# Chapter 3: Organizing Federal Agencies by Constitutional Mandates

## Introduction

This chapter serves as an example of what could be possible in a federal government realignment, illustrating one potential approach to streamline operations by aligning federal agencies and departments with core constitutional mandates. It is important to note that no formal analysis has been conducted thus far. The ideas presented here are conceptual, designed to demonstrate possible structures and outcomes under a guided transformation process.

The success of any realignment will rely heavily on comprehensive analysis, direction from transformation leadership, and transparent engagement with all stakeholders. Only with this groundwork in place—including thorough evaluation, structured guidance, and stakeholder buy-in—can the federal government consider and support changes that optimize efficiency, uphold constitutional alignment, and enhance accountability.

## 3.1 Principles of Constitutional Mandate and Spending Alignment

Purpose and Approach

Our mission begins by re-establishing the fundamental responsibilities of the federal government as outlined in the U.S. Constitution. This foundation will guide the realignment of Executive Branch departments and agencies to reduce duplicative functions, increase efficiency, and ensure accountability. Core constitutional principles, with an emphasis on the Tenth Amendment’s mandate that non-delegated powers remain with the states, will direct this process.

Core Principles

1. Constitutional Mandates: The U.S. Constitution, especially Article I, Section 8, specifies federal responsibilities, such as defense, interstate commerce, and foreign relations. These mandates are our guiding framework, reinforced by insights from the Declaration of Independence and the Federalist Papers on limited government and individual liberty.  
  
2. Respect for State Sovereignty and the Tenth Amendment: The Tenth Amendment emphasizes that powers not delegated to the federal government are reserved to the states. This principle obligates a reevaluation of federal programs, ensuring no encroachment on functions best managed at the state level, such as education, healthcare, and policing.  
  
3. Mandatory vs. Discretionary Spending:  
- Definition: Federal spending can be classified as either mandatory or discretionary, depending on whether it is legally or constitutionally required. Mandatory spending includes programs and services that federal law or constitutional mandate obligates the government to provide. Discretionary spending, however, covers programs funded through annual appropriations, subject to change each fiscal year.  
- Reclassification Requirements: A critical aspect of this realignment will involve reevaluating and reclassifying federal programs according to their constitutional basis:  
 - Defense: Currently classified as discretionary, defense spending will be reclassified as mandatory to reflect its constitutional requirement under Article I, Section 8, which mandates that Congress provide for the common defense. This ensures defense spending is prioritized and aligned with foundational national security obligations.  
 - Supplemental Nutrition Assistance Program (SNAP): SNAP is currently classified as mandatory due to entitlement legislation but lacks a constitutional mandate. Since it is funded by general tax revenue without a foundational requirement in the Constitution, SNAP will be reclassified as discretionary, giving Congress the flexibility to adjust funding based on budgetary needs.

## 3.2 Review of Current Federal Departments and Agencies

### Department of Agriculture (USDA)

Establishment Date: 1862

Core Functions: Oversees agricultural policy, food safety, rural development, and nutrition assistance programs.

Key Programs: SNAP, National School Lunch Program, Conservation Programs

Overlapping Functions: Nutrition Assistance overlaps with HHS, Rural Development overlaps with HUD

Disposition Summary: Retain USDA for agricultural and rural development. Consider moving SNAP and related nutrition programs to HHS.

### Department of Commerce (DOC)

Establishment Date: 1903

Core Functions: Promotes economic growth, trade, technological innovation, and conducts the Census.

Key Programs: Economic Development Administration, U.S. Census Bureau, National Oceanic and Atmospheric Administration

Overlapping Functions: Economic Development overlaps with SBA and Labor, Environmental Research overlaps with EPA and Interior

Disposition Summary: Retain DOC for economic management and Census functions.

## 3.4 Legal and Operational Challenges in Realignment

Realignment requires constitutional, legislative, and operational diligence to ensure compliance and continuity:  
1. Constitutional Lawyer Involvement: Legal experts will review all targeted programs to identify binding obligations.  
2. Legislative Approval: Many program transfers will require new legislation.  
3. Operational Continuity: Service continuity is paramount.  
4. Government Reformation Team’s Role: This team will ensure all actions follow legal guidelines, coordinating with departments.

## 3.5 Expected Outcomes

The Government Reformation Team will execute the realignment within legal, policy, and operational constraints.  
1. Legal and Policy-Adherent Changes  
2. Minimizing Disruption  
3. Increased Efficiency  
4. Transparency and Accountability  
5. Consideration of Disparate Impacts.

## Conclusion: Transitioning Programs Back to State Control

In the pursuit of aligning federal functions with constitutional mandates, the reallocation of certain programs back to the states represents not only an administrative shift but also a financial recalibration. By moving specific programs back to state management, we create opportunities for both governance efficiencies and fiscal relief.  
  
This transition would also entail a corresponding reduction in federal tax obligations, as states would assume the financial responsibility for these services. The relief from federal taxes traditionally allocated to these programs allows states to collect or retain revenue independently, providing them the flexibility to allocate funds directly to meet local needs without federal intervention.