

Finally, justice as Elon Musk and DOGE hit with class action lawsuit over dismantling of USAID programs

Employees of the **U.S. Agency for International Development (USAID)** who face job losses as the agency prepares to shut down may pursue claims against **Elon Musk** and the **Department of Government Efficiency (DOGE)** as a class action, a federal court has ruled.

Following the **Supreme Court's limitation on universal injunctions**, advocates for federal workers subject to mass layoffs are increasingly turning to class-action litigation ([SCOTUS Blog](#)).

Under the Trump Administration, Musk and DOGE were tasked with cutting federal expenditures. As part of their mandate, they proposed merging USAID with the **State Department**, which would result in the termination of **5,000 to 10,000 USAID employees**. On **March 28**, DOGE Team Lead Jeremy Lewin sent an email notifying affected employees that they would receive **reduction-in-force (RIF) notices**, requiring separation by either **July 1 or Sept. 2**.

DOGE's actions have faced legal challenges at nearly every step. In June, the **Supreme Court** ruled that DOGE could access **Social Security data** ([Supreme Court Opinion](#)), while Musk departed DOGE in May.

Plaintiffs argued that DOGE's decisions violated the **Appointments Clause** and the **separation of powers** by undermining congressional authority. They were granted a **preliminary injunction on March 18**, and the defendants' motion to dismiss was denied on **Aug. 13**, though claims against President Trump were dismissed.

At the time of the proposed RIF, USAID's workforce included **civil service employees, foreign service employees, foreign service limited and national employees, and personal services contractors**, along with **cooperating country and third-country national personal service employees** working abroad who were not U.S. citizens. However, **Judge Theodore D. Chuang** of the **U.S. District Court for the District of Maryland** excluded foreign nationals from the class, ruling they do not have rights under the U.S. Constitution ([District Court Opinion](#)).

The certified class now includes **all U.S. citizen USAID employees or those working in the United States between Jan. 27 and the present**, explicitly excluding administrators and deputy administrators.

Chuang ruled that the class is **appropriately defined**, sufficiently large, and shares common **legal and factual issues**.

For the **Appointments Clause** claim, common questions include whether Musk made the initial decision to dismantle USAID, whether this decision should have been made by a **duly appointed U.S. officer**, whether Musk acted as **de facto DOGE administrator**, and whether Musk's role constitutes a "continuing" office under the Appointments Clause.

For the **separation of powers** claim, common issues include whether DOGE was unlawfully eliminated as an independent agency and whether that elimination violated constitutional principles, Chuang said.

The judge also concluded that the plaintiffs' claims are typical of the class and that they will adequately represent all members. A single [injunction or declaratory](#) judgment would provide relief for the entire class.

State Democracy Defenders Action, Marziani, Stevens & Gonzalez PLLC, and Lieff Cabraser Heimann & Bernstein, LLP represent the plaintiffs. The U.S. Department of Justice represents the defendants.

The case is [Doe v. Musk](#), D. Md., 8/18/25.