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2020

AMERICAN  
COMPASS

# BACK TO WORK

AN EXECUTIVE BLUEPRINT  
TO STRENGTHEN FAMILIES,  
COMMUNITIES, AND INDUSTRY

# Back to work.

With the 2024 election concluded, the nation faces a pivotal moment of transition. The Trump-Vance administration’s core mission will be advancing an agenda of prioritizing working families, domestic industry, and national economic strength.

To support this mission, American Compass’s *Back to Work* agenda offers a roadmap of concrete executive actions the administration could immediately take to accomplish this. This list highlights key areas where change can be implemented swiftly and effectively.

During his first term, President Trump meaningfully shifted the country away from the failed market-fundamentalist consensus. This agenda provides the administration with actionable proposals to move the country toward a new consensus that places workers, families, local communities, and national industry first.

These recommendations provide a blueprint for immediate executive action, organized by department and agency. Swift implementation of these measures will demonstrate the administration’s commitment to delivering real change for American workers and families.

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# Executive Office of the President

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## TOP PRIORITIES

### **1. Addressing the U.S. Trade Deficit and Onshoring American Manufacturing**

Utilizing every authority at his disposal, the President should undertake a whole-of-government program to reshore American industry, revitalize American manufacturing, and bring exports and imports into balance. Coordinating across agencies and departments, and where necessary by recommending legislation to Congress, the President should immediately seek to implement local content requirements for critical goods, establish a domestic industrial bank or financing authority, rescind Permanent Normal Trade Relations with China, and implement a general tariff of 10% on all imports that phases in gradually over five years.<sup>1</sup>

### **2. Outbound Investment**

On his first day in office, the President, using *International Emergency Economic Powers Act* (IEEPA) authority, should revoke the Biden administration's executive order on outbound investment, replacing it with a much broader executive order that would, at minimum:

- Broadly prohibit U.S. persons from investing in any greenfield manufacturing or research and development project (including joint ventures) in the People's Republic of China (PRC);
- Prohibit U.S. persons from actively or passively investing in any critical technology sector from either China's *Made in China 2025* or the White House Office of Science and Technology Policy (OSTP)'s list of critical technologies; and
- Prohibit any investment into PRC-based entities that contribute to the PRC military-industrial complex or military-civil fusion.

### **3. National Family Policy Strategy**

The administration should convene an interagency working group under the auspices of the Executive Office of the President to develop a national strategy to address the challenges facing working American families. This national strategy should include policies targeted at buttressing family formation, easing child rearing/bearing, and improving the working conditions, workplace voice, and wages of American workers.<sup>2</sup>

## ADDITIONAL IDEAS

### **Banning the BA Box**

The President should continue his first term's policy of not requiring bachelor's degrees for federal employment and expand the policy to include federal contractors.<sup>3</sup>

### **Capacity for Industrial Policy**

The White House should restore the Office of Manufacturing and Trade Policy.

### **China Sanctions**

The President should further utilize IEEPA authority to sanction every PRC-based company that appears on any government blacklists (i.e. Chinese Military Company list, Entity List, etc.). Ideally, the President should also sanction PRC banks and financial institutions.

### **Foreign Adversary Applications**

Utilizing his authority under the *Protecting Americans From Foreign Adversary Controlled Applications Act*, the President should ban or force the divestment of WeChat, as well as Temu and Shein, from the U.S.<sup>4</sup>

# Department of Labor

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## TOP PRIORITIES

### 1. H-1B Visa Reform

The Department should significantly raise H-1B “prevailing wages” to the average market wage for each relevant occupation. It should require customers of H-1B employer-outsourcers to file Labor Condition Applications (LCAs), the terms of which are then fully enforced. Actual wage and working condition promises made on LCAs should be enforced. Employers who do not honor the wages and working conditions contained in their LCAs should be barred from the program for at least two years.<sup>5</sup>

### 2. Support a BA Box Ban

The Department should develop a pilot program to offer alternative certification tools that validate specific skills sought by employers in the market.<sup>6</sup>

- **Develop the ASVAB as an Alternative Credential:** The Department should work to make the Armed Services Vocational Aptitude Battery (ASVAB) generally available to states and private-sector employers seeking alternative methods of gauging applicants’ qualifications.

### 3. Increased Use of 10(j) Injunctive Relief

The National Labor Relations Board (NLRB) should pursue injunctive relief as allowed by Section 10(j) of the *National Labor Relations Act* (NLRA) in all cases where a worker is fired for engaging in protected organizing activity, immediately reinstating workers in such cases.<sup>7</sup>

## ADDITIONAL IDEAS

### **Bureau of Family Statistics**

Building on Executive Order 12606 from the Reagan administration, the Department should establish a Bureau of Family Statistics within the Department of Labor to collect, analyze, and report data on the state of the American family.<sup>8</sup>

- **COTI:** Upon its creation, the Bureau of Family Statistics should begin tracking and publishing Cost of Thriving Index (COTI) data so the metrics can be used by other agencies in rulemaking.<sup>9</sup>

### **Experiment with Ghent-style Benefits Administration**

The Secretary of Labor should provide interpretative guidance or rulemaking authorizing certain nonprofit worker-controlled membership organizations to administer unemployment insurance, and offer waivers if necessary for states that experiment with this approach to unemployment insurance administration.

### **Regulatory or Enforcement Action Against *Employee Retirement Income Security Act (ERISA)*-related Investments in China**

The Department should subject ERISA investments in China to greater scrutiny in light of China's state influence over private capital and non-compliance with accounting standards. Regulations should authorize ERISA fiduciaries to settle "tie-breaker" investment decisions by avoiding Chinese companies given the inherent risks involved.

### **Eliminate China-Focused Mutual Funds from the Thrift Savings Plan (TSP)'s Mutual Fund Window**

The Department should take swift action to ensure that the retirement funds of U.S. government employees are not funding the rise of the nation's greatest adversary.

# Department of Commerce

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## TOP PRIORITIES

### 1. Export Controls

Via the Bureau of Industry and Security (BIS), the Department should adopt a country-wide “presumption of denial” for all export licenses to the PRC and any entity based in, directed, or controlled by the PRC. There should also be a “policy of denial” for any export license with “National Security” controls.<sup>10</sup> To that end, BIS should:

- Adopt a rule to automatically include all subsidiaries of Entity List entities in the Entity List;
- Require U.S. universities and research institutions to obtain export licenses if they intend to use any export-controlled item with a national security nexus during the course of a collaboration with the PRC; and
- Institute a rule defining “emerging and foundational technologies” controlled under Section 1758 based on the OSTP list. This would tighten CFIUS restrictions and export controls.

### 2. Critical Minerals/Supply Chain Resilience

The Department, in consultation with the Department of Defense, should undertake a thorough review of goods critical to national security and the industrial base. This should build on efforts started in the Biden administration’s supply chain review process and the Commerce Department Supply Chain Center’s new SCALE tool development. Utilizing its *Defense Production Act* authority, the Department should compel firms to share detailed supply chain information.<sup>11</sup>

### 3. CHIPS/Industrial Policy Implementation

The Secretary of Commerce should establish clear, public guidelines governing the Department’s implementation of laws pertaining to federal support for industry. Implementing rules should strictly reflect the explicit statutory purposes of the authorities and public funding granted by Congress and limit requirements for program participation to those directly necessary to advance the law’s stated purpose. These guidelines should also be applied to existing CHIPS Act programs.<sup>12</sup>

## ADDITIONAL IDEAS

### **Finalize the Bureau of Information and Communications Technology Security (ICTS) Rule**

BIS should finalize and expand the scope of ICTS's recent rule on connected vehicles as broadly as possible to include LiDAR and connected batteries.

- BIS should fully leverage its authorities under the ICTS regime to broadly prohibit from the U.S. all connected devices and "Internet of Things" modules produced in the PRC or provided by PRC companies.

### **Robustly Utilize Section 232 Investigations**

The Department should take additional action under Section 232. The Department (specifically BIS) should consult with the Office of the U.S. Trade Representative and the Department of Defense to identify manufacturing sectors for Section 232 investigation, including EVs, critical minerals, and any other products with a strong national security nexus.

### **GDP 2.0**

GDP 2.0 is a new metric that better captures the economic picture for middle- and lower-income quintiles. The Bureau of Economic Analysis (BEA) should complete its Distribution of Personal Income prototype data series, incorporating more features of aggregate GDP, and improve the timeliness of its public release. If necessary, the Department should seek greater funding from Congress.<sup>13</sup>

### **Combat International Labor Arbitrage Through Antidumping and Countervailing Duties AD/CVD**

The Department should issue interpretive rulemaking clarifying the scope of countervailable subsidies to encompass wage levels, labor standards, and forced labor.

### **Use Economic Development Administration (EDA) Grants as Reshoring Subsidies**

EDA provides grants to distressed American communities to promote economic development. The EDA should direct grants to firms seeking to move production from China to such communities in the United States.



# Department of the Treasury

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## TOP PRIORITIES

### 1. *De Minimis* Enforcement

In coordination with the Secretary of the Department of Homeland Security, the Secretary of the Treasury should exercise his executive authority under 19 USC 1321 to significantly reduce *de minimis* treatment of small-value shipments into the United States. This should include effectuating proposals from House Republicans and prior administrations to prohibit *de minimis* entry for goods subject to trade enforcement tariffs (i.e., 301, 201, 232, and AD/CVD). The Secretary should reform the Administrative Exemption rule under the *Customs Modernization Act of 1994*, and ensure that all commercial imports have accompanying entry summary information including accurate U.S. Harmonized Tariff Schedule codes. This information should be included in all U.S. calculations of U.S. imports, exports, and trade balances.

### 2. CFIUS Review

The Committee on Foreign Investment in the United States (CFIUS) is a critical tool for preventing inbound investment from the PRC that may present national security concerns. The Department should promulgate a rule that undertakes broad reform of the program including:

- Presumptively prohibiting any transaction with the PRC above a *de minimis* investment threshold by designating such transactions presumptively unmitigable;
- Issuing rules expanding the number of sensitive sites and expanding the definition of “close proximity” to increase CFIUS jurisdiction over land transactions; and
- Finalizing rules expanding and enhancing civil and criminal penalties for failing to file relevant disclosures, making material misstatements or omissions, and violating mitigation agreements. False statements should also be referred to the Department of Justice.

### 3. Implement a Broad China Decoupling Strategy

The Department should utilize every authority at its disposal to encourage the decoupling of the American and Chinese economies. This includes but is not limited to the use of Office of Foreign Assets Control (OFAC) sanctions, expanding the list of Chinese military companies to include publicly listed PRC technology and certain banks that support the PRC Military Industrial Complex.<sup>14</sup>

- The Secretary of the Treasury should reverse the Biden administration’s watered down rules on the 30D electric vehicle (EV) tax credit in the *Inflation Reduction Act*, which have compromised the statute’s domestic supply chain requirement to exclude (to the greatest extent possible) PRC critical minerals and battery components from EVs receiving the credit.

## ADDITIONAL IDEAS

### **American Investment into Chinese Firms Disclosure Rule**

Ensure that Americans are only permitted to invest in Chinese firms that meet acceptable disclosure rules, whether or not such firms are listed on U.S. exchanges. This would expand on efforts under the *Holding Foreign Companies Accountable Act of 2020* (HFCAA), requiring Chinese firms publicly listed on American stock exchanges to comply with the more rigorous disclosure requirements followed by U.S. and European companies.

### **Clear Language Disclosure Rule**

Require “clear language” disclosures by banks and private equity entities to increase transparency and better track systemic risks. These should be in similar language to companies’ performance disclosures to stockholders.

### **Development Banks**

The Under Secretary of the Treasury for International Affairs should direct U.S. representatives at development banks to prioritize countering PRC influence and promoting American strategic and economic security interests.

# Office of the U.S. Trade Representative

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## TOP PRIORITIES

### **1. Maintain Strong Posture for WTO Reform**

The Office of the United States Trade Representative (USTR) should continue to withhold its assent to new appointments to the World Trade Organization (WTO) appellate body.<sup>15</sup> USTR should also ignore countries' self-designations as "developing" when countries unreasonably claim it, as China does.

### **2. 301 Tariffs**

USTR should maintain current 301 tariffs and expand their use in additional cases where countries engage in market behaviors that significantly harm or disadvantage American industries, workers, or economic security.<sup>16</sup>

### **3. Prepare to Drive a Hard Bargain During the USMCA Review**

The sunset review for United States-Mexico-Canada Agreement (USMCA) occurs in 2026. Several new and existing challenges will need to be addressed. This includes Mexico appropriating U.S. investment, restricting imports of U.S. corn, and allowing China to build auto factories and steel plants to circumvent U.S. tariffs.

## ADDITIONAL IDEAS

### **Enforce the Phase One Agreement to Impose More China Tariffs**

President Biden declined to enforce President Trump's Phase One Agreement despite acknowledging that China is in violation. USTR should use its authority under the agreement to fully and aggressively enforce the deal and impose additional tariffs if necessary.

# Office of Management and Budget

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## TOP PRIORITIES

### 1. Establish a Federal Research Security Council

Within the Office of Management and Budget (OMB), a Federal Research Security Council should be established to develop federally funded research and development grantmaking policy and management guidance to protect the national and economic security interests of the United States.<sup>17</sup>

### 2. OIRA

Leverage the Office of Information and Regulatory Affairs (OIRA) to require all federal agencies to consider U.S.-China competition in all significant rules and regulatory plans.<sup>18</sup>

- **COTI & GDP 2.0:** OIRA should issue guidance that Departments are to take into account the Cost of Thriving Index (COTI) and GDP 2.0 during rulemaking.

# Department of Homeland Security

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## TOP PRIORITIES

### 1. Administrative Expansion of E-Verify

The Department should promulgate a rule that requires, as a condition of receiving federal contracts, that firms and their subsidiaries/contractors utilize E-Verify to prove that only legally authorized workers are working on projects funded by the federal government.<sup>19</sup>

### 2. Replace the H-1B Lottery

Given that the current lottery approach to H-1B visas is not prescribed in statute, the Department should revisit how it is awarding these visas on a first-come, first-served basis. It should instead offer presumptive priority based on wage level of the roles concerned, which will focus the program on filling roles that cannot be met by the domestic labor market.

- **Crack Down on Visa Mills:** Immigration and Customs Enforcement (ICE) should increase its efforts to crack down on supposed educational institutions that offer fraudulent means of attaining visa status.

### 3. Immigration Enforcement and LIFO

The Department should request additional funding from Congress to strengthen border security and hire more ICE agents to ensure that temporary residents depart when their visas expire. If the Department intends to engage in a significant national enforcement action relating to the deportation of illegal immigrants, that enforcement action should be undertaken with a “Last In, First Out” (LIFO) prioritization approach.<sup>20</sup>

## ADDITIONAL IDEAS

### *De Minimis* Enforcement

In coordination with the Secretary of the Treasury, the Secretary of the Department of Homeland Security should exercise his executive authority to significantly reduce the *de minimis* treatment of small-value shipments into the United States. This should include effectuating proposals from House Republicans and prior administrations to prohibit *de minimis* entry for goods subject to trade enforcement tariffs (i.e., 301, 201, 232, and AD/CVD).

### UFLPA Enforcement

Ramp up *Uyghur Forced Labor Prevention Act* (UFLPA) enforcement by adding more PRC entities to CBP's Entity List and issuing rules requiring all goods produced in the PRC, in whole or in part, to disclose a complete supply chain analysis, including DNA testing for biological goods such as cotton and fruit.<sup>21</sup> Impose prohibitive civil penalties on any importers who negligently fail to disclose connections to Xinjiang.

# Department of Defense

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## TOP PRIORITIES

### **1. Reevaluate Federal Acquisition Regulations**

Current Federal Acquisition Regulation (FAR) is needlessly cumbersome, advantaging large defense contractors at the expense of taxpayers and national security. The Secretary of Defense should order the reevaluation of FAR requirements with the target of cutting them by 75%.

### **2. Secure the Defense Industrial Sub-Base**

The Department should identify a wide range of strategic commodities (including metals, alloys, ores and compounds, minerals, plastics, oil, basic manufacturing inputs, and active pharmaceutical ingredients) and issue a report of discrete actions the government can take to support domestic demand such as loans, loan guarantees, tax incentives, subsidies, or stockpile purchases. It should then use Title III of the *Defense Procurement Act* to put in place as many of these incentives as current law allows.

### **3. Reform and Streamline Procurement to Encourage New Entrants**

New, innovative companies are willing to invest in cutting-edge technologies that will advance the defense industrial base (DIB), but current procurement requirements make it nearly impossible to compete with incumbent firms. The Department should establish “mission-based” procurement targets with simple requirements and allow more firms to compete to offer the best products to meet explicit defense needs rather than relying on extensive requirements that favor established firms and technologies.

## ADDITIONAL IDEAS

### **Support the Development of the Defense Industrial Base Workforce**

In coordination with the Department of Education and the Department of Labor, the Department of Defense should explore implementing education and workforce reforms focused on supporting the defense industrial workforce.

### **Government-Owned/Government-Operated and Government-Owned/Company-Operated Shipyards and Research Facilities**

The Department should seek to establish government-owned and -operated (GOGO) and government-owned and company-operated (GOCO) shipyards and facilities, as well as research and development institutes linked to funding for scale-up capacity.



# Department of Justice

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## TOP PRIORITIES

### **1. Review of Antitrust Enforcement Policy**

In coordination with the Federal Trade Commission (FTC), the Department should undertake a review of its antitrust enforcement policy and ensure that it is able to meet the challenges of corporate concentration. This review should include an examination of personnel, necessary authorities, and whether the Department has adequate funding to pursue all cases concerning anti-competitive mergers and practices.

### **2. Review of Corporate Enforcement Policy**

The Department's criminal division should undertake another review of its Corporate Enforcement Policy, which demarcates the criteria the Department uses to prosecute, or decline to prosecute, a criminal case. This policy is the lodestar for whether the Department should resolve cases via deferred prosecution agreements (DPAs) or non-prosecution agreements (NPAs). DPAs and NPAs have been widely used in recent decades to respond to corporate wrongdoing, and while efficient for the Department—because they allow cases to be swiftly resolved despite resource constraints—such agreements are widely perceived to be ineffective at deterring corporate misconduct. At the very least, the Department should seek to make all DPAs and NPAs public so that these agreements come with some degree of reputational risk.

### **3. Foreign Agent Registration Act Enforcement**

The Department should investigate and prosecute individuals who fail to comply with the *Foreign Agent Registration Act* (FARA).

## ADDITIONAL IDEAS

### **Foreign Investment Review Section (FIRS) Rule**

The Department should finalize and strengthen the Biden administration's proposed rule to prohibit or restrict U.S. persons from engaging in transactions with foreign adversaries involving bulk personal data. This should include broadly defining sensitive personal data, imposing prohibitive civil penalties for violations, and pushing for the strongest possible restrictions from CFIUS and the Department's Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector ("Team Telecom").<sup>22</sup>

### **Establish a New Division to Prosecute Trade Crimes**

Trade law monitoring and enforcement efforts are spread across several agencies, but only this Department has the authority to bring criminal cases (a more serious deterrent). Establishing a dedicated International Trade Crimes Section (ITCS) within the Department would provide a more focused approach to often complex cases, ensuring more consistent and robust enforcement alongside the efforts of Customs and Border Protection, the Commerce Department, and USTR. The division would focus on detecting, investigating, and prosecuting trade fraud, duty evasion, illegal transshipment, and other trade-related crimes, as well as provide training and assistance to other federal, state, and local law enforcement agencies.

# Department of Education

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## TOP PRIORITIES

### **1. Limit Federal Funds to Universities Dependent on PRC-Based Tuition Revenue and Ban PRC Entities from Engaging with Research Universities**

The Department should restrict the flow of federal dollars to universities and colleges that collect more in tuition payments from any Chinese national holding an F-1 student visa than the average amount collected from U.S. citizens and permanent residents enrolled in the same course of study. The Department should enforce and investigate disclosures of foreign gifts to universities to ensure compliance with Section 117 of the *Higher Education Act of 1965*. The Department should ban all federally funded research universities from engaging with Chinese entities in any manner that involves discussing strategic technology-related research, education, or employment.

### **2. Develop Requirements for Alternative Credentialing Programs to Qualify for Pell Grant Funding**

The Department should propose a rule enabling certain non-college training programs to qualify for Pell Grant funding.

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POLICY