next paycheck was coming from. They knew how they were gonna pay for their kids' daycare, their medical bills. And then, all gone overnight.

'All gone, overnight,' for Kristina Drye and Adam Dubard — fired this month in the chaotic shutdown of foreign aid distributed by the U.S. Agency for International Development, USAID. More than 8,000 USAID employees were sent home by the administration.

Adam Dubard: They're not looking for competency. They're not looking for-- if you are good at your job. They're looking for pure loyalty tests and if you don't give it, you will be punished.

Kristina Drye: And they had to leave the building. And these are folks who had decades and decades of public service serving USAID across administrations from, you know, George Bush, to Obama, to the first Trump administration. And they were never able to walk back in the building again.

Scott Pelley: There was no process? No one explained to them why they were being relieved?

Kristina Drye: To my knowledge, they received an email and then, if they didn't leave the building, they were escorted out of the building.

USAID was dismantled on Trump's order even though it was mandated by Congress and its funding was required by law.

Scott Pelley: The president says he has the authority to shut down an independent agency like USAID.

Andrew Natsios: He most definitely does not.

Andrew Natsios is a former member of the Republican National Committee. He's a professor of government at Texas A&M university and, in the Bush White House, he was administrator of USAID.

Andrew Natsios: He cannot rescind federal law by executive order. And A.I.D is a statutory agency. The Foreign Assistance Act, I believe, is three or four hundred pages long. You can't rescind that without an act of the Congress. And the Congress has not acted.

Acting on his own, the president started by destroying USAID's image. In online posts, the administration smeared USAID as — quote — "a criminal organization" and called employees "worms."

Scott Pelley: About USAID, President Trump has said, "Billions of dollars have been stolen." "The whole thing is a fraud."

Andrew Natsios: It's utter nonsense. The most accountable aid agency in the world is USAID. I have written actually widely on this subject. Forty percent of the staff are accountants and lawyers and people trying to make sure no money is stolen. We've created systems to monitor that. What they did was, they went back 20 years to try to find things, if you have to go back 20 years to find abuse, that means there isn't that much abuse.

USAID's spending in 2023 was 38 billion, that's less than 1% of the federal budget. Natsios told us there *is* waste and occasional fraud like any big agency, think of the Pentagon, but the money he says is watched by officials including those in the OMB—the Office of Management and Budget.

Andrew Natsios: The question is why did the Congress approve all these contracts, and grants, and programs all these years? Why did OMB approve them? Why did the State Department F Office? The F Office controls all foreign aid spending. Every line item in the USAID budget is approved by three different bodies, the F Office, OMB and the congressional oversight committees, of which there are four. Four! No one caught all these horrible abuses? That's just not believable.

Andrew Natsios 60 MINUTES

Instead of asking Congress to change the law, Trump handed the budget ax to billionaire Elon Musk. Musk is racing through the government cutting jobs and budgets with his own, newly created, organization he calls DOGE, or the Department of Government Efficiency.

Elon Musk (during Oval Office news conference): The people voted for major government reform. There should be no doubt about that.

DOGE was authorized by Trump and beginning in January, DOGE engineers rapidly gained wide access to the computer networks of the U.S. Treasury. A long-time Treasury official

who tried to stop them was put on leave. Now, DOGE has accessed at least 19 other agencies.

Sen. Chris Coons: You're principally reporting on what's happened to USAID. It's a dress rehearsal.

Chris Coons is a Democratic senator from Delaware — a member of the committees on Appropriations and Foreign Relations.

Sen. Chris Coons: Next up is the Department of Education. They're gonna take it down next. They're already talking about getting into and going after the Department of Labor, the Veterans Administration, the Department of Defense, the Social Security Administration. Why?

Scott Pelley: Do you believe you have a sense of what DOGE is doing?

Sen. Chris Coons: No. I think DOGE is an unelected, unofficial, small group of young tech bros who are charging into different federal agencies getting into their core computer systems, doing things with them that at least I don't know the full details of, copying and downloading reams of data.

Scott Pelley: What does it matter that DOGE has access to U.S. government computer systems?

Sen. Chris Coons: What matters is that the U.S. government has information about you, about me our Social Security information, our Medicare, Medicaid, Veterans Benefit payments, things that matter to us. Obviously, our tax filings. And if they have access to it and control it, they can change it.

DOGE demanded and received total control of USAID's unclassified computer network, including all financial and personnel files.

One USAID employee told us that a DOGE engineer used the computer to give himself access to classified spaces in the building. That USAID employee told us they didn't know if the DOGE engineer entered those spaces but the employee said— "that is the problem with all of this. We don't know what's been compromised."

Randy Chester: What are they gonna do with the information? Are they, you know, we don't know who these people are. We don't know what controls have been placed on the information.

Randy Chester has worked for USAID 21 years under four presidents—two Democrats, two Republicans. He represents the agency workforce for the American Foreign Service Association. DOGE arrived at USAID January 27th. And that same day, USAID's top 58 managers were given 45 minutes to get out.

Scott Pelley: The 58 senior managers, how would you describe them?

Randy Chester: They're the best professionals I've had the privilege to work with or work under. Their integrity is without question. I think to a person, they believe in the mission of USAID, and they believe in the ideals of public service.

USAID's signage was hastily covered in what employees saw as a gleeful putdown. But this past week, there was a partial reprieve. A judge temporarily restored funds to USAID's partners working overseas. Already, at least 67 lawsuits have been filed against the new administration. In the Oval Office with Musk, Trump said quote, "I always abide by the courts." But he also said this...

President Trump (during Oval Office news conference): We want to weed out the corruption, and it seems hard to believe that a judge could say we don't want you to do that. So, maybe we have to look at the judges because that's a very serious — I think it's a very serious violation.

Stephen Vladeck: We've seen flashpoints in these fights before. We've never seen this fight unfold across such a broad front, and at such a basic level where a president is claiming so much of Congress's constitutional powers.

Stephen Vladeck is a professor of constitutional law at Georgetown University Law Center.

Stephen Vladeck: Fraud doesn't negate statutes that Congress has enacted fraud just provides an excuse for revisiting them and so the problem is that you see these claims of fraud by President Trump, by Elon Musk, that really feel like they're fig leaves.

Scott Pelley: If it's a fig leaf, what are they covering up?

Stephen Vladeck: I think what we're really seeing is a consolidation of power. And so, fraud provides a plausible sounding reason for running over what had been historical constraints, whether they were statutes or norms, limiting the president's ability to centralize power. The end game here seems to be controlling every single apparatus of the federal government directly outta the White House. And that's just never been how we've understood executive power.

Scott Pelley: In your view, what would the founders think of where we are today?

Stephen Vladeck: I mean, the founders were a "they," not an "it." Even James Madison changed his mind about 17 times between when he wrote the Constitution and when he was president. So, I think it's hard to generalize. I do think the founders would be very worried about just how much the tension that I think they thought they were creating among the branches has broken down. I mean, the idea is that we want a zealous executive. We want a zealous Congress. We want zealous courts because if they push at each other that's how we'll find the limits. That's how we'll ensure that there's healthy checks and balances. But I think we can no longer dispute that Congress, which is

supposed to be providing rigorous oversight of the executive branch, which is supposed to be reining in abuses by the executive branch, by the courts too, has largely stopped doing any of that.

Neither Elon Musk nor DOGE responded to our request for an interview. It was Musk who called USAID employees "worms." In a post, he gloated about feeding the agency into "the woodchipper." The world's richest man had cut off assistance to the world's poorest families. Musk spent nearly \$250 million to get Trump and other Republicans elected. He collects billions in taxpayer dollars for his SpaceX rockets.

Andrew Natsios: I think we're creating a system that violates the separation of powers and the checks and balances that are intended in the Constitution.

Republican Andrew Natsios, former head of USAID, spoke to us in Washington, in part, because he is not hearing public appeals to reason from fellow Republicans.

Andrew Natsios: I am not a moderate Republican. I am a conservative Republican. And-- and a strict constructionist. The reason they're not saying anything, I think they're afraid. Musk has said that he would spend \$100 million in primaries on anybody who opposed the president on anything. So, I think there's a lot of fear in the city right now.

Scott Pelley: How do you view this moment in history?

Andrew Natsios: I don't wanna be-- too pessimistic. But it does appear we may be headed towards some sort of a constitutional crisis. I don't-- I-- I hope that doesn't happen. I pray it doesn't happen. But it's certainly concerning to me what's going on in this city right now.

Scott Pelley: Is the constitutional order breaking down?

Andrew Natsios: We'll see. If they-- if they refuse to enforce a court order by the Supreme Court. If it gets to the Supreme Court and the Supreme Court rules against the administration on something and they refuse to enforce it, then we will have a constitutional crisis.

Scott Pelley: What happens then?

Andrew Natsios: I don't know.

Scott Pelley: No one knows.

Andrew Natsios: No one knows.

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