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One Hundred Nineteenth Congress
U.S. House of Representatives
Committee on Foreign Affairs
2170 Rayburn House Office Building
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February 12, 2025

The Honorable Marco Rubio
Secretary
U.S. Department of State
2201 C St NW
Washington, D.C. 20520

Dear Secretary Rubio,

I write in response to the letter you sent to Congressional committee leaders on February 3, 2025, regarding the Trump Administration's ongoing dismantlement of the United States Agency for International Development (USAID). I am responding to you with significant frustration and grave concerns about the Administration's lack of strategy communication and treatment of hard-working American civil servants.

As a Senator, you were a strong supporter of USAID and emphasized the important role USAID plays in furthering American national security and our soft power around the world. In 2013, you stated that "We don't have to give foreign aid. We do so because it furthers our national interest. That's why we give foreign aid." In 2017, you tweeted that "Foreign Aid is not charity. We must make sure it is well spent, but it is less than 1% of budget & critical to our national security." During President Biden's term, you wrote a letter urging the Biden administration to prioritize USAID's funding as a key tool to "counter the Chinese Communist Party's expanding global influence."¹ Your current actions and remarks are a sharp departure from your strong history of praise and support of USAID.

In your February 3rd letter, you claimed "the Department of State and other pertinent entities will be consulting with Congress and the appropriate committees to reorganize and

¹ Andrew Kaczynski and Em Steck. "Rubio's Years of Strong Support for USAID Stand in Contrast to His Sudden Criticism of the Aid Agency." CNN, February 5, 2025. <https://www.cnn.com/2025/02/05/politics/kfile-secretary-of-state-marco-rubio-past-support-usaid-foreign-aid/index.html>

absorb certain bureaus, offices, and missions of USAID².” Even before you sent your letter, however, the Trump Administration had already taken significant steps to downsize and reorganize USAID without mandatory consultation, including firing hundreds of contractors³, putting senior officials on administrative leave without cause⁴, and shutting down the USAID website⁵. Since you sent your letter, Mr. Musk and the so-called DOGE have sought to fire all remaining contractors with the agency⁶, place virtually every foreign service officer and civil servant at the agency on administrative leave⁷, close bureaus within USAID, and subsume USAID functions into the State Department⁸. There was no consultation with Congress before the momentous staffing pronouncement on February 3rd⁹, contrary to your own stated intention one day earlier. And the Department has failed to engage with me to this day.

USAID was created by President John F. Kennedy using the precepts set by forth by Congress in the Foreign Assistance Act of 1961, and it was codified further into law by the Foreign Affairs Reform and Restructuring Act of 1998.¹⁰ The law is unequivocal: “there is within the Executive branch of Government of the United States Agency for International Development as an entity described in section 104 of title 5.” The only way around this Congressional mandate was a time limited path that expired in the last century.

Your letter ends with the following note: “in consultation with Congress, USAID may move, reorganize, and integrate certain missions, bureaus, and offices into the Department and the remainder of the Agency may be abolished consistent with applicable law.¹¹” It is my hope that this phrase, which I imagine has been cleared by attorneys, is the Administration communicating it will comply with the law. To be clear: USAID cannot be abolished by the Secretary of State nor by the President of the United States without an act of Congress. If Congressional Republicans wish to change USAID’s status, they should do so by passing a law. The President cannot do so with the swipe of a pen. Without a new congressional statute, USAID will continue by law and any efforts by yourself, Mr. Musk, or the President to abolish it will be an inefficient use of government legal resources and taxpayer funds.

Moreover, Congress has consistently restated that it must be involved in and notified of changes pertaining to USAID. Congress’s Fiscal Year 2024 appropriation law funding the State Department and USAID specified that funds from that bill “may not be used to implement a

² Marco Rubio. *Letter to Congress*. February 3, 2025. <https://x.com/AnnieGrayerCNN/status/1886503629475201178>
Simon Lewis, Daphne Psaledakis, and Humeyra Pamuk. "Hundreds of USAID Internal Contractors Put on Leave, Terminated Amid US Freeze on Global Aid." *Reuters*, January 29, 2025. <https://www.reuters.com/world/us/hundreds-usaid-contractors-put-leave-terminated-amid-us-freeze-global-aid-2025-01-29/>.

⁴ Elissa Miolene and Adva Saldinger. "Senior USAID Officials Put on Leave Amid Fallout from Executive Order." *Devex*, January 28, 2025. <https://www.devex.com/news/senior-usaid-officials-put-on-leave-amid-fallout-from-executive-order-109179>

⁵ Associated Press. "USAID Website Goes Offline Amid Trump Administration’s Freeze on Foreign Aid." *CNN*, February 1, 2025. <https://www.cnn.com/2025/02/01/politics/usaid-website-offline-freeze/index.html>.

⁶ Daphne Psaledakis and Humeyra Pamuk. "US Foreign Aid Contractors Fire Staff, Face Cash Crunch as Trump Causes Chaos." *Reuters*, February 4, 2025. <https://www.reuters.com/world/us/usaid-contractors-fire-staff-face-cash-crunch-trump-causes-chaos-aid-world-2025-02-04/>.

⁷ Ana Faguy. "USAID Staff Will Be Put on Leave Starting on Friday." *BBC News*, February 5, 2025. <https://www.bbc.com/news/articles/cx253xjnxrmo>.

⁸ Sara Cook and Jennifer Jacobs. "USAID to Be Merged into State Department, 3 U.S. Officials Say." *CBS News*, February 3, 2025. <https://www.cbsnews.com/news/usaid-merged-into-state-department/>

⁹ Jennifer Hansler, Lauren Kent, Alex Marquardt, and Kevin Liptak. "Rubio Says He’s Acting Director of USAID as Humanitarian Agency Is Taken Over by the State Department." *CNN*, February 3, 2025. <https://www.cnn.com/2025/02/03/politics/usaid-washington-workers/index.html>.

¹⁰ 22 U.S.C. 6501 et seq.

¹¹ Marco Rubio. *Letter to Congress*. February 3, 2025. <https://x.com/AnnieGrayerCNN/status/1886503629475201178>

reorganization, redesign, or other plan described in subsection (b) by the Department of State, the United States Agency for International Development...without prior consultation by the head of such department, agency, or organization with the appropriate congressional committees.¹²” For the record, your short, three-paragraph letter sent on February 3 by no means satisfied the consultation requirement set forth in Public Law 118-47 § 7063.

I am open to any meeting, call, or discussion on the ongoing, extra-legal reorganization of USAID and the critical national security mission this Agency has long fulfilled. I will also genuinely consider any proposed legislative reforms set forth by the Trump Administration on these matters. But I will stand steadfast against any unconstitutional or illegal actions undertaken by the Executive Branch. And I will defend the integrity and honor of USAID workers who often labor under the toughest conditions in some of the poorest and most dangerous locations around the world in service to America—and who do not deserve to be maligned by the government they serve¹³ or unelected bureaucrats on X¹⁴.

If the Administration is serious about consulting with Congress, I suggest you take the following steps to ensure your consultation complies with the clear letter of the law. First, restore continued operations of USAID. Second, immediately reinstate all personnel placed on administrative leave since January 20th and if the Administration deems a reduction in force warranted after a careful review, pursue legal pathways including meaningful consultation with Congress. Finally, I strongly urge you to immediately brief congressional leaders on any plan or legislative requests regarding USAID, in compliance with the law.

Secretary Rubio, the Senate, on a bipartisan basis voted for your confirmation because you were considered to be a serious, thoughtful person who prioritizes the United States’ national interests. I am, however, deeply dismayed by your leadership of a process by which this Administration is attempting to destroy USAID without justification. This process has been anything but thoughtful and serious—and instead, a wholesale destruction of USAID is apparently being spearheaded by an unelected billionaire who lacks your stature as a Cabinet official, or your experience in U.S. national security and foreign policy. There is time to right the ship you helm at State and USAID, and I look forward to working with you to do so.

Sincerely,



GREGORY W. MEEKS
Ranking Member

¹² Public Law 118-47, Further Consolidated Appropriations Act, 2024, Sec. 7063.

¹³ AFP (Agence France Presse), "Trump Says USAID Run by 'Radical Left Lunatics,' Vows to 'Get Them Out,'" *Barron's*, February 2, 2025, <https://www.barrons.com/news/trump-says-usaid-run-by-radical-left-lunatics-vows-to-get-them-out-602369bf>.

¹⁴ Conor Murray, "Elon Musk Pushes False Claim Ex-USAID Chief Earned \$23 Million: The Biggest DOGE Hoaxes Spread On X," *Forbes*, February 10, 2025, <https://www.forbes.com/sites/conormurray/2025/02/10/elon-musk-pushes-false-claim-ex-usaid-chief-earned-23-million-the-biggest-doge-hoaxes-spread-on-x/>.