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# America First, Aid Second: Foreign Assistance and U.S. Soft Power Under the Second Trump Administration

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he second Trump administration appears to be shifting U.S. foreign aid policy away from a traditional values-based framework toward a more interest-driven and transactional model, a change that may alter longstanding development partnerships and reshape the global balance of soft power—potentially ceding influence to an increasingly assertive China.

U.S. foreign assistance is being reorganized to align strictly with U.S. interests. This policy is largely a continuation from Trump's first term but has deemphasized foreign aid's critical role in humanitarian activities—such as vital food and health programs—and previous funding intended to advance human rights. Exacerbating this, the United States has ordered USAID shuttered, defunded most of its aid to the World Food Programme (WFP), has reduced distributions to at least two other aid agencies to their statutory minimums, and has pulled out of the World Health Organization (WHO). Secretary of State Marco Rubio announced that taxpayer-funded foreign assistance will be restricted to aid that the administration believes makes the United States stronger, safer, and more prosperous, while a leaked USAID memo proposes empirical

metrics—like return on investment—to evaluate those outcomes. Many experts disagree with the wisdom of the specifics embedded in this strategy and opine that, in addition to being a self-evident humanitarian catastrophe, it may cause a vacuum of U.S. soft power to be filled by China, potentially replacing U.S. influence throughout the developing world.

This article begins by outlining the strategic value of foreign assistance, including its costs and direct contributions to U.S. soft power. Then it analyzes the policies of the first Trump administration (Trump 45) and how they correlate with advice for a second term from *Project 2025: Mandate for Leadership* (*Project 2025*). It also considers a proposed policy blueprint from a leaked internal memo drafted by Trumpappointed USAID officials (USAID memo). Each approach is then compared with the actions taken thus far by his second administration (Trump 47). The article concludes by assessing the consequences of the abrupt halt of aid on U.S. soft power and postulates that China is poised to fill the void.

While the humanitarian consequences of these policies are potentially cataclysmic, this article addresses them only

tangentially, focusing instead on their legal, strategic, and geopolitical implications.

#### The Soft Power of Foreign Assistance

While many may conjure images limited to crates of food and medicine being airdropped into developing lands, the goals of foreign aid are not completely altruistic. In addition to humanitarian efforts, major rationales for aid programs also include national security and commercial interests.

Presidents and national security experts axiomatically assert that foreign aid is an indispensable part of soft power. Unlike hard power—such as military force or economic sanctions—soft power relies on cultural influence, including foreign aid that reflects a culture of care, to build influence through a positive global image. The United States' use of such soft power can improve (or destroy) its international reputation thereby enhancing (or diminishing) the influence of the United States abroad. This influence can then be used to protect U.S. interests.

As examples, foreign aid-driven soft power can reduce the influence of hostile forces, aid with counterterrorism, and prevent the spread of pandemics and narcotics. It can promote exports by improving the global economy creating new commercial markets for U.S. goods and services. By supporting development in other countries, the United States helps create stable and prosperous markets that can become trade partners, contributing to global economic growth and benefiting the U.S. economy.

In 2019, under Trump 45, the total foreign assistance budget was approximately US\$48.2 billion (1% of total federal budget authority). Compared to a world on fire, that seems like a comparatively inexpensive investment bolstering the soft power of the United States.

## The Evolution of Foreign Aid Policy in the Trump Era

On the day he took office, Trump 47 issued a flurry of executive orders that would chaotically plunge foreign assistance budgets and U.S. soft-power capacity.

Trump paused all foreign aid ninety days to realign it with the administration's new policies. He also ordered the Department of State to bring operations in line with opaquely defined "America First" foreign policy, and withdrew the United States from the WHO. Soon after, he directed the government to sync all funding with administration goals, ordered at least two other agencies that provided foreign assistance to be downsized to their statutory minimums, and defunded the WFP—before reinstating some of its famine assistance.

Partially to effectuate this downsizing, the president created the U.S. Department of Government Efficiency (DOGE). As part of these cuts, Trump agreed with DOGE to dismantle USAID early on, before announcing the shuttering of the independent agency altogether.

While judicial intervention has yielded mixed results as to the lawfulness of some of these actions, ultimately, it was determined that USAID could be deconstructed because of the administration's later ratification of DOGE's efforts to feed the agency to a "wood chipper" [sic].

Crucial to understanding the administration's new foreign assistance strategy is defining what "America First" means in the context of U.S. foreign aid, how to determine if a project or policy coincides with Trump 47's goals, and what empirical benchmarks are to be used to assess if a project is sufficiently successful to justify its expense.

Exploring potential answers to these riddles requires an understanding of the policies of Trump 45 and how they foreshadowed some of the actions taken by Trump 47, the guidance offered by *Project 2025*, and the USAID memo's recommended empirical measures to determine the success of "America First" programs.

## Trump 45—Celebrating USAID as the Premiere Bilateral Development Agency

Trump 45 seemed to have had a more positive attitude toward foreign assistance. His administration even lauded USAID as the best bilateral development agency in the world, built private-sector engagement, promoted women's role in global development, and created the U.S. International Development Finance Corporation (DFC) to inject investment to curb China's global influence in the developing world. Trump 45 also launched the "Clear Choice" initiative to promote a private-sector-led approach to development, positioning U.S. companies and investment as superior alternatives to China's state-driven model. The administration further created a new USAID office in Greenland and Mission to Central Asia to further counter Chinese expansionism into the arctic and throughout the Indo-Pacific region.

Conversely, Trump 45 consistently pushed for lower foreign assistance funding levels (ranging from a 32% reduction for FY2018 to a 22% reduction for FY2021). For FY2019, the administration requested US\$39.3 billion be budgeted for foreign assistance through USAID and the State Department. This was approximately one-third less than what Congress ultimately appropriated. His proposed deep cuts would have affected global health programs, contributions to peace

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operations, multilateral aid, and humanitarian aid. He also tried to withdraw the United States from the WHO.

Similarly, with less than 1% of foreign assistance distributed through loans, Trump 45 also attempted to shift that ratio to favor aid through loans, but Congress rejected those efforts.

A comprehensive breakdown by agency, sector, and activity can be found through a search at ForeignAssistance.gov.

Beyond sharp budget cuts, the administration telegraphed some of its other current foreign assistance policy through selective aid—prioritizing countries aligned with U.S. interests. As Trump 45 creeped away from a globalization model based on international development cooperation toward a more strategically conditional approach, foreign aid became a bargaining tool frequently accompanied by punitive measures. For example, Trump 45 reallocated funds from Central American countries for failing to slow migration. Finally, there was a shift in strategic focus away from President Obama's broader values-model of promoting democracy, stability, and global development, to a paradigm emphasizing temporary assistance to help countries achieve self-reliance. The stated goal of *Project 2025* in this regard was to end the need for foreign assistance.

## Trump 47—Condemning USAID as Run by "Radical Lunatics"

Trump 47 went from creeping toward strategically conditional aid to a sprint. Perhaps frustrated by previous unsuccessful attempts to persuade Congress to slash the foreign assistance budget, primarily expended through USAID, the independent

agency became among the first targeted by DOGE. Elon Musk, the apparent leader of DOGE, referred to USAID as a "criminal organization" of "radical leftists, grifters, and lunatics" and that it was the agency's "time to die."

The elimination of USAID, however, is an anomaly from the roadmaps provided by *Project 2025* and the USAID memo.

**Project 2025.** Although *Project 2025* was developed by the conservative Heritage Foundation, many believe it may serve as a partial blueprint for Trump 47—despite President Trump's denials—because many of its authors have close ties to both Trump 45 and 47. For example, Max Primorac, a senior research fellow at the Heritage Foundation who authored the chapter on USAID, formally served as its acting chief operating officer.

Musk may have been parroting *Project 2025*, which called USAID "an institution marred by bureaucratic inertia: programmatic incoherence; wasteful spending; and dependence on huge awards to a self-serving and politicized aid industrial complex of United Nations agencies, international nongovernmental organizations (NGOs), and forprofit contractors."

To "fix" this, *Project 2025* offered at least thirty-seven recommendations for the future of USAID, many of which overlap with policies under Trump 45 and actions under Trump 47. This includes the overarching themes of aligning foreign assistance to U.S. foreign policy and utilization of the private sector to invest in emerging markets to work toward eliminating the need for foreign assistance altogether. Notably, it also calls for a freeze on all major policies and directives (though not actual project funds) while facilitating alignment to the administration's priorities.

It reinforces Trump 45's policies on: (1) countering China's influence throughout the developing world; (2) ending long-term aid programs by designing exit strategies and implementing transition funding from crisis to development projects and limiting the duration of humanitarian assistance; (3) promoting private-sector solutions and encouraging trade and investment over aid; (4) empowering women and families; (5) increasing awards to local organizations, including those that are faith-based; (6) and reinstating an expanded Mexico City Policy, which would block funding for foreign NGOs that promote or facilitate abortion.

Thematic of President Trump's 2024 campaign, *Project 2025* adds the suggestion of dismantling what it perceives as DEI (diversity, equity, inclusion) initiatives and structures.

Meanwhile, the USAID memo focuses on empirical metrics to determine whether a project makes the United States safer, stronger, and more prosperous.

**USAID memo.** Secretary of State Rubio admonished that U.S. foreign assistance must account for "[e]very dollar we spend, every program we fund, and every policy we pursue [which] must be justified with the answer to three simple questions:" (1) "Does it make America safer;" (2) "Does it make America stronger;" and (3) "Does it make America more prosperous?"

The overarching theme, optimizing the value of foreign assistance to the American taxpayer, is consistent with the actions of both Trump administrations and *Project 2025*.

The USAID memo, first reported by *Politico*, asserts that the system of foreign assistance is so wasteful and broken that it "needed to be dismantled to fix it properly." It continues that the gutting of USAID has created an "unprecedented opportunity to restructure the system and establish an international cooperation architecture that respects the taxpayer; is laser-focused on delivering measurable results, especially through the private sector; and aligns with America's strategic interests."

To do this, the memo offers a myriad of structural reforms. These include eliminating certain functions or redistributing responsibilities and funding among a rebranded, leaner USAID—renamed the U.S. Agency for International Humanitarian Assistance—the State Department, and the DFC.

Loyal to Rubio's directive to make the United States safer, stronger, and more prosperous, the memo correlates the goals to tasks and metrics used to determine whether specific programs are a successful return on investment.

- Safer—Trump 47 has already disregarded the suggested rebranding of USAID and its newly limited purpose of providing humanitarian assistance, disaster response, global health, and food security. Instead, the president expanded the scope of the Department of State's responsibilities to administer any few remaining humanitarian programs. The success of the agency would have used metrics such as saved lives, outbreaks contained, and famines averted.
- Stronger—The State Department would be charged with aid considered political in nature under the management of political appointees, such as democracy promotion, religious freedom, conflict prevention/stabilization, women's empowerment, and civil society. Suggested metrics include improvement in democracy-based indices, reductions in illegal migration, decreased illicit drug trade, and lower corruption levels.

 More prosperous—The DFC should use foreign assistance to promote trade investment in energy, infrastructure, technology, and innovation. Metrics of success would include capital mobilized, financial returns generated, jobs created, expansion of markets for U.S. firms, countering China's influence, and securing critical minerals. It offers technical suggestions on how to measure these reliably. Trump 47, however, is considering repurposing the DFC as a sovereign wealth fund (SWF).

**Trump 47's similar and diverging policies.** The second administration's foreign aid policy partially aligns and diverges from his first term, *Project 2025* advice, and the recommendations of the USAID memo.

Trump 47's foreign aid policy aligns with several key positions outlined during his first term, as well as elements of *Project 2025* and the USAID memo. These include aligning foreign assistance with administration priorities to advance the "America First" agenda, significantly reducing overall foreign aid funding, eliminating DEI programs while penalizing contractors who engage in DEI-friendly policies, and prohibiting aid to entities that promote abortion. Additionally, some USAID functions have been transferred to the State Department to increase political oversight, and the administration has reinstated pro-family, anti-abortion policies from Trump 45. Withdrawing from the WHO was telegraphed by his first-term attempt.

However, Trump 47 has also departed from several of the recommendations. Instead of rebranding and restructuring USAID to continue delivering humanitarian assistance, global health, and food security aid, the administration has ordered it shuttered. The sliver of humanitarian aid that remains has been rerouted to the State Department, which has continued to defund programs. Trump 47 also rejected a return to 2019 aid levels, opting instead to close USAID and reduce funding for the U.S. Institute for Peace and the U.S. African Development Foundation to their statutory minimums. Finally, given the extent of program cuts, proposals to shift procurement to local NGOs (non-governmental organizations) in recipient countries now appear moot.

It is too early to determine if Trump 47 will refocus the DFC to promote investment in trade, energy, infrastructure, technology, and innovation in hopes of gaining a return on investment. However, the president has ordered the creation of an SWF partially to "promote United States economic and strategic leadership internationally." Unless the president creates a new agency, it is speculated that the administration may partially repurpose DFC as the agency to oversee the SWF.

Similarly, it is unclear whether a second Trump administration will continue Trump 45's focus on promoting women in

emerging economies or instead eliminate such initiatives by framing them as DEI programs—rather than recognizing them as essential to expanding the labor force in those markets.

In dismantling USAID, Trump 47 has necessarily ended all the agency's reforms effectuated under Trump 45, including USAID-run "Clear Choice," intended to contain Chinese soft power and influence. However, the potential repurposing of the DFC may include such policies, as curbing China's influence was a top concern of Trump 45, was prioritized by both *Project 2025* and the USAID memo, and clearly remains a paramount priority of Trump 47.

In sum, there has been a dramatic shift in foreign aid policy between Trump 45 and Trump 47. The first administration promoted initiatives like women's empowerment, privatesector engagement, and countering China through the DFC and Clear Choice, but it also attempted to reduce foreign aid budgets, withdraw from international bodies, and deliver assistance through a more transactional, interest-driven lens. Project 2025, written by those proximate to the president, proposed sweeping reforms and a pause on USAID policy implementation until agency priorities could be aligned with the administration's agenda—but it did not suggest freezing project funding. The USAID memo, similarly, sought to quantify Rubio's mandate that every program must make the United States safer, stronger, and more prosperous, and advised structural changes including narrowing USAID's mission to humanitarian assistance. Both documents shared two core goals beyond efficiency: aligning aid with U.S. strategic interests and leveraging economic development to ultimately eliminate the need for foreign assistance. Notably, however, neither called for USAID's dissolution. Trump 47's decision to pause all assistance, order the agency dissolved, and reassign the very limited remaining set of programs to the State Department marks a more radical restructuring from even the most ambitious prior reform proposals. Whether the DFC will be used to advance development, compete with China, or promote global economic stability remains to be seen, though curbing Chinese influence has been an important theme through both administrations.

## A Decline in U.S. Soft Power Helps China

## U.S. Soft Power Decline

The United States exercises soft power by shaping global perceptions through non-coercive means—such as cultural exports and expressions of goodwill. One key aspect of this soft power is a country's tradition of providing humanitarian aid and development assistance abroad, which fosters a reputation for compassion and global leadership. This

reputation not only strengthens diplomatic relationships but can also advance U.S. strategic interests by building alliances, opening markets, and promoting stability in key regions. Since the Marshall Plan, U.S. foreign assistance has played a central role in reinforcing this image by supporting both humanitarian relief efforts and long-term economic development in emerging economies.

Bags of food distributed by USAID have proudly read "from the American People." According to Beatrice M. Spadacini, a senior communications advisor in the Bureau for Global Health under Obama and Trump 45, "American generosity has brought us goodwill on the ground despite our sometimes-harmful foreign policy."

Conversely, Mandeep Tiwana, interim co-secretary general at CIVICUS: World Alliance for Citizen Participation, explains the causative shift of soft power:

The abrupt halt to funding has led to the collapse of vital healthcare programs, the closure of democracy initiatives, and the abandonment of vulnerable communities that relied on U.S. support. This move reflects a broader trend of closing civic space and helps authoritarian regimes and populist political parties to tighten their grip on governance worldwide.

Center for Sustainable Development Senior Fellow George Ingram is more dire in his assessment of the decline of U.S. soft power and explains that: "Trust in the United States has been destroyed. Trust is not something that is built up quickly—it can be lost overnight, but it takes generations to rebuild. Right now, the U.S. is no longer trusted as a reliable ally in many parts of the world."

A decline in soft power may also mean a decline in national security. The elimination of foreign aid undermines years of strategic assistance as illustrated by several key examples: (1) support for counter-ISIS programs in Syria; (2) efforts in Lebanon aimed at promoting a government independent of Hezbollah; (3) law enforcement and economic aid to Central America to curb gang influence and reduce migration incentives; and (4) funding for initiatives that counter Chinese influence in Africa by strengthening U.S.-Africa relations and securing access to critical minerals essential to the U.S. digital economy. As far as humanitarian aid, it is also important to note that radicalization is driven by poverty and despair, and its alleviation contributes to making the United States safer from terrorism fueled by extremist views.

In a world where trust equals influence, the elimination of the United States' portfolio of foreign aid has led to a precipitous decline in its soft power.

## China Will Likely Fill the Gap

The abrupt absence of U.S. foreign assistance creates a vacuum that will likely be filled by China's Belt and Road Initiative (BRI). In short, BRI projects use loans and investments to expand China's global influence and supply chains while advancing domestic goals like employment and industrial capacity. These loans and investments tend to be offered on very unfavorable terms to the receiving country and are often collateralized by mineral rights.

One example is China's increased strategic presence in Africa, intended to harvest new export markets, agricultural land, and most importantly, access to a spectrum of raw materials. China has also taken this opportunity to provide aid and assistance with development initiatives strengthening its soft power throughout Southeast Asia. Not limited to Africa and Asia, China is filling the void created by declining U.S. influence by assisting with overseas infrastructure development, education, and humanitarian aid spanning the globe.

This proactive engagement could lead to a realignment of regional alliances and a decline in U.S. influence.

In the absence of U.S. aid, which traditionally comes in the form of grants requiring that U.S. firms and goods are used for funded projects, China and its harsher terms may be one of the only viable alternatives to desperate countries. Moreover, Ravi Madasamy, LGBTQI+ liaison officer on the IBA Human Rights Law Committee, is concerned that "China may be among the donors filling the place of the US—and it won't necessarily do so with the same requirement for aid recipients to adhere to human rights." This may lead to enhanced vulnerability among marginalized communities who may become more susceptible to discrimination and violence.

There is a need for foreign assistance throughout the developing world. If the United States does not offer that aid—even if through loans and private-sector investment—it would be in China's strategic interests to do so.

#### Conclusion

President Trump has implemented an "America First" protectionist policy and ordered that foreign aid align narrowly with U.S. interests. Rubio clarified that taxpayer-funded foreign assistance is to be limited to activities that make the United States safer, stronger, and more prosperous. Trump 47 USAID officials proposed metrics to measure the success of those projects in meeting those objectives—generally this means a quantifiable return on investment.

Contravening advice from *Project 2025* and the USAID memo, Trump 47 has announced shuttering USAID, the biggest provider of foreign assistance in the world. He has further restricted or eliminated aid to other agencies and international organizations in an abrogation of soft power, potentially ceding some of that global influence to China. It has also caused the needless creation of a humanitarian calamity—which can hurt national security by creating the desperation that fuels radicalization throughout much of the developing world.

In the aggregate, President Trump's "America First" approach to foreign aid, despite its stated goals, may ultimately diminish U.S. influence, weaken longstanding alliances, and create conditions less conducive to long-term global stability and national security. Ironically, America First, aid second, may have left the United States less safe, less strong, and less prosperous.



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#### **Endnotes**

- <sup>1</sup> Max Primorac, Agency for International Development, in *Project 2025: Mandate for Leadership* 253, 255 (2025) https://static.project2025.org/2025\_MandateForLeadership\_CHAPTER-09.pdf.
- <sup>2</sup> Kenneth Jackson & Jeremy Lewin, *Designing a New U.S. International Assistance Architecture* (U.S. Agency for Int'l Dev. (undated), https://www.politico.com/f/?id=00000195-b000-d8a1-a3b7-f33601720000 (the pages of the memorandum are out of order and the pagination used for citation purposes are ordered in concordance).
- <sup>3</sup> Cong. Rsch. Serv., Foreign Assistance: An Introduction to U.S. Programs and Policy, 1, 3–4 (CRS Rep. No. R40213), (10 Jan. 2022), https://www.congress.gov/crs-product/R40213.
- <sup>4</sup> What Is Soft Power?, COUNCIL ON FOREIGN RELS, EDU. (last updated 16 May 2023), https://education.cfr.org/learn/reading/what-soft-power.
  - ⁵ Id.
- <sup>6</sup> See, e.g., Josh Burgess, Soft Power: A "Mission Critical" Component of National Security, U.S. GLOB. LEADERSHIP COAL. (10 Mar. 2021), https://www.usglc.org/blog/soft-power-a-mission-critical-component-of-national-security/.
  - <sup>7</sup> CRS, Foreign Assistance, supra note 3, at 3.
  - <sup>8</sup> Id.
  - 9 Id. at 4.
  - 10 *Id*. at 26.
- <sup>11</sup> The total budget dollar amount is higher than the sum of objective dollar amounts because it doesn't include international contributions and appropriations for program management and multi-sector distributions. Larry Garber, The Cost of the Trump Administration's Foreign Aid Debacle, COUNCIL ON FOREIGN RELS. (6 Feb. 2025), https://www.cfr.org/article/cost-trump-administrations-foreign-aid-debacle.
  - <sup>12</sup> CRS, Foreign Assistance, supra note 3, at Summary.
- <sup>13</sup> Exec. Order No. 14169, *Reevaluating and Realigning United States Foreign Aid*, 90 Fed. Reg. 8619 (20 Jan. 2025), https://www.federalregister.gov/documents/2025/01/30/2025-02091/reevaluating-and-realigning-united-states-foreign-aid.
  - <sup>14</sup> Exec. Order No. 14131, America First Policy Directive to the Secretary

of State, 90 Fed. Reg. 3015 (20 Jan. 2025), https://www.federalregister.gov/documents/2025/01/29/2025-01952/america-first-policy-directive-to-the-secretary-of-state.

- <sup>15</sup> Exec. Order No. 14112, Withdrawing the United States From and Ending Funding to Certain United Nations Organizations and Reviewing United States Support to All International Organizations, 90 Fed. Reg. 9275 (3 Feb. 2025), https://www.federalregister.gov/documents/2025/02/10/2025-02504/withdrawing-the-united-states-from-and-ending-funding-to-certain-united-nations-organizations-and.
- <sup>16</sup> Memorandum from Donald Trump, President of the United States, to the Heads of Executive Departments and Agencies, *Memorandum for the Heads of Executive Departments and Agencies* (4 Feb. 2025), https://www.whitehouse.gov/presidential-actions/2025/02/memorandum-for-the-heads-of-executive-departments-and-agencies/.
- <sup>17</sup> Exec. Order No. 14217, *Commencing the Reduction of the Federal Bureaucracy*, 90 Fed. Reg. 10,577 (19 Feb. 2025), https://www.federalregister.gov/documents/2025/02/25/2025-03133/commencing-the-reduction-of-the-federal-bureaucracy.
- <sup>18</sup> Jennifer Hansler, *USAID reverses course and restores some humanitarian aid contracts after WFP warning of possible deadly consequences*, CNN (9 Apr. 2025), https://www.cnn.com/2025/04/08/politics/trump-admin-aid-yemen-afghanistan/index.html.
- <sup>19</sup> Exec. Order No. 14213, *Establishing and Implementing the President's Department of Government Efficiency*, 89 Fed. Reg. 6631 (29 Jan. 2025), https://www.federalregister.gov/documents/2025/01/29/2025-02005/establishing-and-implementing-the-presidents-department-of-government-efficiency.
- <sup>20</sup> Jennifer Hansler, Alex Marquardt & Lex Harvey, *Elon Musk Says President Donald Trump Has 'Agreed' USAID Should Be Shut Down*, CNN (2 Feb. 2025), https://www.cnn.com/2025/02/02/politics/usaid-officials-leave-musk-doge/index.html.
- <sup>21</sup> Will Steakin & Lucien Bruggeman, *After Months of Cuts, State Department Says It's Officially Shuttering USAID*, ABC NEWS (28 Mar. 2025), https://abcnews.go.com/US/after-months-cuts-state-department-officially-shuttering-usaid/story?id=120267238.
- <sup>22</sup> Dep't of State v. AIDS Vaccine Advocacy Coal., No. 24A831, slip op. at 1 U.S. (5 Mar. 2025), https://www.supremecourt.gov/opinions/24pdf/24a831\_3135.pdf; see also Thalia Beaty, Judge Is 'Offended' at DOGE's Tactics but Does Not Pause Its Takeover of the US Institute of Peace, AP (last updated 19 Mar. 2025, 4:56PM); but see also Zolan Kanno-Youngs, Supreme Court Rejects Trump's Request to Block Billions in Foreign Aid, CNN (5 Mar. 2025), https://www.cnn.com/2025/03/05/politics/supreme-court-usaid-foreign-aid/index.html (reporting that the supreme court ordered the Trump administration to unfreeze billions in foreign aid).
- <sup>23</sup> United States v. Doe, No. 25-1273 (4th Cir. 2025), https://storage.courtlistener.com/recap/gov.uscourts.ca4.178088/gov.uscourts.ca4.178088.18.0.pdf; Fatima Hussein, Appeals Court Clears Way for DOGE to Keep Operating at USAID, AP (31 Mar. 2025, 8:13PM), https://apnews.com/article/doge-usaid-elon-musk-e56588069f7610ef13f844293d058ccb.
- <sup>24</sup> "Spent the weekend feeding USAID into the wood chipper," Musk tweeted early this week. (citation: Elon Musk, @elonmusk, "Spent the weekend feeding USAID into the wood chipper", X (formerly Twitter) (3 Feb. 2025, 1:54AM), https://x.com/elonmusk/status/1886307316804263979.
- <sup>25</sup> Garber, *The Cost of the Trump Administration's Foreign Aid Debacle*, COUNCIL ON FOREIGN RELS. (6 Feb. 2025), https://www.cfr.org/article/cost-trump-administrations-foreign-aid-debacle.
- <sup>26</sup> USAID, Private—Sector Engagement Policy (2020), https://npc.mw/wp-content/uploads/2020/07/Malawi-Private-Sector-Engagement-Policy.pdf.
- <sup>27</sup> Women's Global Development and Prosperity Initiative (2019), available at https://trumpwhitehouse.archives.gov/wgdp/
- $^{28}$  Better Utilization of Investments Leading to Development Act of 2018, Pub. L. No. 115-254, div. F, 132 Stat. 3485 (codified at 22 U.S.C.  $\S$  9601 note).
- <sup>29</sup> Cong. Rsch. Serv., R47006, *U.S. Int'l Dev. Fin. Corp. (DFC): Overview (Summary)* (3 Jan. 2022), https://www.congress.gov/crs-product/R47006; see generally Luiza Rodrigues Mateo, America First: Foreign Aid in the Trump Administration, 46(1) Contexto Internacional (2024), https://www.scielo.br/j/cint/a/mNM8YRZqjqSCfwRrnc5dMJz/?format=pdf.
- <sup>30</sup> Office of Mgmt. & Budget, *United States Government Funding for Strategic Competition with China Crosscut* (OMB-2021-0002-0001) (2021) (drafted during the Trump administration but finalized during the Biden administration), https://downloads.regulations.gov/OMB-2021-0002-0001/content.pdf. *See also* Primorac, Project 2025, supra note 1, at 255.
  - <sup>31</sup> Primorac, *Project 2025, supra* note 1, at 255.

- <sup>32</sup> Cong. Rsch. Serv., R46656, *China's Economic Rise: History, Trends, Challenges, and Implications for the United States*, 2 (2021), https://crsreports.congress.gov/product/pdf/R/R46656.
- <sup>33</sup> U.S. Dep't of State, *Department of State and USAID FY 2019 Budget Request* (2018), https://2017-2021.state.gov/department-of-state-and-usaid-fy-2019-budget-request/.
- <sup>34</sup> Adva Saldinger, Congress Again Rejects Steep Cuts to US Foreign Assistance in New Budget, DEVEX (22 Mar. 2018), https://www.devex.com/news/congress-again-rejects-steep-cuts-to-us-foreign-assistance-in-new-budget-92403; ForeignAssistance.gov, https://foreignassistance.gov/ (last updated 7 Mar. 2025).
  - 35 Mateo, supra note 29, at 14.
- <sup>36</sup> The Consequences of the U.S.'s Withdrawal from the WHO, Johns Hopkins Bloomberg Sch. of Pub. Health (30 Jan. 2025), https://publichealth.jhu.edu/2025/the-consequences-of-the-us-withdrawal-from-the-who.
- <sup>37</sup> CRS, Foreign Assistance, supra note 3, at 17–18 (citing "The Trump Administration both proposed shifting foreign assistance from primarily grants to include more lending and sought to expand development finance through the DFC while proposing cuts to grant assistance accounts.") *Id.* at 18 n38.
- <sup>38</sup> ForeignAssistance.gov, https://foreignassistance.gov/ (last updated 7 Mar. 2025) (figures do not include most arms sales or military equipment transfers to foreign countries).
  - <sup>39</sup> Mateo, supra note 29, at 6.
  - <sup>40</sup> Id.
  - <sup>41</sup> *Id*. at 5.
  - <sup>42</sup> Id.
  - 43 Id. at 7.
  - <sup>44</sup> Primorac, *Project 2025, supra* note 1, at 253.
  - <sup>45</sup> Knickmeyer, USAID should be shut down, supra note 20.
- <sup>46</sup> Kayla Epstein, *Who is Doge's official leader? White House says it's not Musk*, BBC (25 Feb. 2025), https://www.bbc.com/news/articles/c2erg38vjx8o.
- <sup>47</sup> Beatrice Spadacini, *USAID: By helping others, we help ourselves,* THE FULCRUM (10 Feb. 2025), https://thefulcrum.us/governance-legislation/united-states-agency-for-international-development.
  - <sup>48</sup> Knickmeyer, USAID should be shut down, supra note 20.
  - <sup>49</sup> Id.
- <sup>50</sup> Melissa Quinn, *Where Trump Policies and Project 2025 Proposals Match Up*, CBS NEWS (3 Feb. 2025), https://www.cbsnews.com/news/trump-project-2025-playbook/.
- <sup>51</sup> Max Primorac, Witness Biography, Hearing on *Oversight of U.S. Foreign Assistance*, 119th Cong. (13 Feb. 2025), https://www.congress.gov/119/meeting/house/117889/witnesses/HHRG-119-FA00-Bio-PrimoracM-20250213.pdf.
  - <sup>52</sup> Primorac, *Project 2025, supra* note 1, at 254.
  - <sup>53</sup> Id.
  - <sup>54</sup> *Id*. at 269–70.
  - 55 Id. at 272.
  - <sup>56</sup> Id. at 255-256.
  - 57 Id. at 268.
  - 58 Id. at 269.
  - <sup>59</sup> *Id*. at 258–260.
  - 60 Id. at 262.
  - 61 *Id*. at 261.
  - 62 Id. at 258-260.
- <sup>63</sup> U.S. Dep't of State, *Priorities and Mission of the Second Trump Administration's Department of State* (22 Jan. 2025), https://www.state.gov/priorities-and-mission-of-the-second-trump-administrations-department-of-state/.
  - $^{\rm 64}$  USAID, Foreign Assistance Architecture supra note 2, at 4.
- <sup>65</sup> Nahal Toosi & Daniel Lippman, *Trump Aides Circulate Plan for Complete Revamp of Foreign Aid Programs*, POLITICO (19 Mar. 2025), https://www.politico.com/news/2025/03/19/trump-aides-circulate-plan-for-complete-revamp-of-foreign-aid-programs-00238862.
  - $^{\rm 66}$  USAID, Foreign Assistance Architecture, supra note 2, at 4.
- $^{67}$  Id. (despite the diction, contextually, "international cooperation architecture" does not necessarily imply a multilateral approach; it means the way foreign assistance is designed and expended).
  - 68 Id. at 5-12

- <sup>69</sup> *Id*. at 7.
- <sup>70</sup> Daniel F. Runde, *How to Successfully Merge USAID and the Department of State*, CTR. FOR STRATEGICC & INT'L STUD. (12 Apr. 2025), https://www.csis.org/analysis/how-successfully-merge-usaid-and-department-state.
  - <sup>71</sup> USAID, Foreign Assistance Architecture, supra note 2, at 10.
  - <sup>72</sup> *Id*. at 7.
  - 73 *Id*. at 5.
  - <sup>74</sup> Id.
  - <sup>75</sup> *Id*. at 12.
  - <sup>76</sup> *Id*. at 3.
  - 77 Id. at 12.
- <sup>78</sup> Adva Saldinger, *Devex Invested: US DFC Could Face Radically Different Future Under Trump*, DEVEX (12 Apr. 2025), https://www.devex.com/news/devex-invested-us-dfc-could-face-radically-different-future-under-trump-109711.
- <sup>79</sup> Fact Sheet: President Donald J. Trump Enforces Overwhelmingly Popular Demand to Stop Taxpayer Funding of Abortion, THE WHITE HOUSE (25 Jan. 2025), https://www.whitehouse.gov/fact-sheets/2025/01/fact-sheet-president-donald-j-trump-enforces-overwhelmingly-popular-demand-to-stop-taxpayer-funding-of-abortion/.
- <sup>80</sup> The Consequences of the U.S.'s Withdrawal from the WHO, Johns Hopkins Bloomberg Sch. of Pub. Health (30 Jan. 2025), https://publichealth.jhu.edu/2025/the-consequences-of-the-us-withdrawal-from-the-who.
- <sup>81</sup> Will Steakin & Lucien Bruggeman, *After Months of Cuts, State Department Says It's Officially Shuttering USAID*, ABC NEws (28 Mar. 2025), https://abcnews.go.com/US/after-months-cuts-state-department-officially-shuttering-usaid/story?id=120267238.
- <sup>82</sup> Thalia Beaty, Judge Is 'Offended' at DOGE's Tactics but Does Not Pause Its Takeover of the US Institute of Peace, AP (last updated 19 Mar. 2025, 4:56PM), https://apnews.com/article/institute-peace-doge-foreign-aid-trump-usaid-4c5 cbee6e7effeebc5865b9195d8ea53; see also Thalia Beaty, Most US Institute of Peace Workers Get Late-Night Word from DOGE of Their Mass Firing, AP (31 Mar. 2025), https://apnews.com/article/us-institute-peace-trump-doge-mass-firing-746aa4fce9ad35fe17e8e22ce29417e3.
- <sup>83</sup> Josh Gerstein & Kyle Cheney, *Judge Lets Trump Take Over US African Development Foundation*, Politico (11 Mar. 2025, 9:08PM), https://www.politico.com/news/2025/03/11/us-african-development-foundation-order-00225835.
- <sup>84</sup> Exec. Order No. 14,196, *A Plan for Establishing a United States Sovereign Wealth Fund*, 90 Fed. Reg. 9181 (3 Feb. 2025), https://www.federalregister.gov/documents/2025/02/10/2025-02477/a-plan-for-establishing-a-united-states-sovereign-wealth-fund.
  - 85 *Id.* at § 1.
- <sup>86</sup> Steven Feldstein & Jodi Vittori, *Trump's Sovereign Wealth Fund Brings High Stakes and Serious Risks*, CARNEGIE ENDOWMENT FOR INT'L PEACE (3 Apr. 2025), https://carnegieendowment.org/research/2025/04/trumps-sovereign-wealth-fund-brings-high-stakes-and-serious-risks.

- <sup>87</sup> UN WOMEN, *Facts and Figures: Economic Empowerment*, https://www.unwomen.org/en/what-we-do/economic-empowerment/facts-and-figures (last visited 10 Apr. 2025).
- <sup>88</sup> Wenhao Ma, *Though China Might Aim to Fill Aid Void Left by USAID, Its Own Challenges Could Limit It, Voice of Am.* (6 Feb. 2025), https://www.voanews.com/a/china-may-fill-aid-void-left-by-usaid-shutdown-but-its-own-challenges-could-limit-it/7965690.html.
  - 89 CRS, Foreign Assistance, supra note 3, at 1.
- <sup>90</sup> George Ingram & Junjie Ren, *The Future of US Foreign Aid: George Ingram on Policy Shifts, Global Fallout, and What Comes Next*, BROOKINGS (7 Mar. 2025), https://www.brookings.edu/articles/the-future-of-us-foreign-aid-george-ingram-on-policy-shifts-global-fallout-and-what-comes-next/.
  - <sup>91</sup> Spadacini, By helping others, supra note 47.
  - 92 Id.
- <sup>93</sup> Mandeep Tiwana, *Trump & Musk's War on Global Aid, Civil Society, & Democracy*, DEMOCRACY WITHOUT BORDERS (19 Mar. 2025), https://www.democracywithoutborders.org/36059/trump-and-musks-war-on-global-aid-civil-society-and-democracy/.
  - 94 Ingram, Future of Aid, supra note 90.
  - 95 Garber, Aid Debacle, supra note 25.
  - 96 Spadacini, By helping others, supra note 47.
- <sup>97</sup> U.S. Cong. Rsch. Serv., IF11735, *China's Belt and Road Initiative: Impacts on Europe and the United States* (updated 16 May 2024), https://www.congress.gov/crs-product/IF11735.
  - 98 Id.
- <sup>99</sup> Jay Caspian Kang, *America's Soft-Power Retreat*, New Yorker (6 Feb. 2025), https://www.newyorker.com/news/fault-lines/the-rise-of-chinas-soft-power.
- <sup>100</sup> China Filling the Void, COUNCIL ON FOREIGN RELS.: ASIA UNBOUND (26 Feb. 2025), https://www.cfr.org/blog/us-soft-power-spiraling-asia-china-filling-void.
  - <sup>101</sup> *Id*.
  - <sup>102</sup> *Id*.
- <sup>103</sup> CRS, *Foreign Assistance, supra* note 3, at 19; ironically, these policies to make the U.S. safer, stronger, and more prosperous hurt domestic firms too, *see* lain Marlow, *Trump's Foreign Aid Cuts Are Killing Jobs for US Contractors Too*, BLOOMBERG (12 Apr. 2025), https://www.bloomberg.com/news/articles/2025-04-12/trump-s-foreign-aid-cuts-are-killing-jobs-for-us-contractors-too.
- <sup>104</sup> Rebecca Root, *Dismantling of USAID and Foreign Funding Freeze Jeopardises Rule of Law and Human Rights Globally*, INT'L BAR ASS'N (3 Mar. 2025), https://www.ibanet.org/Dismantling-of-USAID-and-foreign-funding-freeze-jeopardises-rule-of-law-and-human-rights-globally.

<sup>105</sup> *Id*.

