

**Updated 3/4/25**

### **Foreign Aid Pause and Review EO timeline**

**1/20:** [Executive Order \(EO\)](#) signed by the President. The EO placed a 90-day pause on “new obligations and disbursements of development assistance funds” pending a review to be conducted “under guidelines provided by the Secretary of State, in consultation with the Director of OMB.”

**1/24:** The Secretary of State issued a cable to all diplomatic and consular posts. It stated, in part:

“For existing foreign assistance awards, contracting officers and grant officers shall immediately issue stop-work orders, consistent with the terms of the relevant award, until such time as the Secretary shall determine, following a review.”

The cable made waivers to the pause for:

“(a) foreign military financing for Israel and Egypt and administrative expenses, including salaries, necessary to administer foreign military financing;

(b) emergency food assistance and administrative expenses, including salaries, necessary to administer such assistance;

(c) on a temporary basis, salaries and related administrative expenses, including travel, for U.S. direct hire employees, personal services contractors, and locally employed staff;

(d) legitimate expenses incurred prior to the date of this ALDAC under existing awards or legitimate expenses associated with stop-work orders; and

(e) exceptions to the pause approved by the Director of Foreign Assistance.”

Finally, the cable specified that, for purposes of the cable, “foreign assistance” was to be defined as “assistance funded from accounts in titles III and IV and from International Organizations and Programs in the Department of State, Foreign Operations, and Related Programs Appropriations Acts.” Because it is funded through the Agriculture Appropriations bill Title II Food for Peace, which comprises nearly all emergency US food aid and, was not included in the waiver for emergency food assistance.

**1/24-1/31:** State Department and USAID sent individual suspension of work orders on existing programs to implementing organizations. The individual orders were not uniform in their format or mode of delivery, but all instructed implementers to “stop all work under the award(s) and not incur any new costs after the effective date cited above.”

**1/25:** In an email to all USAID staff, Ken Jackson, Assistant Administrator for Resources and Management clarified that “the pause on all foreign assistance means a complete halt. Guidance provided specifies that the only exceptions to this pause are for emergency humanitarian food assistance and for government officials returning to their duty stations.” Again, food assistance in this case did not include Title II Food for Peace.

**1/28:** USAID’s Senior Procurement Executive and Director, Bureau for Management, Office of Acquisition & Assistance issued a blanket stop work order, applying “to all awards (e.g., contracts, grants, cooperative agreements, and other funding mechanisms) and funding at every tier, unless an implementing partner has received formal notification from their cognizant CO/AO that their award is covered, in whole or in part, by a current waiver.”

Sent to “All Current and Prospective USAID Implementing Partners,” it instructed: “To implement the funding pause, this communication from the M/OAA Director in his capacity as the Senior Procurement Executive and Assistance Executive serves as official notice to all implementing partners to: (1) *Take immediate action to pause implementation of USAID program-funded activities and otherwise refrain from further commitments or expenditures of USAID funding, until further notice.* [Italics in original]

**1/28:** Sec. Rubio signed an [emergency humanitarian waiver](#) to the pause for “life-saving humanitarian assistance.” “Life-saving” was not defined. In response to inquiries to the Department of State and USAID about restarting humanitarian programs in light of the waiver, implementing partners were told: “The Suspension of Work order remains in full force and effect...Invoking the waiver is at your own risk. Until such time as the Suspension of Work is lifted by the Agreement Officer in writing, U.S. government funds may not be utilized to continue work.” Another communication stated, “Until a new notice of suspension is issued, recipients should abide by the current notice of suspension.”

**1/31:** Some implementing partners of humanitarian programs received “Partial Suspension Notices” for specific programs, which appear to function as waivers for certain activities. While they stop work on the specified programs overall, they exempt a list of emergency sectors, listed below. All notices were for programs funded out of the International Disaster Assistance account.

- Emergency food assistance
- Emergency health
- Emergency logistics
- Emergency nutrition
- Emergency protection
- Emergency shelter and settlements
- Emergency water sanitation and hygiene

However, no further guidance has been provided as to the dimensions of these exemptions, nor have implementers been able to use the Payment Management System to access funds to implement these emergency activities (see below).

A handful of additional Partial Suspension of Work orders reached some implementers, but not enough to equal full coverage of lifesaving activities as defined in these orders.

**2/7:** Implementers of Title II Food for Peace Emergency programs received “Recissions” of their Stop Works Orders (SWOs). However, implementers have not been able to use the Payment Management System to access appropriated funds.

**2/12-2/25:** Implementers received a small number of termination notices for specific programs. These notices said the termination was “pursuant to a directive from U.S. Secretary of State Marco Rubio, in his capacity as the Acting Administrator for the U.S. Agency for International Development and Peter W. Marocco, Deputy Administrator at USAID, for alignment with Agency priorities and national interest.” They did not include any specific information about the reasons for the termination of any individual award.

**2/13:** Federal judge issued a temporary restraining order (TRO) on the freeze on Congressionally appropriated foreign assistance. He ordered the Administration to remove the blanket SWO and honor the terms of foreign assistance contracts and grants in effect on January 19.

**2/18:** Administration filed a response to the TRO stating that as it had authority to freeze or terminate foreign aid contracts and grants based on the terms of those contracts and grants, it was already in compliance with the order. The blanket SWO remained in place and funding remained frozen.

**2/20:** Federal judge extended the TRO to March 10. His order stated the “Court was not inviting Defendants to continue the suspension while they reviewed contracts and legal authorities to come up with a new, post-hoc rationalization for the en masse suspension”. Again, the Administration was ordered to remove the blanket SWO and honor the terms of foreign assistance contracts and grants in effect on 1/19.

**2/22:** Federal judge ordered Administration officials to provide live testimony regarding “what funds have been disbursed in response to the Court’s TRO and order enforcing it” by 2/26.

**2/25:** Federal judge ordered the Administration to pay by 2/26 “all invoices and letter of credit drawdown requests” for foreign aid work done prior to 2/13.

**2/26:** Director of Foreign Assistance Peter Marocco attested in a document submitted to the DC Circuit Court that the foreign assistance review had been completed and that 5,800 of 6,300 USAID projects and 4,100 of 6,800 State Department programs were slated for termination in the following 24-48 hours.

Implementers began to receive a steady stream of termination notices from USAID soon after. These included awards that had been granted permission to continue under the lifesaving assistance waiver issued by Secretary Rubio on 1/28. These notices differed from earlier terminations in that they were not signed by agreement officers. Notices stated that, “Secretary Rubio and PTDO Deputy Administrator Marocco have determined your award is not aligned with Agency priorities and made a determination that continuing this program is not in the national interest.” They did not include any specific information about the reasons for the termination of any individual award. The notice also said, “Detailed instructions will follow, and a formal modification/ amendment to memorialize this action is forthcoming.” Implementers have not yet received any detailed instructions or formal agreement amendments.

The Supreme Court issued a stay to the lower court ruling, removing the requirement that the Administration pay nearly \$2 billion in invoices for foreign aid work by midnight on 2/26.

**3/3:** In a filing to the Supreme Court, the Administration argued that “the ‘funding freeze’ is not continuing; it is over.” The Administration stated that it had complied with the judge’s order and decided to retain over 500 USAID projects. This constitutes about 8% of USAID’s 6,300 contracts and awards.

In the evening, implementers received notices that some program terminations had been reversed. Many of these were sent to the wrong organization – implementers received an assortment of termination rescissions for other implementers’ awards. Several hours later, State/USAID began sending out corrections and getting the notices to the right implementers though these were not comprehensive. Most of the rescissions of termination were for programs for which waivers had been issued under Sec. Rubio’s humanitarian assistance waiver for lifesaving assistance issued Jan. 28.

**3/4:** There is still a good deal of confusion over what is still terminated and what is not. Some programs that had their terminations reversed then had them reinstated. In addition, some implementers are still waiting for initial corrections. Finally, though permission to implement certain programs has been given, there is still no funding moving for these programs. Implementers are still not able to access obligated funds through the Payment Management System.

**As of present (3/4/25):**

- Though the Administration's court filing attested that the funding freeze is over, the **mechanism by which implementers draw down obligated program funds – the Payment Management System (PMS) - is not functioning to disburse money**. This means that:
  - Despite the emergency food exemption and humanitarian assistance waiver to the EO, no US government humanitarian assistance funding has been disbursed, including for emergency food aid through Food for Peace.
  - Though some implementers have received specific permission to resume certain life-saving activities in specific programs, no US government humanitarian assistance funding has yet been disbursed, including for Food for Peace.
  - No explanation has been given nor has an estimate for when PMS will be fully operational been shared.
- The review process mandated by the Foreign Assistance EO was never explained or the steps enumerated. Implementers have no way of knowing why specific programs were terminated, or not.