

Congressional Progressive Caucus Recommendations for Executive Action

Lower Health Care Costs

Ensure Access to Health Care for Families

- Make health care more affordable by changing the current determination of eligibility for a family's ACA premium subsidies, which is based on whether the available employer-sponsored insurance is affordable for the employee, rather than for the whole family. Fixing this "family glitch" in the Affordable Care Act would provide relief to 5.1 million people.
- Protect seniors' ability to manage their own care in traditional Medicare by quickly transitioning away from the ACO REACH pilot program, which allows third-party middlemen to manage care without seniors' full understanding or prior consent, and often through for-profit businesses with incentives to restrict care.

Lower Drug Prices for Millions of Americans and Protect Taxpayer Investments in Research and Development

- Use existing legal authorities to dramatically lower costs of essential drugs like insulin, naloxone, hepatitis C drugs, HIV/AIDS drugs, Xtandi, EpiPens, and inhalers.
- Build public manufacturing capacity to ensure availability of critical medicines such as insulin at lower cost.
- Guarantee lower drug prices and protect taxpayer investments in research and development by requiring all government funding contracts to include a reasonable-pricing clause using a standard such as the median price in other OECD countries, as well as licensing conditions to ensure affordable global access.
- Make medications cheaper by allowing the personal importation of drugs.

Decisively End the Global Pandemic

- Negotiate licensing agreements that require manufacturers to share production methods and invoke legal authorities to ensure broad technology transfer so that new manufacturing plants can be built around the world.
- Expand public manufacturing capacity for COVID-19 vaccine and therapeutic production, and future public use for critical drugs by building government-owned, contractor-operated facilities. Publicly release all Operation Warp Speed contracts with manufacturers in an unredacted form to provide greater transparency into pricing, intellectual property, delivery and distribution, and donation terms of agreement.
- Redouble multilateral efforts to secure a global emergency waiver for monopoly rights on COVID-19 vaccines, therapeutics, and diagnostics.
- Put government-owned intellectual property related to the Walter Reed pan-coronavirus vaccine candidate in the public domain, and actively share technology with the World Health Organization's technology access pool and

manufacturers throughout the world to ensure that if the vaccine candidate is proven safe and effective, there will be fair pricing and adequate supply and access globally.

- Support a new issuance of International Monetary Fund global emergency reserves at no cost to U.S. taxpayers so that developing countries can purchase vaccines, treatments, protect public health budgets, and spur global demand for U.S. exports.

Cancel Federal Student Loan Debt

- Put money back in the pockets of millions of Americans who are stuck in the student debt trap — preventing them from buying homes, starting families, and investing in their communities — by using existing administrative authority under section 432(a) of the Higher Education Act of 1965 to cancel federal student loan debt.

Expand Worker Power and Raise Wages

- Give millions of workers more take-home pay by strengthening outdated overtime protections. Provide at least one-and-a-half times the regular pay for any hours worked in excess of 40 hours per workweek to millions more workers by quickly initiating the rulemaking process to update the salary threshold for workers eligible for overtime, in line with the historical high point of the 55th percentile of earnings of full-timed salaried workers nationwide, amounting to at least \$82,732 by 2026. Implement automatic updates to prevent the erosion of the salary threshold over time.
- Provide generous sick leave, overtime, vacation, and other benefits by strengthening Service Contract Act regulations and guidance, addressing misclassification of low-wage workers and use existing authority to ensure that bidders prioritize retention and quality staffing.
- Require that federal contractors remain neutral in union organizing campaigns; narrow the gap between CEO and worker pay; have no violations of labor union rights; divulge company and individual contributions to candidates, parties or third-party political groups in the past two years; and have not paid a penalty or settled a claim in connection with the violation of an EPA regulation in the preceding five years.
- Protect high-risk workers including farm workers, construction workers, and warehouse workers from dangerous heat and wind conditions caused by climate change by developing workplace heat and wind standards.
- Ensure high wages from federal projects by modernizing regulations related to the Davis Bacon Act, which establishes a prevailing wage for construction workers on federally funded projects. Reverse Reagan-era rules that undermined the ability of the Department of Labor to accurately collect wage data.
- Ensure that all grants for infrastructure projects, to the extent allowed by law, require the use of a trained, certified workforce and apply labor standards— particularly on projects aimed at deployment of electric-vehicle charging stations.

- Build on existing memoranda of understanding between the Department of Labor Wage and Hour Division and the National Labor Relations Board that coordinate efforts to enforce labor and wage standards by creating new MOUs between other executive branch organizations like the Department of Defense.
- Promote the protection and robust enforcement of labor, employment and civil rights by ensuring that all workers, regardless of immigration status, can exercise their rights, by providing immigration protections and access to work authorizations to safeguard against retaliation.

Advance Immigrants' Rights

- Provide immediate and urgently needed relief for those coming from countries in crisis by designating or re-designating Temporary Protected Status (TPS) for people already present in the United States. Protect current TPS recipients, and newly designate or redesignate countries eligible for TPS or DED, such as Cameroon, El Salvador, Ethiopia, Guatemala, Guinea, Haiti, Honduras, Hong Kong, Lebanon, Mauritania, Mexico, Nepal, Nicaragua, Sierra Leone, Somalia, and Yemen.
- Ensure fairness in the immigration court system by removing nonpriority cases from the 1.6 million case backlog, expanding government-funded legal counsel for adults and children, and ending the use of expedited proceedings that compromise due process such as immigration adjudication centers that operate without oversight.
- Stop the expansion of private prisons to detain immigrants; terminate or decline renewal of all current private prison contracts; and support community-based alternatives to detention, including community-based case management. Specifically, transition ICE's Intensive Supervision Appearance Program (ISAP) to alternatives to detention that are operated outside of ICE by non-profit community-based organizations with expertise serving immigrant communities.
- Provide access to a fair asylum process by ending the use of Remain in Mexico (MPP) and Title 42 expulsions and border closure, and working to re-open closed ports of entry to people seeking protection in coordination with local non-profit groups and shelters.
- Combat racial profiling while fostering greater public safety and community trust by ending all 287(g) agreements, which deputize state and local law enforcement officers to perform certain functions of federal immigration agents. Prohibit the Department of Homeland Security from entering into new such agreements, including both Warrant Service Officer and Jail Enforcement Model agreements.
- Redress the harms of Trump's Muslim Ban and additional, related presidential proclamations, so that those unfairly burdened or rejected under Muslim Ban are able to secure status, obtain lost green cards, and secure other basic services without additional burdens.
- Raise wages and improve labor safeguards and protections so that employers can no longer use the H-2B visa program to underpay and exploit migrant workers and U.S. workers.

- Increase wage requirements in the H-1B visa program so they reflect true market rates and allocate H-1B visas by prioritizing employers seeking highly skilled workers and paying fair wages.

Deliver on the Promise of Equal Justice Under the Law

Judicial System Reform

- Fight cost increases for working families and protect workers by developing an inter-agency task force to investigate, prosecute, and deter white-collar crime, including anti-competitive and price-gouging business behaviors as well as firms' exploitation of heightened inflation to pad profits; tax fraud and evasion by corporations and wealthy individuals; and employers' workplace safety violations, wage theft, anti-union retaliation, and other violations of labor law.
- Fulfill the President's promise of assembling a taskforce on prosecutorial discretion to collect and implement best practices and innovations at the state and local levels to reduce over-criminalization, such as ending cash bail and declining to prosecute smaller crimes to advance racial and economic justice.
- Build on the success of alleviating prison overcrowding and mass incarceration made by the pandemic home confinement program, by ensuring that the Bureau of Prisons effectively implements the Attorney General's strong Office of Legal Counsel memo, including by granting clemency to those who have complied with the terms of home confinement regardless of the length of their sentences. The administration should also create an independent, permanent clemency board to review more than 18,000 pending clemency petitions.

Police Reform

- Make police departments more transparent and accountable to the public by collecting and publishing data on the use of force in police departments across the country.
- Help reduce the use of deadly force by police officers by establishing strict national standards governing the use of force and require immediate application of these standards to all federal law enforcement agencies and condition federal grants on their adoption at the state and local level.
- Build on President Obama's executive action to demilitarize law enforcement by directing the Department of Defense to revise its 1033 program and prevent the transfer of certain excess military-grade weaponry to federal, tribal, state, and local police, including grenade launchers, weaponized drones, long-range acoustic devices, armored military vehicles, grenades, and other explosives.

Community Safety

- Issue an executive order to establish a new Division of Community Safety within the Department of Health and Human Services to advance non-carceral responses to safety, including overseeing research, providing technical assistance for jurisdictions, funding grant programs on initiatives like violence interruption,

mentorship, assistance for survivors and vulnerable youth; and coordinating among other federal agencies around non-carceral community safety approaches.

- Build on the President's comprehensive strategy to combat gun violence by establishing an Office of Gun Violence Prevention to streamline, coordinate, and implement relevant executive orders across federal agencies.

Combat the Climate Crisis and Reduce Fossil Fuel Dependence

Invest in Clean, Affordable, Homegrown Energy to Support Energy Independence

- Ensure the federal government leverages its vast purchasing power to accelerate homegrown clean energy technologies that cut costs for American families by developing strong rules for implementing the Executive Order on Catalyzing Clean Energy Industries and Jobs Through Federal Sustainability. Regulations should include equity, labor, and environmental standards.
- Declare a National Climate Emergency and invoke authorities under the Defense Production Act and Trade Expansion Act, mobilizing domestic industry to manufacture affordable renewable energy technologies with good paying union jobs for domestic use and international export; reinstate the crude oil export ban; and build reliable, distributed renewable energy systems in frontline communities most affected by the dirty and unjust energy complex.
- Declare a ban on new fossil fuel leases on federal lands and waters and in environmental justice communities.
- Save taxpayers billions of dollars by ending both domestic and international federal fossil fuel subsidies.
- Direct the State Department, U.S. Treasury, U.S. Export-Import Bank, the U.S. Development Finance Corporation, and USAID to phase out all U.S. government financing for fossil fuel projects and related infrastructure overseas and finance only clean energy infrastructure and climate mitigation and adaptation measures. Use the U.S.' voice and vote at IMF, World Bank and IDB to advance the same goal.

Ensure Clean Air and Water to Save Lives

- Protect Americans' health and save tens of thousands of lives annually by updating and strengthening outdated standards limiting particulate matter, ozone, carbon dioxide, sulfur dioxide, mercury, coal ash, and tailpipe emissions, as well as lead and copper rules preventing contamination of drinking water.
- Finalize new methane standards for new and existing oil and gas operations. Make these standards strong enough to cut methane pollution at least 65 percent below 2012 levels by 2025.
- Direct the EPA to designate greenhouse pollutants as criteria air pollutants and set a science-based national pollution cap under the Clean Air Act.

Advance Environmental Justice

- Ensure at least 40 percent of the overall benefits from federal investments in climate and clean energy go to disadvantaged communities by establishing Justice 40 implementation guidelines for all agencies, including definitions and metrics; mandatory data collection, mapping, and monitoring of distribution of funds to disadvantaged communities; and oversight of the social, economic, and environmental impacts of funds. Ensure that environmental justice communities receive the technical support needed to secure access to federal funds.
- Issue a strengthened and more robust executive order on addressing environmental justice that will hold agencies accountable for reducing disproportionate environmental impacts on frontline communities.

Invest in Care Economy Jobs & Standards

- Ensure veterans' access to home care, including by allowing veterans to use consumer-directed models to access crucial in-home care while providing direct-care workers serving veterans with supports and pay to guarantee recruitment and retention of an adequate workforce.
- Grow strong child care unions by encouraging widespread adoption of strong labor standards and bedrock funding, creating opportunities for worker engagement and voice, and using rulemaking to stabilize the workforce and create a path to unionization for child care workers.
- As outlined by President Biden in his State of the Union proposals, protect nursing home residents and improve quality of care by establishing minimum staffing standards for skilled nursing facilities, with an ongoing role for labor management processes on staffing and care issues. Address workforce shortages by expanding training opportunities and tying Medicaid payments to adequate wages. Require greater transparency about ownership and financing of homes in order to ensure that public funds are used to provide care, rather than pad the profits of corporate owners.
- Robust implementation of the Medicaid Equal Access Rule to reflect the important role of the workforce in ensuring access to health services, including establishing a public process to ensure that payment levels for home care providers are adequate, and that rate increases are passed on to workers in the form of higher wages.

Regulate for Economic and Tax Fairness

- Curb abuse of the Tax Cuts and Jobs Act's Opportunity Zone program in which wealthy investors shield capital gains from taxes by promulgating new regulations that the Treasury Department annually certify Opportunity Zone funds fulfill all the program's requirements, including 90 percent of an investment being made in an Opportunity Zone itself and robust reporting requirements.
- Raise billions by closing the carried interest loophole that lets Wall Street executives managing other peoples' money disguise part of their salary as

investment returns to cut their taxes; currently, investment income of wealthy money managers is taxed at the capital gains rate of 20 percent, whereas their wage income is taxed at 37 percent.

- Fight unfair tax evasion by the wealthy through IRS authority to require reporting by financial institutions on large deposits related to business transactions without encroaching on the financial privacy for average account holders.
- Reverse Trump administration regulations that further expanded the offshore tax loopholes created by the Republican Tax Cuts and Jobs Act. Promulgate new regulations to close transfer pricing loopholes, prevent earnings stripping, reform the abuse of foreign tax credits, and protect and expand the U.S. source taxation base.
- Advance corporate transparency through a Securities and Exchange Commission rule requiring public companies to disclose information about their exposure to climate-related risks, including: the company's direct and indirect greenhouse gas emissions; the total amount of fossil fuel-related assets the company owns or manages; the company's expected valuation if climate change continues at its current pace or greenhouse gas emissions are restricted to meet the 1.5 degrees Celsius goal; and the company's risk management strategies related to the physical risks and transition risks posed by the climate crisis.