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Elon Musk and Vivek Ramaswamy: The DOGE Plan to Reform Government

Following the Supreme Court's guidance, we'll reverse a decadeslong executive power grab.

By Elon Musk and Vivek Ramaswamy

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Our nation was founded on the basic idea that the people we elect run the government. That isn't how America functions today. Most legal edicts aren't laws enacted by Congress but "rules and regulations" promulgated by unelected bureaucrats—tens of thousands of them each year. Most government enforcement decisions and discretionary expenditures aren't made by the democratically elected president or even his political appointees but by millions of unelected, unappointed civil servants within government agencies who view themselves as immune from firing thanks to civil-service protections.

This is antidemocratic and antithetical to the Founders' vision. It imposes massive direct and indirect costs on taxpayers. Thankfully, we have a historic opportunity to solve the problem. On Nov. 5, voters decisively elected Donald Trump with a mandate for sweeping change, and they deserve to get it.

President Trump has asked the two of us to lead a newly formed Department of Government Efficiency, or DOGE, to cut the federal government down to size. The entrenched and ever-growing bureaucracy represents an existential threat to our republic, and politicians have abetted it for too long. That's why we're doing things differently. We are entrepreneurs, not politicians. We will serve as outside volunteers, not federal officials or employees. Unlike government commissions or advisory committees, we won't just write reports or cut ribbons. We'll cut costs.

We are assisting the Trump transition team to identify and hire a lean team of small government crusaders, including some of the sharpest technical and legal

small-government crusaders, including some of the sharpest technical and legal minds in America. This team will work in the new administration closely with the White House Office of Management and Budget. The two of us will advise DOGE at every step to pursue three major kinds of reform: regulatory rescissions, administrative reductions and cost savings. We will focus particularly on driving change through executive action based on existing legislation rather than by passing new laws. Our North Star for reform will be the U.S. Constitution, with a focus on two critical Supreme Court rulings issued during President Biden's tenure.

In *West Virginia v. Environmental Protection Agency* (2022), the justices held that agencies can't impose regulations dealing with major economic or policy questions unless Congress specifically authorizes them to do so. In *Loper Bright v. Raimondo* (2024), the court overturned the *Chevron* doctrine and held that federal courts should no longer defer to federal agencies' interpretations of the law or their own rulemaking authority. Together, these cases suggest that a plethora of current federal regulations exceed the authority Congress has granted under the law.

DOGE will work with legal experts embedded in government agencies, aided by advanced technology, to apply these rulings to federal regulations enacted by such agencies. DOGE will present this list of regulations to President Trump, who can, by executive action, immediately pause the enforcement of those regulations and initiate the process for review and rescission. This would liberate individuals and businesses from illicit regulations never passed by Congress and stimulate the U.S. economy.

When the president nullifies thousands of such regulations, critics will allege executive overreach. In fact, it will be *correcting* the executive overreach of thousands of regulations promulgated by administrative fiat that were never authorized by Congress. The president owes lawmaking deference to Congress, not to bureaucrats deep within federal agencies. The use of executive orders to substitute for lawmaking by adding burdensome new rules is a constitutional affront, but the use of executive orders to roll back regulations that wrongly bypassed Congress is legitimate and necessary to comply with the Supreme Court's recent mandates. And after those regulations are fully rescinded, a future president couldn't simply flip the switch and revive them but would instead have

to ask Congress to do so.

A drastic reduction in federal regulations provides sound industrial logic for mass head-count reductions across the federal bureaucracy. DOGE intends to work with embedded appointees in agencies to identify the minimum number of employees required at an agency for it to perform its constitutionally permissible and statutorily mandated functions. The number of federal employees to cut should be at least proportionate to the number of federal regulations that are nullified: Not only are fewer employees required to enforce fewer regulations, but the agency would produce fewer regulations once its scope of authority is properly limited. Employees whose positions are eliminated deserve to be treated with respect, and DOGE's goal is to help support their transition into the private sector. The president can use existing laws to give them incentives for early retirement and to make voluntary severance payments to facilitate a graceful exit.

Conventional wisdom holds that statutory civil-service protections stop the president or even his political appointees from firing federal workers. The purpose of these protections is to protect employees from political retaliation. But the statute allows for "reductions in force" that don't target specific employees. The statute further empowers the president to "prescribe rules governing the competitive service." That power is broad. Previous presidents have used it to amend the civil service rules by executive order, and the Supreme Court has held—in *Franklin v. Massachusetts* (1992) and *Collins v. Yellen* (2021) that they weren't constrained by the Administrative Procedures Act when they did so. With this authority, Mr. Trump can implement any number of "rules governing the competitive service" that would curtail administrative overgrowth, from large-scale firings to relocation of federal agencies out of the Washington area. Requiring federal employees to come to the office five days a week would result in a wave of voluntary terminations that we welcome: If federal employees don't want to show up, American taxpayers shouldn't pay them for the Covid-era privilege of staying home.

Finally, we are focused on delivering cost savings for taxpayers. Skeptics question how much federal spending DOGE can tame through executive action alone. They point to the 1974 Impoundment Control Act, which stops the president from ceasing expenditures authorized by Congress. Mr. Trump has previously suggested this statute is unconstitutional, and we believe the current Supreme Court would

likely side with him on this question. But even without relying on that view, DOGE will help end federal overspending by taking aim at the \$500 billion plus in annual federal expenditures that are unauthorized by Congress or being used in ways that Congress never intended, from \$535 million a year to the Corporation for Public Broadcasting and \$1.5 billion for grants to international organizations to nearly \$300 million to progressive groups like Planned Parenthood.

The federal government's procurement process is also badly broken. Many federal contracts have gone unexamined for years. Large-scale audits conducted during a temporary suspension of payments would yield significant savings. The Pentagon recently failed its seventh consecutive audit, suggesting that the agency's leadership has little idea how its annual budget of more than \$800 billion is spent. Critics claim that we can't meaningfully close the federal deficit without taking aim at entitlement programs like Medicare and Medicaid, which require Congress to shrink. But this deflects attention from the sheer magnitude of waste, fraud and abuse that nearly all taxpayers wish to end—and that DOGE aims to address by identifying pinpoint executive actions that would result in immediate savings for taxpayers.

With a decisive electoral mandate and a 6-3 conservative majority on the Supreme Court, DOGE has a historic opportunity for structural reductions in the federal government. We are prepared for the onslaught from entrenched interests in Washington. We expect to prevail. Now is the moment for decisive action. Our top goal for DOGE is to eliminate the need for its existence by July 4, 2026—the expiration date we have set for our project. There is no better birthday gift to our nation on its 250th anniversary than to deliver a federal government that would make our Founders proud.

Mr. Musk is CEO of SpaceX and Tesla. Mr. Ramaswamy, a businessman, is author, most recently, of "Truths: The Future of America First" and was a candidate for the 2024 Republican presidential nomination. President-elect Trump has named them co-heads of the Department of Government Efficiency.





ILLUSTRATION: DAVID GOTHARD

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