

PROJECT 2025

PRIMER

Mandate for Leadership: The Conservative Project

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At BRIDGE, our mission is to help companies create a cultural shift and infuse DEI principles throughout every facet of the organization. Toward that end, we have created this primer on “The Mandate for Leadership: The Conservative Promise,” a playbook for “the next conservative president” published by The Heritage Foundation as part of Project 2025 or what the Foundation describes as the “Presidential Transition Project of the US Conservative Party.” The Mandate for Leadership is intended to assist the next conservative president in implementing changes in the federal government within the first 180 days of their term.

In the first section of this BRIDGE primer, we provide an overview of the policies that will directly impact DEI initiatives that have been put in place under presidents committed to equity and inclusion. The Mandate explicitly states that one of its primary goals is to roll back decades of established progressive or “woke” legislation, which includes, but is not limited to, legislation that fosters diversity, equity, and inclusion (DEI), environmental protections, energy conservation, and international alliances.

The Mandate, close to 900 pages, contains 30 chapters, each addressing specific federal government departments. The thirty four authors who contribute to The Mandate range from economists to research fellows to professors, coming from both the private and public sectors. Many of the chapter authors were former officials in the Trump Administration such as Paul Dans, the former Trump Administration Chief of Staff at the U.S Office of Personnel Management and Rick Dearborn, Trump's former Deputy Chief of Staff. More than 100 organizations are behind the production of Project 2025 (Newsweek published a complete list of contributors).



**IT'S IMPORTANT TO
UNDERSTAND THE INTENTION
BEHIND THE POLICIES**

As stated above, in this primer, BRIDGE set out to provide an overview of aspects of The Mandate that will have an impact on a company's commitment to DEI in the workplace. In many ways, one could argue that every recommendation in Project 2025 has the potential to inhibit a company's DEI progress, but to keep this primer concise and helpful, we have had to be selective in choosing which policies to bring into relief. There are a number of reputable organizations that are providing an overview of The Mandate. For example, we recommend Global Project Against Hate and Extremism, The Center for American Progress, Civil Discourse with Joyce Vance, and the Niskanen Center to name just a few. We encourage you to consult those, as well.

Finally, it is worth noting that BRIDGE is indebted to Dr. Sesha Joi Moon, former Chief Diversity Officer, U.S. House of Representatives, 117th & 118th Congresses and Managing Principal, Moon & Associates, LLC, who brought Project 2025 to BRIDGE's attention at one of our Board of Directors meetings. We also thank Dr. Kenji Yoshino, the Chief Justice Earl Warren Professor of Constitutional Law at NYU School of Law and director of the Meltzer Center for Diversity, Inclusion, and Belonging, and Wendy Via at GPAHE: Global Project Against Hate and Extremism whose insights into Project 2025 have been invaluable.



**PAY ATTENTION TO
RECURRING THEMES IN
POLICY RECOMMENDATIONS**

Introductions & Conclusion

The Mandate contains two introductory sections and a conclusion that provide an overview of the recurring themes in the document. All three are summarized here.

The “Note on Project 2025,” Paul Dans

The Mandate opens with Dans (writing at a time when he was director of Project 2025) explicitly stating that Project 2025’s commitment is to assure that the next conservative president wastes no time in instituting a conservative agenda starting immediately at “noon, January 20, 2025” (xiii). Project 2025 is intended to provide the incoming president with a “well-conceived, coordinated, unified plan and a trained and committed cadre of personnel to implement it” (xiii) and to dismantle “the Administrative State” (xiii).

Project 2025 is based on four pillars: Pillar I. A unified view of how federal agencies should be governed, Pillar II. A database of vetted conservatives to streamline the appointment process, Pillar III. The Presidential Administration Academy, an online education system on how the government functions, Pillar IV. The playbook: agency teams and transition plans for the first 180 days.

Foreword: A Promise to America, Kevin D. Roberts, PhD

Roberts highlights what he describes the “four broad fronts that will decide America’s Future” (3):

(1) Restore the family as the “centerpiece” of American life/protect children.

Throughout Project 2025, the idea that the “American family is in crisis” (4) recurs. Evidence for this is attributed to unmarried mothers: “Forty percent of all children are born to unmarried mothers, including more than 70 percent of black children” (4). Fatherlessness is described as one of the “principal sources” of societal issues such as poverty, teen suicide, rejection of the church, and crime, to name just a few” (4).

Roberts asserts that “the next President has a moral responsibility to lead the nation in restoring a culture of life in America again” (6). In this context, Roberts argues for “deleting the terms sexual orientation and gender identity (“SOGI”), diversity, equity, and inclusion,, gender, gender equality, gender equity, gender awareness, gender-sensitive, abortion, reproductive health, reproductive rights, and any other term used to deprive Americans of their First Amendment rights out of every federal rule, agency regulation, contract, grant, regulation, and piece of legislation that exists” (5).

Roberts equates pornography with the “omnipresent propagation of transgender ideology and sexualization of children” (5).

Another threat to the family is technology, but more specifically social media, in the hands of children. Roberts argues social media are designed to create “digital dependencies” that “fuel mental illness and anxiety” and “fray children’s bonds with their parents and siblings” (6).

Finally, Roberts argues that overturning *Roe v. Wade* was an essential step in restoring the family but that more must be done. He writes, “the next conservative President should work with Congress

to enact the most robust protections for the unborn that Congress will support while deploying existing federal powers to protect innocent life and vigorously complying with statutory bans on the federal funding of abortion" (6).

(2) Dismantle the administrative state and return self-governance to the American people.

Roberts defines the "Administrative State" as "the policymaking work done by the bureaucracies of all the federal government's departments, agencies, and millions of employees" (7). He argues that most policy is not set by Congress but by the Administrative State and that Congress passes "intentionally vague laws" and leaves it to the bureaucrats of federal agencies to adjudicate (7). He lists the following as resulting from the "Administrative State":

- "A combination of elected and unelected bureaucrats at the Environmental Protection Agency quietly strangles domestic energy production through difficult-to-understand rulemaking processes;
- Bureaucrats at the Department of Homeland Security, following the lead of a feckless Administration, order border and immigration enforcement agencies to help migrants criminally enter our country with impunity;
- Bureaucrats at the Department of Education inject racist, anti-American, ahistorical propaganda into America's classrooms;
- Bureaucrats at the Department of Justice force school districts to undermine girls' sports and parents' rights to satisfy transgender extremists;
- Woke bureaucrats at the Pentagon force troops to attend "training" seminars about "white privilege"; and
- Bureaucrats at the State Department infuse U.S. foreign aid programs with woke extremism about "intersectionality" and abortion" (7-8).
- Roberts argues that there are "executive tools a courageous conservative President can use to handcuff the bureaucracy, push Congress to return to its constitutional responsibility, restore power over Washington to the American people, bring the Administrative State to heel, and in the process defang and defund the woke culture warriors who have infiltrated every last institution in America" (9).

(3) Defend sovereignty, borders, and bounty against global threats.

In this section, Roberts uses an "us/them" rhetoric to argue for each state's right to govern itself, closing U.S. borders, and restructuring U.S. foreign policy, particularly in the context of international economic agreements. His rhetoric throughout this section reinforces the idea that those politically left of center are the self-interested elites making decisions that negatively affect the vulnerable working class. For example, he states that those with advanced degrees succumb to a woke agenda at the expense of the workers who shower after work instead of before," (10). Roberts asserts that when "Progressive elites" use "lofty terms" such as "openness, progress, ... and globalization," they are really talking about robbing U.S. citizens of their "constitutional authority" over [their] country's future" (10). The "progressive Left" embraces open borders that result in "illegal

immigration," which, in turn, decreases the wages of "housekeepers, landscapers, and busboys" (10). He goes on to argue that the "Left's love affair with environmental extremism" hurt "the aged, poor, and vulnerable" the most (10).

Roberts argues that the two most significant threats are the current administration's failure to see China as a "totalitarian enemy of the United States," and that "America's elites have betrayed the American people" (12).

(4) Secure our God-given individual right to enjoy "the blessings of liberty."

Project 2025 is informed by a Christian Nationalist ideology. Roberts writes that these "blessings" include and person's ability to "live as his Creator ordained—to flourish" and that the "good life" is "marriage, children, Thanksgiving dinners, and the like." The "greatest sources" of happiness are "religious devotion and spirituality" (13).

In Chapter 18, on The Department of Labor and Related Agencies, Jonathan Berry reinforces this idea, "At the heart of The Conservative Promise is the resolve to reclaim the role of each American worker as the protagonist in his or her own life and to restore the family as the centerpiece of American life. The role that labor policy plays in that promise is twofold: Give workers the support they need for rewarding, well-paying, and self-driven careers, and restore the family-supporting job as the centerpiece of the American economy. The Judeo-Christian tradition, stretching back to Genesis, has always recognized fruitful work as integral to human dignity, as service to God, neighbor, and family. Judeo-Christian tradition, stretching back to Genesis, has always recognized fruitful work as integral to human dignity, as service to God, neighbor, and family" (613).

Each chapter of Project 2025 provides detailed directions for addressing these four areas Roberts addresses.

Onward! Edwin J. Feulner (883)

In the afterward, which Feulner calls "Onward," he provides an overview of the history of the first iteration of Project 2025. "The Mandate for Leadership" was conceived of in the fall of 1979 at a Heritage Foundation Board of Trustees meeting. First published in 1981, it provided Ronald Reagan with more than 2,000 policy recommendations "to move the federal government in a conservative direction" (884). Feulner claims that the Reagan administration, but the end of Reagan's first year in office, implemented almost half of those recommendations.

Since that time, a new "Mandate" has been produced every four years. Feulner claims that after Trump's first year, his administration implemented 64% of the 2016 Mandate's policy recommendations.

He explicitly states that the mandate is designed to "significantly advance conservative principles," which include "free enterprise, limited government, individual freedom, traditional American values, and a strong national defense" (887).

SECTION I. TAKING THE REINS OF GOVERNMENT

The first section (Chapters 1-3) of Project 2025 focuses on 1.) defining key roles and the loyalty of individuals in those roles to implement the next conservative president's agenda, 2.) policy recommendations that position the next conservative president to implement their agenda, and 3.) recommendations to reduce the "administrative state." For example, Rick Dearborn, in Chapter 1: White House Office, describes the significance of a Chief of Staff who will oversee the White House Office and Executive Office of the President and to whom all senior staff report. He provides an overview of three policy councils: National Economic Council, Domestic Policy Council, and National Security Council and argues for someone with the "legal skills" to help the president implement their vision. The design of the organizational chart should "contain clear lines of authority and responsibility to avoid conflicts" (24).



Dearborn details the responsibilities of each position and oversight of each council to ensure that every component of the White House Office is poised to effectively and efficiently move the next conservative president's agenda forward. For example, the section on the White House Counsel states that "the office is not designed to create or advance policies of its own initiative...Rather, it is dedicated to guiding the President and his reports on how (within the bounds of the law) to pursue and realize the President's agenda" (27). The section on the White House Counsel concludes with "while a candidate with elite credentials might seem ideal, the best one will be above all loyal to the President and the Constitution" (28). The idea of loyalty and commitment to the president's agenda appears in descriptions of all positions within the White House Office (e.g. staff secretary... "should be vetted to work as an 'honest broker' in the President's service" (28). In the description of The Office of Legislative Affairs, emphasis is placed on making sure "one unified message" be communicated to Congress so that the president's agenda is not "fractured" and vulnerable to dissension (31).

In fact, anything that challenges the President's agenda should be eliminated. For example, language in Chapter 1 suggests a need to reduce or eliminate media outlets that challenge the president's agenda. For example, in the overview of the Office of Communications, it is noted that "no legal entitlement exists for the provision of permanent space for media on the White House campus," and the recommendation is that the Office "reexamine the balance between media demands and space constraints on the White House premises" (29).

The section describes in detail the roles and responsibilities of the following: Office of Legislative Affairs, Office of Presidential Personnel, Office of Political Affairs, Office of Cabinet Affairs, Office of Public Liaison, Office of Intergovernmental Affairs, White House Policy Councils, Office of the Vice President, Office of the First Lady/First Gentleman

This chapter also argues for structuring positions such that the president would be distanced from unpopular decisions or actions. For example, the overview of the Office of Presidential Personnel (OPP) argues that the OPP should vet individuals for positions by conducting "political background checks" and playing "bad cop" by being responsible for firings" (32). The overview of the Office of the First Lady states, "Active and interested first spouses often champion a select number of signature issues, whether they be thorny social issues or deeper policy issues. One advantage of the first spouse's taking on hot-button social issues is that any political backlash will be less severe than it would be for the President" (40).

CHAPTER 2: EXECUTIVE OFFICE OF THE PRESIDENT OF THE UNITED STATES (43-68), RUSS VOUGHT

Chapter 2 focuses on reducing a “sprawling federal bureaucracy” so that the president establishes and enforces the executive branch’s agenda. Vought argues that this restructuring is particularly important to prevent offices from carrying out their own plans, especially those of “a radical, supposedly ‘woke’ faction of the country” (43). The chapter offers recommendations to reduce anything in the Executive Office that can be “weaponized against the public and a President” (43).

Vought argues for the “survival of self-governance” ironically by streamlining decision-making such that the president holds the most power. “Success in meeting that challenge will require a rare combination of boldness and self-denial: boldness to bend or break the bureaucracy to the presidential will and self-denial to use the bureaucratic machine to send power away from Washington and back to America’s families, faith communities, local governments, and states (44).

In the chapter conclusion, he writes, “The specific deficiencies of the federal bureaucracy—size, levels of organization, inefficiency, expense, and lack of responsiveness to political leadership—are rooted in the progressive ideology that unelected experts can and should be trusted to promote the general welfare in just about every area of social life” (83).

What follows are some of the recommendations to reduce the reach of the federal government: The executive power should be vested in the President rather than in “departments or agencies, in staff or administrative bodies, in nongovernmental organizations or other equities and interests close to the government” (43). Also, the President should return power “to the American people... to send power away from Washington and back to America’s families, faith communities, local governments, and states” (44).

The chapter describes the U.S Office of Management and Budget as assisting the President “but employing many statutory and executive procedural levers to bring the bureaucracy in line with all budgetary, regulatory, and management decisions” (44). The National Security Council “should immediately evaluate and eliminate directorates that are not aligned with the President’s agenda and replace them with new directorates as appropriate that can drive implementation of the President’s signature national security priorities” (50).

In the section on The Council on Environmental Quality, Vought argues that the Interagency Working Group on the Social Cost of Carbon should be eliminated. The president is advised to dismantle the Gender Policy Council (62). Vought writes, “Abolishing the Gender Policy Council would eliminate central promotion of abortion (“health services”); comprehensive sexuality education (“education”); and the new woke gender ideology, which has as a principal tenet “gender affirming care” and “sex-change” surgeries on minors. In addition to eliminating the council, developing new structures and positions will have the dual effect of demonstrating that promoting life and strengthening the family is a priority while also facilitating more seamless coordination and consistency across the U.S. government” (62).

CHAPTER 3: CENTRAL PERSONNEL AGENCIES: MANAGING THE BUREAUCRACY (69-86), DONALD DEVINE, DENNIS DEAN KIRK, AND PAUL DANST STATES (43-68)

Chapter 3 describes the importance of recruiting people who will uphold the President's agenda. In the section "Merit Hiring in a Merit System," the authors write, "It has proven difficult in recent times to select personnel based on their knowledge, skills, and abilities (KSA) as the law dictates. Yet for the past 34 years, the U.S. civil service has been unable to distinguish consistently between strong and unqualified applicants for employment" (72). In the section on "Performance Appraisal," they argue that high performance ratings have been "plaguing the government" and that "managers can be and often are accused of racial or sexual discrimination for a poor rating, and this discourages honesty" (73). The authors argue for more rigorous evaluations of employees. In the section "Reforming Federal Retirement Benefits," they argue that "career civil servants enjoy retirement benefits that are nearly unheard of in the private sector" and must be reformed (77). They also advocate in the section "Fully Staffing the Ranks of Political Appointees" that the President should have the authority to remove political appointees from a previous administration as well as "career civil servants" (82).

SECTION 2. THE COMMON DEFENSE

Section 2 (chapters 4-9) focuses on the following areas: Departments of Defense, Homeland Security, and State, as well as the Intelligence Community, Media Agencies (U.S. Agency for Global Media and the Corporation for Public Broadcasting), and the Agency for International Development.

Chapter 4 focuses on the Department of Defense (DOD) describing it as the “largest part of our federal government” consuming “approximately \$850 billion annually” but as a “deeply troubled institution” (91). He advocates four priorities: 1. Reestablish a culture of command accountability, nonpoliticization, and warfighting focus. 2. Transform our armed forces for maximum effectiveness in an era of great-power competition. 3. Provide necessary support to Department of Homeland Security (DHS) border protection operations. Border protection is a national security issue that requires sustained attention and effort by all elements of the executive branch. 4. Demand financial transparency and accountability. The 36-page chapter lists reforms at every level of the DOD that reduce Congressional oversight (101).

Policy recommendations pertaining to DEI include the following:

Restore standards of lethality and excellence. Entrance criteria for military service and specific occupational career fields should be based on the needs of those positions. Exceptions for individuals who are already predisposed to require medical treatment (for example, HIV positive or suffering from gender dysphoria) should be removed, and those with gender dysphoria should be expelled from military service. Physical fitness requirements should be based on the occupational field without consideration of gender, race, ethnicity, or orientation” (103).

Eliminate politicization, reestablish trust and accountability, and restore faith to the force. In 2021, the Reagan National Defense Survey found that only 45 percent of Americans have “a great deal of trust and confidence in the military”—down from 70 percent in 2018.

1. Strengthen protections for chaplains to carry out their ministry according to their faith.
2. Codify language to instruct senior military officers (three and four stars) to make certain that they understand their primary duty is to ensure the readiness of the armed forces, not to pursue a “social engineering agenda.” This direction should be reinforced during the Senate confirmation process. Orders and direction motivated by purely partisan motives should be identified as threats to readiness.
3. Reinstate service members to active duty who were discharged for not receiving the COVID vaccine, restore their appropriate rank, and provide back pay.
4. Eliminate Marxist indoctrination and divisive critical race theory programs and abolish newly established diversity, equity, and inclusion offices and staff. (103)
5. Audit the course offerings at military academies to remove Marxist indoctrination, eliminate tenure for academic professionals, and apply the same rules to instructors that are applied to other DOD contracting personnel. (104)
6. Reverse policies that allow transgender individuals to serve in the military. (104)

Transform Army culture and training. The recommendation is to stop using the Army as a “test bed for social evolution.” “Misusing the Army in this way detracts from its core purpose while doing little to reshape the American social structure. The Army no longer reflects national demographics to the degree that it did before 1974 when the draft was eliminated” (109).

Chapter 5's primary recommendation is for the President to "pursue legislation to dismantle the Department of Homeland Security (DHS) (133). Doing so, Cuccinelli argues, would break up the DHS along "mission lines" thereby providing "opportunities to reduce overhead and achieve more limited government" (133). If the DHS cannot be dismantled, the following restructuring is recommended:

- U.S. Customs and Border Protection (CBP) be combined with Immigration and Customs Enforcement (ICE); U.S. Citizenship and Immigration Services (USCIS); the Department of Health and Human Services (HHS) Office of Refugee Resettlement (ORR); and the Department of Justice (DOJ) Executive Office for Immigration Review (EOIR) and Office of Immigration Litigation (OIL) into a standalone border and immigration agency at the Cabinet level (more than 100,000 employees, making it the third largest department measured by manpower).
- The Cybersecurity and Infrastructure Security Agency (CISA) be moved to the Department of Transportation.
- The Federal Emergency Management Agency (FEMA) be moved to the Department of the Interior or, if combined with CISA, to the Department of Transportation.
- The U.S. Coast Guard (USCG) be moved to DOJ and, in time of full-scale war (i.e., threatening the homeland), to the Department of Defense (DOD). Alternatively, USCG should be moved to DOD for all purposes.
- The U.S. Secret Service (USSS) be divided in two, with the protective element moved to DOJ and the financial enforcement element moved to the Department of the Treasury.
- The Transportation Security Administration (TSA) be privatized.
- The Science and Technology Directorate (S&T) be moved to DOD and the Office of Countering Weapons of Mass Destruction be moved to the FBI (134).

For Cuccinelli, a "successful DHS" would:

- Secure and control the border and enforce immigration laws
- Efficiently adjudicate immigration benefit applications while rejecting fraudulent claims
- Secure the cyber domain and collaborate with critical infrastructure sectors to maintain security
- Provide states and localities with a limited federal emergency response and preparedness
- Secure U.S. coasts and economic zones
- Protect political leaders, their families, and visiting heads of state or government
- Oversee transportation security (136).

A number of proposals focus on addressing what Cuccinelli calls “the current border security crisis” (147):

- Title 42 authority in Title 8. Create an authority akin to the Title 42 Public Health authority that has been used during the COVID-19 pandemic to expel illegal aliens across the border immediately when certain non-health conditions are met, such as loss of operational control of the border.
- Appropriation for Port of Entry infrastructure. Border security is not addressed solely by systems in between the ports of entry. POEs require technology and physical upgrades as well as an influx of personnel to meet capacity demands and act as the literal gatekeepers for the country. This is the first line of defense against drug and human smuggling operations (147).
- Regarding unaccompanied minors
 - Congress should repeal Section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (TVPRA),⁹ which provides numerous immigration benefits to unaccompanied alien children and only encourages more parents to send their children across the border illegally and unaccompanied. These children too often become trafficking victims, which means that the TVPRA has failed.
 - If an alternative to repealing Section 235 of the TVPRA is necessary, the section should be amended so that all unaccompanied children, regardless of nationality, may be returned to their home countries in a safe and efficient manner. Currently, the TVPRA allows only children from contiguous countries (Canada and Mexico) to be returned while every other unaccompanied minor must be placed into a lengthy process that usually results in the minor’s landing in the custody of an illegal alien family member.
 - Congress must end the Flores Settlement Agreement.
 - Congress should amend the Homeland Security Act and portions of the TVPRA to move detention of children from the Department of Health and Human Services to DHS (148).

Recommended regulations:

- Withdraw Biden Administration regulations and reissue new regulations.
- T-Visa and U-Visa reform. Unless and until T and U visas are repealed, each program needs to be reformed to ensure that only legitimate victims of trafficking and crimes who are actively providing significant material assistance to law enforcement are eligible for spots in the queue.
- Repeal TPS designations.
- H-1B reform. Transform the program into an elite mechanism to bring in the “best and brightest” at the highest wages while ensuring that U.S. workers are not being disadvantaged by the program. H-1B is a means only to supplement the U.S. economy and to keep companies competitive, not to depress U.S. labor markets artificially in certain industries (150).

Recommended executive order:

- Averting or curtailing a mass migration event
 - Provide that whenever the Secretary of Homeland Security determines that an actual or anticipated mass migration of aliens en route to or arriving off the coast of the U.S. presents urgent circumstances requiring an immediate federal response, the Secretary may make, subject to the approval of the President, rules and regulations prohibiting in whole or in part the introduction of persons from such countries or places as he or she shall designate in order to avert or curtail such mass migration and for such period of time as is deemed necessary, including through the expulsion of such aliens. Such regulation making shall not be subject to the Administrative Procedures Act.
 - Provide that notwithstanding any other provision of law, when the Secretary makes such a determination and then promulgates, subject to the approval of the President, such rules and regulations, the Secretary shall have the authority to waive all legal requirements of Title 8 that the Secretary, in his or her sole discretion, determines are necessary to avert or curtail the mass migration (152).

The chapter recommends reforms in Federal Emergency Management Agency (153-154), Cybersecurity and Infrastructure Security Agency (154-155), U.S. Coast Guard (155-156), U.S. Secret Service (157-158), Transportation Security Administration (158-159), Management Directorate (159-160), Office of Strategy, Policy, and Plans (160-170), Office of Intelligence and Analysis (161-162), Office of the General Counsel (162-163), Office of Legislative Affairs; Public Affairs, and Partnership and Engagement (163-164), Office of Operations Coordination (164), Office for Civil Rights and Civil Liberties AND Privacy Office (164-165), Office of the Immigration Detention Ombudsman, Office of Citizenship and Immigration Services Ombudsman



WHAT IS THE IMPACT ON AMERICAN DEMOCRACY?

Skinner argues that to ensure the Department of State's ability to implement the President's foreign policy priorities, it needs to be reformed so that any "left-wing" bureaucrats are removed: "No one in a leadership position on the morning of January 20 should hold that position at the end of the day" (173). In addition, he argues that the next Administration should be able to place political appointees in positions without Senate confirmation (173). "Career officials," he argues, "need not be adversaries of a conservative President" (174). All ambassadors should submit letters of resignation.

In terms of unratified treaties and international agreements, allocation of resources, etc., should be frozen until reviewed by the new administration (174).

The State Department must "respond vigorously to the Chinese Threat" (176). It must also "review immigration and domestic security requirements" (176). This includes strictly enforcing the doctrine of reciprocity when issuing visas to "all foreign nationals." "Mandatory reciprocity will convey the necessary reality that other countries do not have an unfettered right to U.S. access and must reciprocally offer favorable visa-based access to U.S. nationals" (177).

Regarding Section 243(d) visa sanctions, visa sanctions under section 243(d) of the Immigration and Nationality Act (INA),⁸ enacted into law to motivate countries to accept the return of any nationals who have been ordered removed from the U.S., should be quickly and fully enforced (177).

Cuccinelli recommends the conservative administration "pivot" abroad in its approach to China, Iran, Venezuela, Russia, and North Korea (179-183). He describes Mexico as a country that "can no longer qualify as a first-world nation" that has "lost its sovereignty to muscular criminal cartels (183).

In the Middle East and North Africa, he recommends:

- o Preventing Iran from acquiring nuclear technology, delivery capabilities, and "more broadly block Iranian ambitions" (185).
- o Encouraging Arab States to enter the Abraham Accords.

In Sub-Saharan Africa, Cuccinelli highlights Africa's importance to U.S. foreign policy because of its "explosive population growth, large reserves of industry-dependent minerals, proximity to key maritime shipping routes, and its collective diplomatic power" (186). Europe cannot expect the U.S. to provide a "defense umbrella" to countries "unwilling to contribute appropriately" (187). South and Central Asia are essential in "countering the Chinese threat" (188). The Arctic is described as "a vast expanse of land and sea rich in resources including fish, minerals, and energy." The region is estimated to contain "90 million barrels of oil and one-quarter of the world's undiscovered natural gas reserves" (189).

Chapter 7 opens with a mission statement that reads: "To arm a future incoming conservative President with the knowledge and tools necessary to fortify the United States Intelligence Community; to defend against all foreign enemies and ensure the security and prosperity of our sovereign nation, devoid of all political motivations; and to maintain constitutional civil liberties" (201).

The country's adversaries include Russia, Iran, North Korean, and China. As in previous chapters, the Intelligence Community (IC), like other aspects of the federal government, must be reduced in size and populated with individuals who support the president's intelligence priorities, as Carmack refers to the president as "the IC's premier customer" (201).

What follows are just a few of the recommendations for the head of intelligence and for restructuring the Office of the Director of National Intelligence (ODNI):

- Restructure the ODNI and give the director of the agency the tools needed to implement the president's priorities.
- Remove underperforming employees
- Address the "widely promoted 'woke' culture" that has spread "identity politics and 'social justice' advocacy" throughout the federal government. These should be replaced with "traditional American values," which include "patriotism, colorblindness, and even workplace competence" (204).
- Revise Executive Order 12333 including making sure the Director of National Intelligence is appointed by the president and in agreement with the president: "The importance of trust, character, and the ability to work together to achieve a joint set of intelligence goals established by the President cannot be overstated: It is a mission that can be accomplished only with the conductor and his orchestra playing in sync" (207).
- CIA should make "necessary personnel and structural challenges" to assure alignment with the president's agenda" (208).
 - The CIA should also redirect resources away from what Carmack describes as a prior focus on anything that promotes "unnecessary and distracting social engineering" which includes "divisive ideological or cultural agendas" and a "damaging culture of risk aversion and complacency" (209).

Chapter 8 is divided into two subsections: U.S. Agency for Global Media, and Corporation for Public Broadcasting

U.S. Agency for Global Media (235-245), Mora Namdar



The mission of the U.S. Agency for Global Media (USAGM), according to Mora Namdar is to “inform, engage, and connect people around the world in support of freedom and democracy” (235). The critique of the USAGM is that it is lacking in execution of this mission and that “the agency is mismanaged, disorganized, ineffective, and rife with waste and redundancy” (240). Namdar states that if the agency cannot be reformed, it should be defunded and disestablished” (245).

She argues that The Voice of America, one of two government broadcasting networks under the USAGM, has violated the agency’s prohibition against broadcasting to the domestic U.S. audience, “particularly with regard to flagrantly political content” (236). As a result, Namdar argues that the network has “deteriorated under decades of poor leadership and a loss of its once-prized unbiased reporting” (236). She critiques the Office of Cuba Broadcasting (OBC), which oversees the other government broadcasting network, Radio and Television Martí. She argues that the OBS is “threatened with crippling budget and operational constraints, including empathetic attitudes toward Communist Cuban leadership coupled with organizational hostility toward the OCB by certain elements of USAGM leadership” (236).

The OBC also oversees 100 percent of the grand funding for several other outlets including the Middle East Broadcasting Network (MBN), Radio Free Asia (RFA), Radio Free Europe/Radio Liberty (RFE/RL), and the newly formed Open Technology Fund (OTF).

A recurring critique in this section is that many of these broadcast organizations are in need of reform because their approach now “favors political trends as opposed to operations that support and recommend America Abroad” (237). She claims that a report on the RFA showed “waste and self-dealing, including security vulnerabilities and RFA leadership awarding insiders millions of dollars of grant funding” (237). She describes the OTF as a “wasteful and redundant boondoggle” (237).

Namdar addresses what she terms “The Firewall Saga,” more specifically that The Firewall Regulation prevented the recall of unfair or inaccurate reporting on U.S. domestic and political problems. She describes the VOA’s White House correspondent as “highly critical of, and personally insulting to, the U.S. President—in contradiction of VOA’s own journalistic standards, policies, and procedures” (239).

Another criticism of is that they have joined "the mainstream media's anti-U.S. chorus [in] denigrating the American story," including "assailing the president and his staff" (240).

Suggested reforms include the following:

- Addressing security issues: "the USAGM is vulnerable to exploitation by foreign spies" (241).
- Address gaps in security of journalists (241).
- Address unnecessary spending, redundancies, and unnecessary hires (242).
- Prevent foreign journalists from using the J-1 "cultural exchange visa because, Namdar argues, many go on to apply for permanent residency which violates the intention of the visa (242).
- Upgrade non-web-based technologies such as shortwave radio transmission stations because during a major crisis, "particularly with Russia or China," the undersea cable trunks that make up the Internet cloud would be vulnerable to attacks/damage (243).

Organizational reforms include:

- The USAGM should report to the president and coordinate activities with the National Security Council (NSC) (243).
- Move the VOA under the NSC (244).
- The USAGM receives its budget and mandates from Congress, which must be reviewed to prevent individuals from lobbying for pet projects (245).

Corporation for Public Broadcasting (246-252), Mike Gonzalez

In "Corporation for Public Broadcasting" (p. 246-252), Mike Gonzalez writes that every Republican president since Richard Nixon has tried to eliminate using taxpayer money to fund the Corporation for Public Broadcasting (CPB). In no uncertain terms, Gonzalez writes, "the next conservative President must finally get this done and do it despite opposition from congressional members of his own party if necessary" because public broadcasting has become a "a liberal forum for public affairs and journalism" (246). He argues that the government should not be "compelling the conservative half of the country to pay for the suppression of its own views" (246). Gonzalez recommends defunding CPB by have the next conservative president "just tell Congress" that he will not sign an appropriations bill that "contains a penny for the CPB" (247). Gonzalez argues that leftist broadcasters such as NPR, PBS, and Pacifica Radio should no longer be qualified as noncommercial education stations because they do not offer a sufficient number of educational programs, and even the ones that they do offer, such as Sesame Street, are "biased to the Left" (247).

Section 3 includes chapters 10 through 20, which focus on the following areas: Departments of Agriculture, of Education, of Energy (and “related commissions”), of Environmental Protection, of Health and Human Services, of Housing and Urban Development, of the Interior, of Labor (and related agencies), of Transportation, and of Veteran Affairs.

In Chapter 10, Daren Baskt advocates for reforms that limit government intervention in U.S. farmers' production of food. He argues that the USDA should not put climate change and environmental issues ahead of food production (290).

Instead, the USDA should focus on the following:

- Develop and disseminate information and research;
- Identify and address concrete threats to public health and safety arising directly from food and agriculture;
- Remove unjustified foreign trade barriers blocking market access for American agricultural goods;
- Remove government barriers that undermine access to safe and affordable food across the food supply chain;
- Use of 'sound science' to inform the USDA's work and respect for personal freedom and individual dietary choices, private property rights, and the rule of law (290-291).

The chapter outlines specific ways to achieve these goals. For example, Baskt recommends:

- Remove the U.S. from any association with U.N. and other efforts to push sustainable-development schemes connected to food production;
- Remove obstacles imposed on American farmers and individuals across the food supply chain so that they can meet the food needs of Americans (293).
- Reign in the Commodity Credit Corporation
- Reduce, reform, or eliminate farm subsidies (294).

Bakst advocates reforming the Supplemental Nutrition Assistance Program (SNAP) by:

- Re-implementing work requirements
- Reform broad-based categorical eligibility
- Re-evaluate the Thrifty Food Plan

He also recommends Reforming WIC by:

- Reforming the state voucher system
- Re-evaluating excessive regulations that unnecessarily delay the manufacture and sale of baby formula (301-302).

Regarding school meals, Baskt argues that 2019 Heritage Foundation research shows that middle- and upper-income students are receiving free meals through the Community Eligibility Provision (CEP), and so, Baskt advocates policy changes to "prevent the misuse of taxpayer money" (302). Ultimately, he argues that lawmakers should eliminate CEP (303).

To remove obstacles to agricultural biotechnology, he advocates:

- Countering scare tactics regarding agricultural biotechnology, specifically regarding genetically engineered foods.
- Repealing the federal labeling mandate regarding genetically engineered foods (307).

Burke argues that federal education policy should be limited and the Federal Department of Education should be eliminated (319). Other recommendations include embracing the following principles:

- Return to state/local control over education
- Borrowers of taxpayer money need to repay those loans
- Safeguard civil rights by rejecting gender ideology and critical race theory (322)
- Stop executive overreach (323)

Regarding civil rights data collection, Burke argues the next administration should remove the "nonbinary" category in the Mandatory Civil Rights Data Collection (CRDC) (331), and under Title IX, to ensure that "sex" refers only to the biological sex recognized at birth (333).

She writes at length about ways to protect parental rights in education policy (344-345). This includes preventing public education employees or contractors from using a name or pronoun when referencing a student other than what appears on a birth certificate, without a parent's written consent (346). She advocates for advancing school choice policies (346-347).

Chapter 12 is 53 pages of recommendations for reforming the Department of Energy: Addressing the energy crisis caused by extreme green policies (363). This is done by promoting American energy security by ensuring access to abundant, reliable, and affordable energy (364) and unleashing private-sector energy innovation by ending government interference in energy decisions.

He lists the following core missions for the department:

- Providing leadership/coordination on energy security and related national security issues,
- Promoting U.S. energy economic interests abroad,
- Leading the nation and the world in cutting-edge fundamental advanced science,
- Remediating former Manhattan Project and Cold War nuclear material sites,
- Developing new nuclear weapons and naval nuclear reactors (366).

The chapter describes reforming all office under the Department of Energy, including but not limited to the following: Office of Electricity, Office of Nuclear Energy, Office of Fossil Energy and Carbon Management, Office of Energy Efficiency and Renewable Energy, GRID Deployment Office, Loan Program Office, Federal Energy Management Program

Gunasekara argues for preventing the use of the EPA to extend the federal government's influence and control across the economy. To do this, Gunasekara argues the EPA should do the following:

- Support the efforts of the states making sure choices about the environment are in the hands of the people who live in those states
- Focus on only “tangible environmental problems”
- Reduce or eliminate “duplicative, wasteful, or superfluous programs”
- Reduce the economic costs of its actions on local communities
- Be transparent in what scientific studies the EPA uses to make decisions (420).

Gunasekara advocates drafting an executive order the president can sign on day one to accomplish all of the reforms outlined in the chapter.

Severino argues that under President Biden, the mission of the HHS has shifted to “promoting equity in everything we do” for the sake of populations sharing a particular characteristic including race, sexuality, gender identification, ethnicity, and a host of other categories” (449).

He recommends the following goals (450-452):

- Protecting Life, Conscience, and Bodily Integrity: “The Secretary should pursue a robust agenda to protect the fundamental right to life, protect conscience rights, and uphold bodily integrity rooted in biological realities, not ideology.”
- Empowering Patient Choices and Provider Autonomy: “Health care reform should be patient-centered and market-based and should empower individuals to control their health care-related dollars and decisions.”
- Promoting Stable and Flourishing Married Families: “Families comprised of a married mother, father, and their children are the foundation of a well-ordered nation and healthy society. Unfortunately, family policies and programs under President Biden’s HHS are fraught with agenda items focusing on “LGBTQ+ equity,” subsidizing single-motherhood, disincentivizing work, and penalizing marriage. These policies should be repealed and replaced by policies that support the formation of stable, married, nuclear families.”
- Prepare for the Next Health Emergency: “The COVID-19 pandemic demonstrated how catastrophic a micromanaging, misinformed, centralized, and politicized federal government can be. Basic human rights, medical choice, and the doctor-patient relationship were trampled without scientific justification and for extended periods of time.”
- Instituting Greater Transparency, Accountability, and Oversight: “The next Administration should guard against the regulatory capture of our public health agencies by pharmaceutical companies, insurers, hospital conglomerates, and related economic interests that these agencies are meant to regulate. We must erect robust firewalls to mitigate these obvious financial conflicts of interest.”

This chapter also advocates for the following regarding abortion access:

- The Centers for Disease Control and Prevention should eliminate projects that do not “respect human life and conscience rights and that undermine family formation. It should ensure that it is not promoting abortion as health care” (454-455)
- Reverse its approval of chemical abortion drugs “because the politicized approval process was illegal from the start” (458).
- The Administration and policymakers should ensure that health care workers, particularly those in hospitals and emergency rooms, report abortion pill complications.
- Implement a policy of transparency about inspections of the abortion pill’s sponsors, Danco and GenBioPro, as well as facilities that manufacture the pills.
- Stop promoting or approving mail-order abortions in violation of long-standing federal laws that prohibit the mailing and interstate carriage of abortion drugs (459).

Paralleling policy recommendations that “respect human life,” Severino argues that Health and Human Services should:

- Promptly restore the ethics advisory committee to oversee abortion-derived fetal tissue research, and Congress should prohibit such research altogether.
- End intramural research projects using tissue from aborted children within the NIH, which should end its human embryonic stem cell registry.
- Aggressively implement a plan to pursue and fund ethical alternative methods of research in order to ensure that abortion and embryo-destructive related research, cell lines, and other testing methods become both fully obsolete and ethically unthinkable (461).
- Eliminate “woke policies”: The National Institute of Health Office of Equity, Diversity, and Inclusion should be abolished.
- “NIH has been at the forefront in pushing junk gender science. Instead, it should fund studies into the short-term and long-term negative effects of crosssex interventions, including “affirmation,” puberty blockers, cross-sex hormones and surgeries” (462)
- Encourage more direct competition between Medicare Advantage and private plans (471)
- Prohibit Planned Parenthood from receiving Medicaid funds (471)
- Withdraw Medicaid funds for states that require abortion insurance or that discriminate in violation of the Weldon Amendment (472)
- Rewrite the ACA abortion separate payment regulation (473).
- Audit Hyde Amendment compliance.
- Reverse distorted pro-abortion “interpretations” added to the Emergency Medical Treatment and Active Labor Act (473)

Severino recommends numerous changes to Medicare and Medicaid, including removing restrictions on physician-owned hospital, encouraging more direct competition between Medicare Advantage and private plans, reforming Medicaid financing and incentivize “personal responsibility” (467)

Other policy recommendations worth highlighting here include:

- Reissue a stronger transgender national coverage determination: The Centers for Medicare and Medicaid Services "should re-promulgate its 2016 decision that CMS could not issue a National Coverage Determination (NCD) regarding "gender reassignment surgery" for Medicare beneficiaries" (474).
- Eliminate the Head Start Program (482)
- Promote palliative care over physician-assisted suicide, which is legal in 10 states and Washington, D.C.
- The Office of the Secretary should eliminate the HHS Reproductive Healthcare Access Task Force and install a pro-life task force to ensure that all of the department's divisions seek to use their authority to promote the life and health of women and their unborn children. Additionally, HHS should return to being known as the Department of Life by explicitly rejecting the notion that abortion is health care and by restoring its mission statement under the Strategic Plan and elsewhere to include furthering the health and well-being of all Americans 'from conception to natural death'" (489).

Carson writes that The U.S. Department of Housing and Urban Development's (HUD) programs "tend to perpetuate the notion of bureaucratically provided housing as a basic life need and, whether intentionally or not, fail to acknowledge that these public benefits too often have led to intergenerational poverty traps, have implicitly penalized family formation in traditional two-parent marriages, and have discouraged work and income growth, thereby limiting upward mobility" (503).

As a result, he argues for the following:

- Reset HUD. This effort should specifically include a broad reversal of the Biden Administration's persistent implementation of corrosive progressive ideologies across the department's programs.
- Implement an action plan across both process and people. This plan should include both the immediate redelegation of authority to a cadre of political appointees and the urgent implementation of administrative regulatory actions with respect to HUD policy and program eligibility.
- Reverse HUD's mission creep over nearly a century of program implementation dating from the Department's New Deal forebears. HUD's new political leadership team will need to reexamine the federal government's role in housing markets across the nation and consider whether it is time for a "reform, reinvention, and renewal"¹ that transfers Department functions to separate federal agencies, states, and localities.

Specific recommendations for short-term, immediate changes include:

- The President should issue an executive order making the HUD Secretary a member of the Committee on Foreign Investment in the U.S., which will gain broader oversight authorities to address foreign threats, particularly from China with oversight of foreign ownership of real estate in both rental and ownership markets of single-family and multifamily housing, with trillions worth of real estate secured across HUD's portfolio.
- The Secretary should initiate a HUD task force consisting of politically appointed personnel to identify and reverse all actions taken by the Biden Administration to advance progressive ideology.
- The Office of the Secretary should recommence proposed regulation put forward under the Trump Administration that would prohibit noncitizens, including all mixed-status families, from living in all federally assisted housing.
- Notwithstanding administrative reforms, Congress should enact legislation that protects life and eliminates provisions in federal housing and welfare benefits policies that discourage work, marriage, and meaningful paths to upward economic mobility.
- FHA leadership should increase the mortgage insurance premium (MIP) for all products above 20-year terms and maintain MIP for all products below 20-year terms and all refinances.

Long-term policy recommendations include:

- Longer-term reforms of HUD rental assistance programs should encourage choice and competition for renters, encourage participation by landlords where appropriate, and encourage all non-elderly, able-bodied adults to move toward self-sufficiency. This can be pursued through regulations and legislative reforms that seek to strengthen work requirements, limit the period during which households are eligible for housing benefits, and add flexibility to rent payment terms to facilitate the movement of households toward self-sufficiency.
- Congress should also consider those areas in which federal policy negatively interacts with private markets, including when federal policy crowds out private-sector development and exacerbates affordability challenges that persist across the nation. It is essential that legislation provides states and localities maximal flexibility to pursue locally designed policies and minimize the likelihood of federal preemption of local land use and zoning decisions
- American homeowners and citizens know best what is in the interest of their neighborhoods and communities. Localities rather than the federal government must have the final say in zoning laws and regulations, and a conservative Administration should oppose any efforts to weaken single-family zoning. Along the same lines, Congress can propose tax credits for the renovation or repair of housing stock in rural areas so that more Americans are able to access the American Dream of homeownership (511).
- Congress could consider a wholesale overhaul of HUD that contemplates devolving many HUD functions to states and localities with any remaining federal functions consolidated to other federal agencies (for example, by transferring loan guarantee programs to SBA; moving Indian housing programs to the Department of the Interior; moving rental assistance, mortgage insurance programs, and GNMA to a redesignated Housing and Home Finance Agency) (512).

Perry Pendley argues that because of “the dire adverse national impact of Biden’s war on fossil fuels, no other initiative is as important for the DOI under a conservative President than the restoration of the department’s historic role managing the nation’s vast storehouse of hydrocarbons” (520).

Recommendations include:

- Rollbacks. A new Administration must immediately roll back Biden’s orders, reinstate the Trump-era Energy Dominance Agenda, rescind Secretarial Order (SO) 3398, and review all regulations, orders, guidance documents, policies, and similar agency actions made in compliance with that order.
- The new Administration must immediately reinstate the following Trump DOI secretarial orders:
 - SO 3348: Concerning the Federal Coal Moratorium;
 - SO 3349: American Energy Independence;
 - SO 3350: America-First Offshore Energy Strategy;
 - SO 3351: Strengthening the Department of the Interior’s Energy Portfolio;
 - SO 3352: National Petroleum Reserve—Alaska;
 - SO 3354: Supporting and Improving the Federal Onshore Oil and Gas Leasing Program and Federal Solid Mineral Leasing Program;
 - SO 3355: Streamlining National Environmental Policy Reviews and Implementation of Executive Order 13807, “Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects”;²
 - SO 3358: Executive Committee for Expedited Permitting;
 - SO 3360: Rescinding Authorities Inconsistent with Secretary’s Order 3349, “American Energy Independence;”
 - SO 3380: Public Notice of the Costs Associated with Developing Department of the Interior Publications and Similar Documents;
 - SO 3385: Enforcement Priorities;
 - SO 3389: Coordinating and Clarifying National Historic Preservation Act Section 106 Reviews.

The new conservative Administration must also:

- Reinstate quarterly onshore lease sales in all producing states according to the model of BLM's IM 2018-034, with the slight adjustment of including expanded public notice and comment. The new Administration should work with Congress on legislation, such as the Lease Now Act ONSHORE Act, to increase state participation and federal accountability for energy production on the federal estate.
- Conduct offshore oil and natural gas lease sales to the maximum extent permitted under the 2023-2028 lease program, with the possibility to move forward under a previously studied but unselected plan alternative.
- Develop immediately and finalize a new five-year plan, while working with Congress to reform the OCSLA by eliminating five-year plans in favor of rolling or quarterly lease sales.
- Review all resource management plans finalized in the previous four years and, when necessary, select studied alternatives to restore the multi-use concept enshrined in FLPMA and to eliminate management decisions that advance the 30 by 30 agenda.
- Set rents, royalty rates, and bonding requirements to no higher than what is required under the Inflation Reduction Act.
- Comply with the Alaska National Interest Lands Conservation Act (ANILCA) and the Tax Cuts and Jobs Act of 2017 to establish a competitive leasing and development program in the Coastal Plain, an area of Alaska that was set aside by Congress specifically for future oil and gas exploration and development. It is often referred to as the "Section 1002 Area" after the section of ANILCA that excludes the area from Arctic National Wildlife Refuge's wilderness designation.
- Conclude the programmatic review of the coal leasing program, and work with the congressional delegations and governors of Wyoming and Montana to restart the program immediately.
- Abandon withdrawals of lands from leasing in the Thompson Divide of the White River National Forest, Colorado; the 10-mile buffer around Chaco Cultural Historic National Park in New Mexico (restoring the compromise forged in the Arizona Wilderness Act); and the Boundary Waters area in northern Minnesota if those withdrawals have not been completed. Meanwhile, revisit associated leases and permits for energy and mineral production in these areas in consultation with state elected officials.
- Require regional offices to complete right-of-way and drilling permits within the average time it takes states in the region to complete them.

- Rescind the Biden rules and reinstate the Trump rules regarding:
 - 1. BLM waste prevention;
 - 2. The Endangered Species Act rules defining Critical Habitat and Critical Habitat Exclusions;
 - 3. The Migratory Bird Treaty Act; and
 - 4. CEQ reforms to NEPA.
- Reinstatement of President Trump's plan for opening most of the National Petroleum Reserve of Alaska to leasing and development.

Regarding American Indians and U.S. Trust Responsibility,

- End the war on fossil fuels and domestically available minerals and facilitate their development on lands owned by Indians and Indian nations.
- End federal mandates and subsidies of electric vehicles.
- Restore the right of tribal governments to enforce environmental regulation on their lands.
- Secure the nation's border to protect the sovereignty and safety of tribal lands.
- Overhaul BIE schools to put parents and their children first.



IS THE U.S. A DEMOCRACY OR THEOCRACY?

Hamilton opens with the following critique of the DOJ: "Large swaths of the department have been captured by an unaccountable bureaucratic managerial class and radical Left ideologues who have embedded themselves throughout its offices and components. The department also suffers from institutional inattentiveness to its core functions" (545). He goes on to write that "it is essential that the next conservative Administration place a high priority on reforming

the DOJ and its culture to align the department with its core purposes and advance the national interest. Critically, this must include the FBI. Anything other than a top-to-bottom overhaul will only further erode the trust of significant portions of the American people and harm the very fabric that holds together our constitutional republic. At a practical level, not reforming the Department of Justice will also guarantee the failure of that conservative Administration's agenda in countless other ways" (547).

Hamilton recommends:

- Restoring the department's focus on public safety and a culture of respect for the rule of law is a gargantuan task that will involve at minimum four overriding actions:
- Restoring the FBI's integrity.
- Renewing the DOJ's focus on violent crime.
- Dismantling domestic and international criminal enterprises.
 - Secure the border, which is the key entry point for many criminal organizations and their supplies, products, and employees.
- Pursuing a national security agenda aimed at external state and non-state actors, not U.S. citizens exercising their constitutional rights.
 - Restart the China Initiative.
 - Pursue other programs to educate the American people about the real and dangerous threats to our national security and economic security that are posed by actors across the globe, most notably China and Iran.
 - Ensure that it is agile enough to devote sufficient resources and attention to other emerging threats that involve federal interests such as increases in "sextortion," ransomware, and the continued proliferation of child pornography.

Under a section entitled “Defending the Rule of Law,” Hamilton recommends:

- Promptly and Properly Eliminating Lawless Policies, Investigations, and Cases, Including All Existing Consent Decrees. Few things undermine the DOJ’s credibility more than brazenly partisan and ideologically driven prosecution of an Administration’s perceived political enemies, yet the department has readily indulged in such misadventures during the Biden Administration.
- Ensure that its review extends beyond ending the absurd double standards embodied in the ongoing campaign of FACE Act prosecutions and instead be a thorough and holistic review of all DOJ activities, including all consent decrees and settlement agreements currently in force.
- Seek to terminate any unnecessary or outdated consent decree to which the U.S. is a party.
- Consider pursuing intervention in other matters where consent decrees or settlement agreements continue to bind parties years or decades after the fact.
- As its review concludes, and consistent with applicable law, take appropriate action in all cases, including those on appeal.
- Enact policies and regulations that prohibit settlement payments to third parties.

Hamilton also suggests “pursuing equal protection for all Americans.” He writes, “Even though numerous federal laws prohibit discrimination based on notable immutable characteristics such as race and sex, the Biden Administration— through the DOJ’s Civil Rights Division and other federal entities—has enshrined affirmative discrimination in all aspects of its operations under the guise of “equity.” Federal agencies and their components have established so-called diversity, equity, and inclusion (DEI) offices that have become the vehicles for this unlawful discrimination, and all departments and agencies have created “equity” plans to carry out these invidious schemes” (561). Toward this end, he recommends,

- Ensure that the DOJ spearheads an initiative demonstrating the federal government’s commitment to nondiscrimination.
- Reorganize and refocus the DOJ’s Civil Rights Division to serve as the vanguard for this return to lawfulness.
- Announcing a Campaign to Enforce the Criminal Prohibitions in 18 U.S. Code §§ 1461 and 1462 Against Providers and Distributors of Abortion Pills That Use the Mail.
- Rejecting Third-Party Requests for Politically Motivated Investigations or Prosecutions.
- Ensuring Proper Enforcement and Administration of Our Immigration Laws.

Departments discussed in this chapter include:

- Department of Labor (DOL)
- Equal Employment Opportunity Commission (EEOC)
- National Labor Relations Board (NLRB)
- National Mediation Board (NMB)
- Federal Mediation and Conciliation Service (FMCS)
- Pension Benefit Guaranty Corporation (PBGC).

Criticism:

These agencies, referred to as "that administrative state" have "imposed the most assertive left-wing social-engineering agenda in the agencies' history and ratcheted up regulatory costs on small businesses and other productive industry. The agencies' authorities have been abused by the Left to favor human resources bureaucracies, climate-change activists, and union bosses—all against the interest of American workers" (582).

"Needed" Reforms:

- Reverse the DEI Revolution in Labor Policy
- Eliminate Racial Classifications and Critical Race Theory Trainings
 - Issue an executive order banning, and Congress should pass a law prohibiting the federal government from using taxpayer dollars to fund all critical race theory training (CRT).
 - Direct DOJ and EEOC to enforce Title VII.
 - Eliminate EEO-1 data collection.
 - Amend Title VII: To prevent EEOC data collection (for private and public workplaces)
 - Eliminate disparate impact liability
 - Sign an executive order forbidding OFCCP from using disparate impact in its analysis.
 - Eliminate Office of Federal Contract Compliance Programs by rescinding EO 11246
- Sex discrimination
 - Restrict Bostock v. Clayton County: "An employer who fires someone simply for being homosexual or transgender" violates Title VII's prohibition against sex discrimination."
 - Rescind regulations prohibiting discrimination on the basis of sexual orientation, gender identity, transgender status, and sex characteristics.
 - Direct agencies to focus their enforcement of sex discrimination laws on the biological binary meaning of "sex."

Pro-Life Measures

- Promote pro-life workplace accommodations for mothers.
- Pass a law requiring equal (or greater) benefits for pro-life support for mothers and clarifying abortion exclusions.
 - Congress should pass a law requiring that to the extent an employer provides employee benefits for abortion, it must provide equal or greater benefits for pregnancy, childbirth, maternity, and adoption. That law should also clarify that no employer is required to provide any accommodations or benefits for abortion.
- Keep anti-life "benefits" out of benefit plans.

Religion

- Provide robust protections for religious employers.
- Issue an executive order protecting religious employers and employees.
- Clarify Title VII's religious organization exemptions.
 - Congress should clarify Title VII's religious organization exemptions to make it more explicit that those employers may make employment decisions based on religion regardless of nondiscrimination laws.
- Provide Robust Accommodations for Religious Employees.
- General EEOC Reforms
 - EOC should disclaim its regulatory pretensions.
 - Affirm decision-making via majority vote of Commissioners.
 - Disclaim power to enter into consent decrees.
 - Reorient enforcement priorities.
 - EEOC should reorient its enforcement priorities toward claims of failure to accommodate disability, religion, and pregnancy (but not abortion).
- Refocusing Labor Regulation on the Good of the Family.
 - We must replace "woke" nonsense with a healthy vision of the role of labor policy in our society, starting with the American family.
 - Allow workers to accumulate paid time off.
 - Congress should enact the Working Families Flexibility Act.
 - The Act would allow employees in the private sector the ability to choose



between receiving time-and-a-half pay or accumulating time-and-a-half paid time off (a choice that many public sector workers already have).

- Congress should incentivize on-site childcare.
- Congress should amend the Fair Labor Standards Act (FLSA) to clarify that an employer's expenses in providing on-site childcare are not part of an employee's regular rate of pay.
- DOL should commit to honest study of the challenges for women in the world of professional work.
 - The Women's Bureau at DOL tends towards a politicized research and engagement agenda that puts predetermined conclusions ahead of empirical study.
- The Bureau should rededicate its research budget towards open inquiry, especially to disentangle the influences on women's workforce participation and to understand the true causes of earnings gaps between men and women.
- Equalize retirement savings access across married households.
- To equalize access to tax-free retirement savings for married couples, the limit for married couples on 401(k) and similar work- based retirement savings accounts should be double the limit for individuals, regardless of the allocation of work between the couple.
- Family Statistics
 - Metrics like marriage and fertility rates, the share of children living with both biological parents, the cost of a standard basket of middle-class essentials, and the share of families whose highest-income worker earns more than twice the poverty threshold should be measured and reported monthly and in real-time and incorporated in releases for other labor statistics.
 - Congress should establish an Assistant Commissioner for Family Statistics within the Bureau of Labor Statistics.
 - Congress should require the Bureau to establish a pilot survey with a sample comparable to the BLS Current Population Survey that would publish monthly estimates for measures of the American family's wellbeing, and appropriate sufficient funds for that purpose.
 - Congress should require that the Consumer Price Index market basket include measurable family-essential goods.
 - Sabbath Rest.
 - Congress should encourage communal rest by amending the Fair Labor Standards Act (FLSA) to require that workers be paid time and a half for hours worked on the Sabbath.

- Teleworking
 - Congress should clarify that overtime for telework applies only if the employee exceeds 10 hours of work in a specific day (and the total hours for the week exceed 40).
 - DOL should clarify that an employee given the option to telework need only record time if the quantity of work assigned for that day exceeds the usual amount of work that employee performs so that the employee need not track every time he logs in and out and the employer need not do so either.
 - DOL should clarify that a home office is not subject to OSHA regulations and that time to set up a home office is not compensable time or eligible for overtime calculations. DOL should likewise clarify that reimbursement for home office expenses is not part of an employee's regular rate, even if those reimbursements are repetitive (such as for internet or cell phone service).
- Making Family-Sustaining Work Accessible.
 - LRB and DOL should return to their 2019 and 2021 independent contractor rules that provided much-needed clarity for workers and employers.
 - Congress should establish a bright-line test—based on the level of control an individual exercises over his or her work—to determine whether a payee is an employee or an independent contractor, across all relevant laws.
 - Congress should provide a safe harbor from employer-employee status for companies that offer independent workers access to earned benefits.
 - NLRB and DOL should return to their 2019 and 2021 independent contractor rules that provided much-needed clarity for workers and employers.
 - Congress should establish a bright-line test—based on the level of control an individual exercises over his or her work—to determine whether a payee is an employee or an independent contractor, across all relevant laws. This would prevent continued uncertainty as well as provide continuity across federal laws.
 - Congress should provide a safe harbor from employer-employee status for companies that offer independent workers access to earned benefits.
- Small Businesses/Entrepreneurship (joint employer)
 - DOL and NLRB should return to the long-standing approach to defining joint employers based on direct and immediate control.
 - Congress should enact the Save Local Business Act.

- Overtime Pay Threshold.
 - DOL should maintain an overtime threshold that does not punish businesses in lower-cost regions (e.g., the southeast United States).
 - Congress should clarify that the “regular rate” for overtime pay is based on the salary paid rather than all benefits provided.
 - Congress should provide flexibility to employers and employees to calculate the overtime period over a longer number of weeks.
- Compliance-Assistance Programming.
 - Labor agencies should provide compliance assistance to help businesses and workers better understand the agencies’ position on their own rules and should do so in a way that makes it easier to follow those rules.
- Clear and Restrictive Rules on Guidance Documents.
 - DOL should reinstitute the PRO Good Guidance rule via notice and comment.
 - Congress should amend the Administrative Procedure Act to explicitly limit the use of guidance documents.
- Exemptions from Regulations for Small Business.
 - The labor agencies should exercise their available discretion and duties under the Regulatory Flexibility Act to exempt small entities from regulations where possible.
 - Congress should enact legislation increasing the revenue thresholds at which the National Labor Relations Board asserts jurisdiction over employers to match changes in inflation that have occurred since 1935 and better reflect the definition of “small business” used by the federal government.
 - Congress (and DOL, in its enforcement discretion) should exempt small business, first-time, non-willful violators from fines issued by the Occupational Health and Safety Administration.

Education and Vocational Training

- Apprenticeships: Congress should expand apprenticeship programs outside of the RAP model, re-creating the IRAP system by statute and allowing approved entities such as trade associations and educational institutions to recognize and oversee apprenticeship programs.
- Encourage/enable religious organizations to participate in apprenticeship programs, etc.
- Hazard-Order Regulations.
 - DOL should amend its hazard-order regulations to permit teenage workers access to work in regulated jobs with proper training and parental consent.

- Workforce Training Grant Program.
 - Congress should create an employer grant worth up to \$10,000 per year or pro-rated portion thereof for each worker engaged in on-the-job training, defined as some share of paid time spent in a formal training program.
- Federal "BA Box."
 - The American labor market continues to experience a glut of college degrees. The country produces more college graduates than suitable jobs for them to fill. Meanwhile, employers exacerbate the problem, fueling demand for college by needlessly requiring degrees for many jobs.
 - Adopt the civil service's skills-based hiring standards for federal contractors. The President should direct the Administrator for Federal Procurement Policy to adopt the civil service's skills-based hiring standards for federal contractors and issue waivers from degree-based staffing requirements in existing contracts.
 - Prohibit the use of a BA requirement in job descriptions.
 - Congress should prohibit the inclusion of a BA requirement in job descriptions for all private sector employers, or the use of a BA requirement to screen applicants using algorithms, except where a BA from a particular type of institution or in a particular field is a bona fide requirement of the position.
 - » Alternative View. While the federal government has a duty to promote economy and efficiency in federal hiring and contracting, and thus should base decisions on skills as opposed to degrees, it is not the federal government's role to determine whether private employers may or may not include degree requirements in job descriptions and in their hiring decisions. The inappropriate reverence given to degree requirements is a byproduct of the federal government's heavy subsidization of BA degrees. Phasing down federal subsidies would be a better way to eliminate barriers to jobs for individuals without BA degrees.
- Federal Workforce Development Programs.
 - Existing federally funded work- force development and training programs should be reassessed to ensure they are outcome-based and truly deliver value to taxpayers and job seekers.
 - Evaluate and streamline workforce development programs, ensuring evidence-based outcomes.
 - Review employment and training programs to ensure outcome- based metrics.
- Federal Unemployment Insurance Program.

- Congress should enact bipartisan common sense UI program reforms, including statutory authority for the Labor Office of Inspector General (OIG) to access all state UI records for the purposes of investigation and requiring state agencies to crossmatch applicants with the National Directory of New Hires.
- Congress should also develop a framework (through commission of a congressional report to serve as a blueprint) of technical standards on broader tech topics like usability, state agency cybersecurity postures, data taxonomy standardization, and/or identity verification standards.
- Congress should provide DOL with more reasonable enforcement tools for the UI system.
- DOL should review all actual or planned procurements against the \$2 billion (under the American Rescue Plan Act)¹⁷ for UI fraud detection, accessibility, and equity investments.

Worker Voice and Collective Bargaining

- Non-Union Worker Voice and Representation.
 - Congress should reintroduce and pass the Teamwork for Employees and Managers (TEAM) Act of 2022.
 - The TEAM Act:
 - » Reforms the National Labor Relations Act's (NLRA) Section 8(a)(2) prohibition on formal worker-management cooperative organizations like works councils.
 - » Creates an "Employee Involvement Organization" (EIO) to facilitate voluntary cooperation on critical issues like working conditions, benefits, and productivity.
 - » Amends labor law to allow EIOs at large, publicly traded corporations to elect a non-voting, supervisory member of their company's board of directors.
- Union Transparency.
 - Enact transparency rules.
 - Increase funding levels.
 - Congress should expand the funding of the Office of Labor-Management Standards.
- Duty of Fair Representation.
 - The NLRB should take enforcement or amicus action advancing the position that political conflicts of interest by union leadership can support claims for breach of the duty of fair representation in a manner analogous to financial conflicts of interest and analogous to breaches of the fiduciary duty of loyalty in other areas of law.

Interpreting "Protected Concerted Activity."

- Reverse unreasonable interpretations of “protected concerted activity.”
- Injunctive Relief and Worker Organizing Activities.
 - Increase the use of 10(j) injunctive relief.
- Dues-Funded Worker Centers.
 - Investigate worker centers and require financial disclosures.
- Office of Labor-Management Standards Initiative.
 - Revise investigation standards.
- Persuader Rule.
 - DOL should rescind the persuader rule once again should the Biden Administration revive it.
- Unionizing the Workplace: Card Check vs. Secret Ballot.
 - Discard “card check.”
- Contract Bar Rule.
 - Eliminate the contract bar rule.
- Tailoring National Employment Rules.
 - Congress should amend the NLRA to authorize collective bargaining to treat national employment laws and regulations as negotiable defaults.
 - End PLA requirements.
 - Agencies should end all mandatory Project Labor Agreement requirements and base federal procurement decisions on the contractors that can deliver the best product at the lowest cost.
 - Repeal Davis–Bacon.
 - Congress should enact the Davis–Bacon Repeal Act and allow markets to determine market wages.

The States

- Worker-led Benefits Experimentation.
 - Approve non-public worker organizations as UI administrators.
 - Offer waivers for suitable alternatives.
 - Require organizations to comply with restrictions on political spending.
- Labor Law.

- Pass legislation allowing waivers for states and local governments.
- Excessive Occupational Regulation.
 - Congress should ensure that interstate compacts for occupational license recognition that are federally funded do not require new or additional qualifications (that is, qualifications that do not originate from state governments themselves) for licensed professionals to participate.
 - Congress should ensure that well-qualified licensees are not locked out of the job market by restrictive government programs funded by the federal government.
- Wagner-Peyser Staffing Flexibility.
 - DOL should re-promulgate the Trump-era staffing flexibility rule, and Congress codify it.

Worker Retirement Savings, ESG, and Pension Reforms

- Remove ESG considerations from ERISA (Employee Retirement Income Security Act)
 - Environmental, Social, Governance (ESG) investing is a relatively recent strategy promoted by large asset managers that focuses not only on a company's bottom line, but also on the company's compliance with liberal political views on climate change, racial quotas, abortion, and other issues.
- DOL should prohibit investing in ERISA plans on the basis of any factors that are unrelated to investor risks and returns.
- DOL should return to the Trump Administration's approach of permitting only the consideration of pecuniary factors in ERISA.
- DOL should prohibit investing in ERISA plans on the basis of any factors that are unrelated to investor risks and returns. I DOL should return to the Trump Administration's approach of permitting only the consideration of pecuniary factors in ERISA.
- Thrift Savings Plan (TSP)
 - The Thrift Savings Plan (TSP) is the retirement savings benefit plan for most federal employees and many former employees. The TSP is managed by the Federal Retirement Thrift Investment Board (FRTIB). At over \$800 billion in assets under management, the TSP is one of the largest retirement plans in the world.
 - DOL should reverse efforts to politicize the TSP by removing "mutual fund" windows that encourage ESG, and should clarify the fiduciary duties of the TSP.
 - The federal government should follow the lead of multiple state governments in removing their pension funds from fund managers such as BlackRock and State Street Global Advisers and contract with a competitive, private-sector manager that will

comply with its fiduciary duties.

- DOL should also consider bringing enforcement actions against BlackRock and State Street Global Advisers for their violations of fiduciary duty while managing the TSP.
- Congress should enact legislation authorizing the FRTIB to exercise its independent business judgment in exercising the proxy votes for its holdings of the TSP and provide clear proxy voting guidelines for the FRTIB to follow.
- DOL should exercise its oversight of the FRTIB to prohibit investments in China.
- Congress should enact legislation prohibiting investment of the TSP in China.

Pension Reforms.

- Public Pension Plan Disclosure.
 - Disclose the fair market value of plan assets and liabilities.
- Multiemployer Plans.
 - Congress should reform multiemployer pensions to give participants in these plans the same protections as those in single-employer plans.
- Pension Benefit Guaranty Corporation.
 - The Pension Benefit Guaranty Corporation (PBGC) insures benefits for private sector pension plans, with separate single-employer and multiemployer insurance programs.
 - The PBGC's annual report must be submitted on time, and with timely data that uses fair-market value principles to calculate the PBGC's finances.
 - Congress should increase the variable rate premium on underfunding and eliminate the per-participant cap in order to appropriately take into account risk and limit the degree to which well-funded pension plans must subsidize underfunded plans.
- Improving Access to Employee Stock Ownership Plans.
 - Provide clear regulations for ESOP valuation and fiduciary conduct.



Putting American Workers First

- Immigration
 - Cap and phase down the H-2A visa program.
 - Encourage the establishment of an industry consortium and match funding.
 - Phase out the H-2B visa program.
- Hire American Requirements.

- When government purchases goods or services, if at all possible, not only should the company be an American company and the products be manufactured in America, but the companies should also be encouraged to hire American workers. Likewise, private employers should be free to prefer our own countrymen.
- Congress should mandate that all new federal contracts require at least 70 percent of the contractor's employees to be U.S. citizens, with the percentage increasing to at least 95 percent over a 10-year period.
- Congress must amend the law so that employers can again have the freedom to make hiring Americans a priority.
- Visa Fraud.
 - To protect the American workforce from unscrupulous immigration lawyers, employers, and labor brokers, the department must follow the recommendations of the OIG and institute more robust investigations for suspected visa fraud and speedier debarments for those found guilty.

International Labor Policy

- Leveling the International Playing Field for Workers.
 - Eliminate all forms of forced or compulsory labor.
 - Protect workers' rights to organize and participate voluntarily in a union without employer interference or discrimination.
 - Create a rapid-response mechanism to provide for an independent panel investigation of denial of labor rights at covered facilities.
 - Shift the burden of proof by presuming that an alleged violation affects trade and investment, unless otherwise demonstrated.
- For future authorizations of Trade Promotion Authority (TPA), the President should urge Congress to create mechanisms for supply-chain transparency and institute a general prohibition on forced labor conditions.
- Investigate Foreign Labor Violations That Undermine American Workers.

Organizational Agenda

- Budget
 - Reduce the agencies' budgets to the low end of the historical average. The Trump Administration's FY 2020 request, \$10.9 billion, would provide a workable target for spending reductions for DOL, for example.
 - Spending reductions should occur primarily in the Employment and Training Administration (ETA).

- Focus health and safety inspections on egregious offenders, as other inspections are often abused and usurp state and local government prerogatives.
- Personnel
 - Maximize hiring of political appointees.
 - Appoint new EEOC and NLRB general counsels on Day One.
 - Implement a hiring freeze for career officials.
- Office of Compliance Initiatives
 - DOL should fully staff the Office of Compliance Initiatives (OCI), which was reopened by the Trump Administration after the Obama Administration closed its predecessor down.
- Improve Visa-Related Labor-Market Monitoring
 - OFLC should be moved out of ETA and made directly accountable to the Secretary with a politically accountable Director.

Berry argues that labor policy should 1. “give workers the support they need for rewarding, well-paying, and self-driven careers, and restore the family-supporting job as the centerpiece of the American economy” (581). The Judeo-Christian tradition, stretching back to Genesis, has always recognized fruitful work as integral to human dignity, as service to God, neighbor, and family. And Americans have long been known for their work ethic. While it is primarily the culture's responsibility to affirm the dignity of work, our federal labor and employment agencies have an important role to play by protecting workers, setting boundaries for the healthy functioning of labor markets, and ultimately encouraging wages and conditions for jobs that can support a family

1. Reverse the DEI Revolution in Labor Policy
2. Eliminate Racial Classifications and Critical Race Theory Trainings
 - a. Issue an executive order banning, and Congress should pass a law prohibiting the federal government from using taxpayer dollars to fund all critical race theory training (CRT).
 - b. Amend Title VII
 - i. To prevent EEOC data collection (for private and public workplaces)
 - c. Direct DOJ and EEOC to enforce Title VII.
 - d. Eliminate EEO-1 data collection.
 - e. Eliminate disparate impact liability
 - f. Sign an executive order explicitly forbidding OFCCP from using disparate impact in its analysis.
 - g. Eliminate Office of Federal Contract Compliance Programs by rescinding EO 11246

3. Sex discrimination
 - a. Restrict *Bostock v. Clayton County*.
 - i. "An employer who fires someone simply for being homosexual or transgender" violates Title VII's prohibition against sex discrimination."
 - b. Rescind regulations prohibiting discrimination on the basis of sexual orientation, gender identity, transgender status, and sex characteristics.
 - c. Direct agencies to focus their enforcement of sex discrimination laws on the biological binary meaning of "sex."
4. Pro-Life Measures
 - a. Pass a law requiring equal (or greater) benefits for pro-life support for mothers and clarifying abortion exclusions.
 - i. Congress should pass a law requiring that to the extent an employer provides employee benefits for abortion, it must provide equal or greater benefits for pregnancy, childbirth, maternity, and adoption. That law should also clarify that no employer is required to provide any accommodations or benefits for abortion.
 - b. Keep anti-life "benefits" out of benefit plans.

The Chapter's Conclusion reads "The good of the American family is at the heart of conservative labor policy recommendations. The longstanding tradition of a strong work ethic in American culture must be encouraged and strengthened by policies that promote family-sustaining jobs. By eliminating the policies promoted by the DEI agenda, promoting pro-life policies that support family life, expanding available apprenticeship programs including by encouraging the role of religious organizations in apprenticeships, making family-sustaining jobs accessible, simplifying employment requirements, and allowing employers to prefer American citizens when making hiring decisions, among the other policy recommendations discussed above, we can begin to secure a future in which the American worker, and by extension the American family, can thrive and prosper."

Furchgott-Roth takes aim at the Biden Administration for regulatory actions designed to accelerate EV sales, reduce emissions, and raise fuel economy requirements and argues that these regulatory actions have led to an increase in automobile accidents. She writes, “one reason for the high numbers of injuries on American roadways is that national fuel economy standards raise the price of cars, disincentivizing people from purchasing newer, safer vehicles” (626). Furchgott-Roth also argues that “as a result of these regulatory actions, automobiles will be significantly more expensive to produce, there will be fewer affordable new vehicle options for American families, and fewer new vehicles will be sold in the U.S. That will do more than translate into a loss of auto industry jobs for American workers: It will also mean a significant increase in traffic deaths and injuries. As fewer new cars are purchased, the price of used cars will rise, and more Americans will be left driving older cars, which traffic statistics show are much less safe than newer vehicles” (627-628). Recommendations include reducing proposed fuel economy levels, ensuring that DOT again exercises priority in the setting of fuel economy standards, revoking the special waiver granted to California by the Biden Administration.

Furchgott-Roth argues that The Federal Highway Administration (FHWA) has gone beyond its original mission and recommends seeking to refocus the FHWA on maintaining and improving the highway system, removing or reforming rules and regulations that hamper state governments, reduce the amount of federal involvement in local infrastructure decisions.

Aviation: Furchgott-Roth recommends that the next Administration should focus its efforts on “making air travel more affordable and abundant, increasing safety, increasing competition to benefit the flying public, and removing obstacles to the rapid deployment of emerging aviation technologies that hold the promise of improved safety, competition, opportunity, and growth” (630).

Federal Transit Policy: Furchgott-Roth critiques the 2021 Infrastructure Investment and Jobs Act for authorizing “tens of billions of dollars for the expansion of transit systems even as Americans were moving away from them and into personal vehicles” (635).

The chapter also makes suggestions for modifying Federal Railroad Policy and Maritime Policy

In the overview, Tucker writes, that under the Biden Administration there is "growing concern in Congress and the veteran community that the VA is poorly managing and in some cases disregarding provisions of the VA MISSION [Maintaining Internal Systems and Strengthening Integrated Outside Networks] Act of 2018² that codify broad access for veterans to non-VA health care providers. Efforts to expand disability benefits to large populations without adequate planning have caused an erosion of veterans' trust in the VA enterprise" (642).

He states that "the current VA leadership is focusing very publicly on "social equity and inclusion" within departmental policy discussions toward ends that will affect only a small minority of the veterans who use the VA. For the first time, the VA is allowing access to abortion services, a medical procedure unrelated to military service that the VA lacks the legal authority and clinical proficiency to perform. In addition to continuing the grotesque culture of violence against the child in the womb, these sociopolitical initiatives and ideological indoctrinations distract from the department's core missions" (642).

Needed reforms include:

Veterans Health Administration (VHA)

- Rescind all departmental clinical policy directives that are contrary to principles of conservative governance starting with abortion services and gender reassignment surgery.
- Focus on the effects of shifting veteran demographics.
- A veterans bill of rights is needed so that veterans and VA staff know exactly what benefits veterans are entitled to receive, with a clear process for the adjudication of disputes, and so that staff ensure that all veterans are informed of their eligibility for Community Care

Regarding the VHA Budget:

- Conduct an independent audit of the VA similar to the 2018 Department of Defense (DOD) audit to identify IT, management, financial, contracting, and other deficiencies.
- Assess the misalignment of VHA facilities and rising infrastructure costs.

Regarding VHA Personnel:

- Extend the term of the Under Secretary for Health (USH) to five years. Additionally, authority should be given to reappoint this individual for a second five-year term both to allow for continuity and to protect the USH from political transition.
- Establish a Senior Executive Service (SES) position of VHA Care System Chief Information Officer (CIO), selected by and reporting to the chief of the VHA Care System with a dotted line to the VA CIO.
- Identify a workflow process to bring wait times in compliance with VA MISSION Act-required time frames wherever possible.
- Conduct a high-priority assessment of Electronic Health Record (EHR) transition delays and functionality problems.

The chapter also provides a list of reforms needed in the Veteran Benefits Administration (648).

Section 4 opens with the following statement: “The next Administration must prioritize the economic prosperity of ordinary Americans. For several decades, establishment “elites” have failed the citizenry by refusing to secure the border, outsourcing manufacturing to China and elsewhere, spending recklessly, regulating constantly, and generally controlling the country from the top down rather than letting it flourish from the bottom up. The proper role of government, as was articulated nearly 250 years ago, is to secure our God-given, unalienable rights in order that we might enjoy the pursuit of happiness, the benefits of free enterprise, and the blessings of liberty” (657).

Chapter 21 opens with the following: "The Department of Commerce is charged with promoting economic growth, innovation, and competitiveness while providing the data that American businesses need to succeed. Intended to serve with clarity of purpose as the voice of business in any President's Cabinet, the Department of Commerce has suffered from decades of regulatory capture, ideological drift, and lack of focus" (663).

Gilman advocates consolidating and streamlining programs at the Department of Commerce that "overlap in whole or part with other governmental programs", and in doing so, "these could increase both accountability and return on taxpayer investment" (663). He recommends the next conservative president consider whether:

- The International Trade Administration (ITA) and parts of the Bureau of Industry and Security (BIS) should be streamlined and moved to the Office of the U.S. Trade Representative (USTR), along with the Development Finance Corporation; the U.S. Trade and Development Agency; the Export– Import Bank; and other trade-related programs spread across the federal government—as well as considering whether many of these programs should exist within the federal government;
- The Economic Development Administration's grant programs, which are among a broad set of duplicative and overlapping federal economic development grant programs, should be consolidated with other programs and/or eliminated;
- The Bureau of Economic Analysis and Census Bureau, as well as the Department of Labor's Bureau of Labor Statistics, should be consolidated into a more manageable, focused, and efficient statistical agency;
- The U.S. Patent and Trademark Office (USPTO) should be made into a performance-based organization under the Office of Management and Budget (OMB);
- Alternatively, the USPTO should be consolidated with the National Institute of Standards and Technology (NIST) in a new U.S. Office of Patents, Trademarks, and Standards, with all non-mission-critical research functions eliminated or moved to other, more focused, federal agencies;
- The National Oceanographic and Atmospheric Administration (NOAA) should be dismantled and many of its functions eliminated, sent to other agencies, privatized, or placed under the control of states and territories.

In regard to the International Trade Administration, Gilman writes that in a conservative Administration, the ITA should operate with the following priorities:

- Counter the malign influence of China and other U.S. adversaries;
- Enforce agreements vigorously and defend against trade violations;
- Secure access to critical supply chains and technology;
- Enable the private sector to drive innovation and remain globally competitive. (666)

In Chapter 22, the authors note that under the Biden Administration, the Treasury Department has failed to achieve any of the agency's core objectives, largely because it has placed equity and climate change among its top priorities. The authors argue that the next Administration must curtail activities that fall outside the Treasury's mandate and primary mission and refocus promoting economic growth, prosperity, and economic stability. The authors propose legislation to reform the tax code, writing,



Tax policy has a powerful impact on the economy. The Treasury Department should develop and promote tax reform legislation that will promote prosperity. To accomplish this, tax reform should improve incentives to work, save, and invest. This, in turn, is accomplished primarily by reducing marginal tax rates, reducing the cost of capital, and broadening the tax base to eliminate tax-induced economic distortions by eliminating special-interest tax credits, deductions, and exclusions.

Tax compliance costs will decline precipitously if the tax system is substantially simplified. The Treasury Department should also promote tax competition rather than supporting an international tax cartel.

Chapter 22 includes proposals to reduce the intrusiveness and increase the accountability of the Internal Revenue Service. The chapter also explains how the interagency Committee on Foreign Investment in the United States (CFIUS), chaired by Treasury, should realign its priorities to meet the United States' current foreign policy threats, especially from China. It explains how Treasury's Financial Crimes Enforcement Network, which manages the anti-money laundering/countering the financing of terrorism (AML-CFT) programs, can be improved to reduce the burden on small firms and improve the effectiveness of the AML-CFT regime.

Chapter 23 is divided into two subsections that debate the merits of the Export-Import Bank.

The Export-Import Bank Should Be Abolished (717-723), Veronique de Rugy

Veronique de Rugy opposes the Export-Import Bank. She opens by quoting David Stockman, who served as Director of the Office of Management and Budget under President Ronald Reagan, who wrote the following in 1986: "Export subsidies are a mercantilist illusion, based on the illogical proposition that a nation can raise its employment and GNP by giving away its goods for less than what it costs to make them.... Export subsidies subtract from GNP and jobs, not expand them.... Moreover, in 1981, the EXIM's practice was to bestow about two thirds of its subsidies on a handful of giant manufacturers, including Boeing aircraft, General Electric, and Westinghouse" (717). De Rugy follows with "since then, very little has changed. EXIM operates in effect as a protectionist agency that picks winners and losers in the market by providing political privileges to firms that are already well-financed (717).

In the section, "Claims vs. the Facts," she writes:

- The Bank is an example of government-granted privilege.
- The Bank does not maintain or create jobs.
- The Bank does not promote exports.
- Subsidy-boosted exports do not boost economic growth.
- The Bank does not promote growth by leveling the playing field.
- The Bank does not support small businesses.
- The Bank is not a good deal for taxpayers.

She concludes with the following:

"The Export-Import Bank should be abolished because it wastes taxpayer money, adversely affects American businesses, and does not promote economic growth effectively.

Furthermore, any attempts to reorient the agency and make it a weapon with which to fight against China are going to fail. Economic fights and national security fights are not won with subsidies" (724).

The Case for the Export-Import Bank (724-730), Jennifer Hazelton

In support of the Export-Import bank, Jennifer Hazelton writes, "EXIM provides financing only when the private sector will not or cannot" (726). According to Hazelton, "credit is a strategy weapon in China's whole-of-government approach to enhance its global power, economic might, and national security" (725). According to Hazelton, in 2018, China provided an estimated "\$500 billion in export credit approaching in that one year the total amount of financing EXIM has provided in its 90-year history" (724). Hazelton argues that when large American companies can get a loan from EXIM rather than having to meet the demands of export credit agencies in Europe or elsewhere, it helps American small businesses, too. She writes, "The United States would be foolish to abandon this field of play, surrendering it to China and other nations, and to relinquish EXIM as a powerful tool in America's asymmetrical warfare toolbox" (727).

Paul Winfree advocates legislation that would “abolish” the Federal Reserve, writing that the Federal Reserve actually causes “inflationary and recessionary cycles.” Winfree writes, “full employment” should be eliminated from the Federal Reserve’s mandate, “requiring it to focus on price stability alone.” The Fed should not be allowed to incorporate “environmental, social, and governance factors into its mandate.” It should be compelled “to specify its target range for inflation.” Its last-resort lending practices, “which are directly responsible for ‘too big to fail,’” should be curbed. Its mission, and alternatives to the Fed, should be explored by a commission created for that purpose. And a central bank digital currency, which “would provide unprecedented surveillance and potential control of financial transactions,” should be rejected.

Even more ambitiously, Winfree suggests that the next Administration should think about proposing legislation that would “effectively abolish” the Federal Reserve and replace it with “free banking,” whereby “neither interest rates nor the supply of money” would be “controlled by government.” Free banking would produce a “stable and sound” currency and a “strong” financial system, “while allowing lending to flourish.” Alternatively, Winfree writes, the next Administration should “consider the feasibility of a return to the gold standard.”

In Chapter 25, Karen Kerrigan describes the Small Business Administration (SBA) as a “sprawling, unaccountable agency” replete with “waste, fraud, and mismanagement” and guilty of “mission creep.” Moreover, its “initiatives aimed at ‘inclusivity’ are in fact creating exclusivity and stringent selectivity in deciding what types of small businesses and entities can use SBA programs.” According to Kerrigan, the Office of Advocacy “is one of the bright spots within the SBA that a conservative Administration could supercharge to dismantle extreme regulatory policies and advance limited-government reforms that promote economic freedom and opportunity.” She recommends that it receive a big increase in funding and staffing and then undertake “a research agenda that includes measuring the total cost that federal regulation imposes on small businesses.” This would be one important step in making sure that “the SBA under a conservative Administration would meet the needs of America’s small-business owners and entrepreneurs, not special interests.”

Chapter 26 is divided into two subsections: The Case for Fair Trade and The Case for Free Trade

The Case for Fair Trade (765-795), Peter Navarro

Navarro makes a case for fair trade. He highlights what he describes as “two major challenges” harming America’s trade policy in supporting American manufacturing. The first stems from “the most favored nation” rule (MFN) of the World Trade Organization (WTO) requiring WTO members to “apply the lowest tariffs that they apply to the products of any one country to the products of every other country” but that “WTO members can charge higher tariffs if they apply these nonreciprocal tariffs to all countries.” (766). Navarro argues that this results in “the systematic exploitation of American farmers, ranchers, manufacturers, and workers through higher tariffs institutionalized by MFN” (766). Navarro argues that this “nonreciprocal trade” has resulted in “chronic U.S. trade deficits with much of the rest of the world” (766) and “serves as a brake and bridle on both GDP growth and real wages in the American economy while encumbering the U.S. with significant foreign debt” (766). According to Navarro, the second challenge is “rooted in the Chinese Communist Party’s (CCP) continued economic aggression, which begins with mercantilist and protectionist trade policy tools such as tariffs, nontariff barriers, dumping, counterfeiting and piracy, and currency manipulation” (766).

He argues that our trade policy should be guided by “the principle of reciprocity” (770), which would result in the U.S. raising our trade barriers where needed and other countries lower theirs. He argues for decoupling the U.S. economy from China’s. Navarro believes our current trade policy enriches our allies and adversaries while hurting us, weakens our industrial base while strengthening China’s, and shortchanges “Main Street manufacturers and workers.”

Navarro proposes:

- An increase in tariffs on goods made in China
- Incentives for US companies that bring manufacturing back to US
- Prohibiting Chinese companies from bidding on US government contracts
- Prohibiting US pension funds from investing in Chinese stocks
- Reducing and eliminating any US dependence on Chinese supply chains
- Ending the hiring Chinese nationals to do STEM work in American universities and labs
- Ordering Homeland Security to identify and disrupt CCP influencers’ social media operations

The Case for Free Trade (796-824), Kent Lassman

Lassman agrees with Navarro that China is a threat, but he argues for free trade with limited government involvement. He writes, "trade policy works best when it sticks to trade and treats separate issues separately. Trade agreements since the North American Free Trade Agreement (NAFTA) have been increasingly burdened by trade-unrelated provisions involving labor, environmental, intellectual property, and other regulations" (797). Lassman argues that "trade-unrelated provisions are routinely hijacked by progressives and rent-seekers and dilute otherwise worthwhile trade agreements" (797).

He argues that "trade protectionism makes us more vulnerable, but free trade makes our families and communities more resilient" (808). Recommendations include:

- Simplify bilateral trade agreement negotiations to boost American competitiveness by having Congress grant the president more power to negotiate through the Trade Promotion Authority, keeping trade agreements free of trade-unrelated provisions, and reforming or replacing the WTO and closing the Import-Export Bank.
- Promote trade with China rather than restrict it. He recommends a multipronged strategy to deal with China.

SECTION 5. INDEPENDENT REGULATORY AGENCIES (CHAPTERS 27 THROUGH 30)

Section 5 includes chapters 27 through 30 and focuses on the various independent commissions to which the President has the right to appoint people. The introduction describes them as "constitutionally problematic" since the President cannot remove such appointments, and also acknowledges their constitutional legitimacy as upheld by the courts. These include the Securities and Exchange Commission, Consumer Financial Protection Bureau, Federal Communications Commission, Federal Election Commission and Federal Trade Commission.

Chapter 27 is divided into two subsections: Securities and Exchange Commission and Related Agencies and Consumer Financial Protection Bureau

Securities and Exchange Commission and Related Agencies (829-836), David R. Burton

In this section, Burton argues that “the SEC needs to be reformed to achieve its important core functions more effectively, to improve transparency and due process, and to reduce unnecessary regulatory impediments to capital formation” (830).

Consumer Financial Protection Bureau (837-844), Robert Bowes

This section opens with the following: “The Consumer Financial Protection Bureau (CFPB) was authorized in 2010 by the Dodd–Frank Act.³² Since the Bureau’s inception, its status as an “independent” agency with no congressional oversight has been questioned in multiple court cases, and the agency has been assailed by critics³³ as a shakedown mechanism to provide unaccountable funding to leftist nonprofits politically aligned with those who spearheaded its creation” (837).

Bowes goes on to write, “The CFPB is a highly politicized, damaging, and utterly unaccountable federal agency. It is unconstitutional. Congress should abolish the CFPB and reverse Dodd–Frank Section 1061, thus returning the consumer protection function of the CFPB to banking regulators and the Federal Trade Commission. Provided the Supreme Court affirms the Fifth Circuit holding in *Community Financial Services Association of America*, the next conservative President should order the immediate dissolution of the agency—pull down its prior rules, regulations and guidance, return its staff to the General Services Administration” (839).

Until the CFPB can be eliminated, Bowes recommends the following:

- Ensure that any civil penalty funds not used to recompense wronged consumers go to the Department of the Treasury. The funds should not be retained by the Bureau to be dispensed at the pleasure of the Director— potentially to political actors.
- Repeal Dodd–Frank Section 1071. This section, which relates to small business data collection, imposes requirements on financial institutions’ lending to small firms, raises costs, and limits small businesses’ access to capital.
- Require that no CFPB funds are spent on enforcement actions that are not based on a rulemaking that complies with the Administrative Procedure Act.
- Require that respondents in administrative actions be allowed to elect whether an adjudication occurs in an administrative law court or an ordinary Article III federal court.
- Specify the nature of “deceptive, unfair, and abusive” practices to define the scope of the CFPB mission more precisely.

Carr recommends four goals for the FCC (847): 1. Reining in Big Tech, 2. Promoting national security, 3. Unleashing economic prosperity, and 4. Ensuring FCC accountability and good governance. Other recommendations include (851):

- Policies that reduce Huawei's involvement in U.S. communications
- Addressing TikTok's threat to U.S. national security.
- Expanding the FCC's Covered List.
- Publishing a foreign adversary transparency list.
- Fully funding the federal "rip and replace" program.
 - In 2019, Congress established a \$1.9 billion Secure and Trusted Communications Networks Reimbursement Program (known colloquially as the "rip and replace" program) to reimburse communications providers for the reasonable expenses they would incur to remove, replace, and dispose of insecure Huawei and ZTE gear. However, \$1.9 billion is about \$3 billion short of the total amount of funding needed to complete the rip and replace process. A new Administration should ensure that the program is fully funded and should look first at applying unused COVID-era emergency funds for this purpose.

Von Spakovsky recommends reforms to the Federal Election Commission (FEC), an independent federal agency that enforces the Federal Election Campaign Act (FECA). Von Spakovsky points out that while the President has limited authority over the FEC, the President can use the U.S. Justice Department, which has “criminal enforcement authority” (861).

- The President assuming office in 2025 must ensure, if the three Republican commissioners do not wish to remain on the FEC past their terms, that nominees for these positions share the views of those commissioners.
- Also, to the extent that the President has the ability to negotiate with the Democratic Party leader in the Senate, he should try to temper any choice of the opposition party to ensure that this individual does not have extreme views on aggressive overenforcement that would severely restrict political speech and protected party, campaign, and associational activities
- The President must ensure that the DOJ, just like the FEC, is directed to only prosecute clear violations of FECA.
- As a legislative matter and given this abuse, the President should seriously consider recommending that Congress amend FECA to remove the agency’s independent litigating authority and rely on the Department of Justice to handle all litigation involving the FEC.
- Raise contribution limits and index reporting requirements to inflation. Contribution limits should generally be much higher, as they hamstring candidates and parties while serving no practical anti-corruption purpose.

Candeub argues for the Federal Trade Commission (FTC) recalibrating aspects of antitrust and consumer protection law. He writes “Conservative approaches to antitrust and consumer protection continue to trust markets, not government, to give people what they want and provide the prosperity and material resources Americans need for flourishing, productive, and meaningful lives” (879). He recommends the following:



READ EACH LINE AND
BETWEEN THE LINES

- He questions whether the FTC should enforce antitrust or even exist (873).
- He argues that companies are using social advocacy on issues such as DEI and environmental, social, and governance (ESG) to “get out of antitrust liability” (873) and that Congress should investigate these “practices” (873).
- In a section entitled “Cancel Culture, Collusion, and Commerce, he critiques businesses that “refuse to serve lawful activities” such as fossil fuel extraction and gun manufacturing. He writes, “Businesses, particularly those that enjoy certain government privileges or relationships and/ or market power, should not replace democratic decision-making with their own judgment on controversial matters” (874).
- He attributes the increase in depression among adolescents to their use of social media and argues that social media form contracts with children that are enforceable contracts for which parents could end up bearing responsibility (875).
- The FTC should protect children from such contractual relationships by instituting unfair trade practices proceedings against any entities that enter into contracts with children without parental consent (875).
- He advocates prosecuting Big Tech for antitrust violations (877).

Ultimately, he cautions, “Unless conservatives take a firm hand to the bureaucracy and marshal its power to defend a freedom-promoting agenda, nothing will stop the bureaucracy's anti-free market, leftist march”

Note: The Mandate ends with an afterword entitled “Onward” that is written by the founder of The Heritage Foundation. A summary can be found on page 5 of this Primer. (873).

The Mandate contains hundreds of policy recommendations for the next conservative president. In this primer, we do not mention every recommendation. Instead, we set out to provide readers with some of the most significant policy recommendations pertaining to DEI efforts. The only way to become aware of all policy recommendations is to read all close-to 900 pages. We encourage everyone to do so as The Mandate makes recommendations at both the micro and macro levels to ensure that the next conservative president will waste no time in implementing a conservative agenda. At BRIDGE, we are committed to helping companies achieve their DEI goals and hope this primer prepares readers for changes at the federal level that will impact their efforts.