



The Progressive Caucus Approach to 117th Lame Duck

- We should fight to win what we can in the final legislative session, including:
 - **Influencing Must-Pass Legislation** – Ensuring progressive outcomes in end-of-year items like Appropriations, tax extenders and the NDAA
 - **Enacting Outstanding Bicameral, Bipartisan Legislation** – the House should spearhead bicameral passage of viable bipartisan bills that a House Republican Majority won't put on the floor
 - **Concluding the 117th Congress with Democratic Agenda Items** – Pass bills that reflect House Democrats' popular agenda and highlight our contrast with an incoming Republican majority's priorities
 - **Debt Ceiling** – Use simple majorities in the House and Senate to prevent Republican hostage-taking efforts in mid-2023 to demand cuts to Social Security, Medicare, and other vital programs in exchange for raising the debt ceiling.
 - **Congress stays in session until work is done**
 - In order to maximize this short but critical window to pass the remainder of progressives' legislative agenda, the House and especially the Senate will need to be in session until the work is done.
 - Staying in session also helps avoid competition between progressive priorities given the narrow window of time.
 - Requiring legislative business to continue through December could increase negotiating leverage to ensure full funding for FY23 and avoid a year-long Continuing Resolution
- I. Progressive Priorities for Must-Pass Legislation:**
- **FY23 Appropriations Omnibus** – Pass a full year-long funding bill for FY23 in order to increase investments in programs that our communities need
 - A deal to provide a roadmap to citizenship for DACA recipients and Dreamers
 - Increased funding for the National Labor Relations Board (NLRB) and Department of Labor
 - Medicaid increases for U.S. territories expires to protect more than 1 million Medicaid recipients in Puerto Rico from deep cuts to eligibility and benefits. (Previous Appropriations increased the federal share of Medicaid payments from 55% to 76% for Puerto Rico, and to 83% for Guam, USVI, Northern Mariana Islands, and American Samoa. Absent congressional action, the rate will revert to 55%).
 - Funding White House supplemental appropriations requests for COVID-19, monkeypox, and disaster relief
 - No new poison-pill riders on reproductive or LGBTQ rights
 - Funding for national hotline for domestic workers on workplace abuse at DOL's

Wage & Hour Division

- A water and drought package that includes outdoor recreation and lands conservation
 - Update the Good Samaritan Food Donation Act to expand liability protections that will reduce food waste (H.R. 6251)
 - Healthy Meals, Healthy Kids Act (HR8450) to expand access to school meals, increase the reimbursement rate for breakfasts and lunches, and authorize a permanent nationwide summer EBT program
 - Pilot within Medicare to cover Medically Tailored Meals (H.R. 5370)
 - Guardrails on states unwinding Public Health Emergency Medicaid support to minimize health-coverage loss and use the PHE offset to strengthen the Medicaid/CHIP program for the future
 - Lead Abatement for Families Act of 2021 (H.R.2513)
 - Emergency supplemental funding for LIHEAP to account for increased fuel costs
 - Increased funding for Medicaid Home and Community-Based Services
 - Exclude riders codifying or extending Title 42
 - Retain House and Senate decreases in detention funds that enable ICE to jail an average of 25,000 compared to 34,000 people daily in FY22
 - Include language to recapture unused green cards lost to bureaucratic delay and the former administration's executive actions on immigration
 - Robust funding for the FEMA Case Management Pilot Program
 - Include the bipartisan Adoptee Citizenship Act
 - Retain House-passed CJS allocation of \$150 million for Community Violence Intervention programs, with \$20 million allocated for violence interrupters. These programs are locally run, save lives, and stop violence before it happens.
 - Include emergency aid to assist the current hunger crisis in the Horn of Africa, which has been exacerbated by record droughts and the conflict in Ukraine.
- **Tax extenders**
 - Restore the expanded, refundable Child Tax Credit that reduced childhood poverty by 40%, as well as the Earned Income Tax Credit and the Child and Dependent Care Tax Credit
 - Any delay to corporate R&D tax amortization must be paired with tax relief for working families, such as expanded CTC or EITC, in any year-end tax extenders package.
 - Extend the Low Income Housing Tax Credit (LIHTC) for low-income families more effectively in any tax extenders legislation.
 - Restore workers' tax deduction for their expenses on union dues, which has bipartisan support in HR 2549, which partially reinstates a longstanding tax benefit eliminated by the 2017 tax package and would boost worker organizing efforts.
- **FY23 National Defense Authorization Act (NDAA)**
 - Members of the CPC have raised significant concerns over the possibility that a Manchin-authored permitting side deal is attached to the NDAA. Many CPC

members continue to oppose expediting the Mountain Valley Pipeline and other fossil fuel projects, harming judicial independence, rolling back critical environmental protections, and undermining environmental justice communities and their input.

- Repeal of the 2002 AUMF
- Require federal contractors to remain neutral in workplace organizing efforts
- Inclusion of the Ukraine Comprehensive Debt Payment Relief Act (H.R.7081) and Stop Onerous Surcharges Act (H.R. 6979), which were adopted as amendments
- PFAS cleanup at military facilities

II. Bicameral Legislation (many can be attached to end-of-year, must-pass vehicles)

- Respect for Marriage Act (H.R.8404)
- Antitrust Legislation
- EQUAL Act (H.R.1693)
- Afghan Adjustment Act (H.R.8685)
- Pregnant Workers Fairness Act (H.R.1065)
- Restoring Hope for Mental Health and Well-Being Act (H.R. 7666)
- Electoral Count Act (ECA) reform, either the Manchin & Collins version or Lofgren & Cheney version, and including the Expanding the VOTE Act
- Yemen War Powers Resolution (HJRes87), which as a privileged resolution, can pass with only simple majorities in both chambers
- American Data Protection and Privacy Act (H.R.8152)
- INFORM Consumers Act (H.R.5502)
- Lymphedema Treatment Act (H.R.3630)

III. House Legislation

- Social Security 2100: A Sacred Trust (H.R.5723)
- Robust legislation banning stock trading
- Commission to Study and Develop Reparation Proposals for African Americans Act (H.R. 40)
- VA Employee Fairness Act (H.R.1948)
- Supreme Court Ethics, Recusal, and Transparency Act (H.R.7647)
- Abolition Amendment (HJRes53)
- Freight Rail Shipping Fair Market Act (H.R.8649)

IV. Debt Ceiling and Spending

- One of the most dangerous prospects for Republican hostage-taking is the debt ceiling, which will need to be lifted sometime next spring.
- Congressional leadership should raise the debt ceiling either through must-pass legislation or a reconciliation bill.
- If viable, this could be combined with a reconciliation bill on spending, for floor time/procedural efficiency, which could focus on health care expansion.
- Initiating a reconciliation process now can serve as a backstop should bipartisan negotiations break down on the need to raise the debt ceiling.