

FACTS on Republicans’ “Dismantling Government Act” (H.R. 1295)

Admitting that President Trump and Elon Musk do not have the legal authority to “delete” federal agencies and programs authorized by Congress or to purge the federal workers that provide vital public functions, Congressional Republicans have introduced H.R. 1295.

The “Dismantling Government Act” would use the shell of a long-dormant statute as a Trojan Horse to give President Trump and Elon Musk the unprecedented, filibuster-proof authority they crave to eliminate federal departments and agencies, statutory programs, government services, and regulatory protections that promote the health and well-being of American families.

The dormant authority was used in the past to allow a president to present a government reorganization plan that could then be **fast-tracked through Congress**. H.R. 1295 would grant this authority to President Trump and Elon Musk through December 31, 2026, but with a **recklessly expanded scope** and **without the key limitations and guardrails** that Congress was careful to include in the past. In fact, the bill would include new presidential powers that Congress explicitly prohibited last time it granted this authority.

The previous authority was used by past presidents to:

- submit proposals to Congress to reorganize executive agencies and offices to make government work better, and
- respond to the needs of the American people, including by creating the Environmental Protection Agency, the National Oceanic and Atmospheric Administration, and the Federal Emergency Management Agency.

It came with important limitations and guardrails, including:

- a prohibition on the abolishment, transfer, or consolidation of whole executive departments or independent regulatory agencies, and
- a prohibition on termination of any enforcement functions or statutory programs across government.

By contrast, the **Dismantling Government Act** provides for an enormous expansion of presidential power by **removing these limitations and guardrails** and allowing reorganization plans for the sole purpose of:

- eliminating government departments, agencies, operations, and statutory programs that President Trump and Elon Musk deem “unnecessary for the execution of constitutional duties;”
- purging federal employees; and
- eliminating key regulatory protections that President Trump and Elon Musk deem “unnecessary and burdensome.”

The Dismantling Government Act (H.R. 1295) would grant Congressional Republicans filibuster-proof, unilateral power to bless the actions of Trump and Musk, who would use this new, unprecedented authority to:

- **Abolish whole federal departments and agencies.** President Trump could use his new power to achieve Congressional approval of his plans to abolish the Department of Education, the Department of Commerce, the Consumer Financial Protection Bureau, the National Labor Relations Board, and any other federal entity with a simple majority vote in both the House and the Senate.
- **Wipe away statutory programs authorized by Congress.** Trump would also be able to use this power to eliminate statutory programs through his reorganization plans—a feature that was expressly prohibited in the past. Republicans in Congress would not be able to amend the plans, so they would be forced to support a broad reorganization package that cuts or eliminates Social Security, Medicare, Medicaid, or other programs beloved by their constituents—or otherwise incur the coercive wrath of Presidents Trump and Musk.
- **Unilaterally eliminate rules and regulations.** President Trump could use his new power to gut agencies’ abilities to enforce laws and regulations and to eliminate rules and regulations that he and Elon Musk deem “unnecessary and burdensome.” This is a dramatic departure from past practice and could be used to gut the regulatory protections that safeguard Americans’ drinking water, food, environment, health, safety, and pocketbooks.
- **Purge our federal workers.** Unlike the previous reorganization authority, Trump’s new power would explicitly authorize any plan he deemed necessary to reduce the number of federal employees and to eliminate federal operations that he or Elon Musk believe “do not serve the public interest.” With Trump and Musk’s purges fast-tracked through Congress, the courts would no longer be able to condemn and reverse the disastrous dismantling of our government.

Between 1932 and 1984, Congress only periodically delegated **limited** authority to the president to develop plans to reorganize **limited** portions of the government. Congress has chosen not to renew this authority since 1984 despite requests to do so from both President George W. Bush and President Barack Obama.

