

# Governing for Impact

*Concept Proposal*



# Roadmap 2021 Transition Project

Theory of  
Change

Project  
Overview

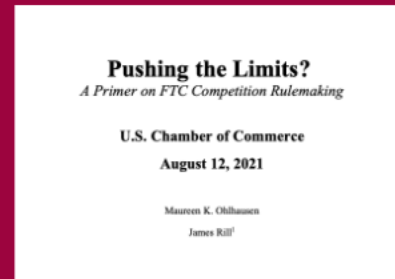
Results

# Theory of Change

The absence of deep legal analysis is a significant barrier to progressive regulatory advocacy

## Examples:

- Homecare worker rule
- Obama LGBTQ+ project
- Industry groups



# Project Overview

- 50+ legal policy memos

- Education
- Interior
- HHS
- DOL
- EPA
- DOJ
- HUD
- USDA
- Energy
- Treasury

- 10 administrative law primers

- |  |   |   |
|--|---|---|
| <b>Education</b> <ul style="list-style-type: none"> <li>Disruptive loan data</li> <li>Title IX reform</li> <li>Transgender transgender students</li> <li>Improving DLEP</li> <li>Regulating law schools</li> <li>School discipline guidance</li> </ul> <b>Environment</b> <ul style="list-style-type: none"> <li>NEPA</li> <li>Clean Air Act, total costs of carbon</li> <li>Environmental Appeals Board</li> <li>New Source Review permitting</li> <li>Climate.gov performance standards</li> <li>Mercury linkups</li> <li>Energy efficiency standards</li> <li>Wildland fuel loading</li> <li>Accreditation standards</li> <li>Endangered Species Act</li> </ul> | <b>Health Care</b> <ul style="list-style-type: none"> <li>Immediate operational changes</li> <li>Medicaid work requirements</li> <li>Market modernization</li> <li>Preventive services</li> <li>Trans "Don't Ask, Don't Tell"</li> <li>Tax reform/updates</li> <li>STAM</li> <li>5157 health equity</li> <li>3212 women</li> <li>Medicaid block grants</li> <li>Association health plans</li> </ul> <b>Housing</b> <ul style="list-style-type: none"> <li>FHA dispute impact permitting</li> <li>Adversely affected for housing</li> <li>Transgender shelter programs</li> <li>Racial equity in FHA programs</li> <li>Private Map A. Freddie Mac review</li> </ul> <b>Labor</b> <ul style="list-style-type: none"> <li>COVID-19 emergency standard</li> <li>Cooperation disclosure</li> <li>Equal pay</li> <li>Overtime rule</li> <li>Typical worker rule</li> <li>Independent contractor rule</li> <li>WHD option letters</li> </ul> | <b>Nativities &amp; Agriculture</b> <ul style="list-style-type: none"> <li>SNRP work requirements</li> <li>USDA civil rights reform</li> </ul> <b>Policy</b> <ul style="list-style-type: none"> <li>Timeline of unlawful public contract</li> <li>2013 Program reform</li> <li>Federal law enforcement transparency</li> </ul> <b>Timor</b> <ul style="list-style-type: none"> <li>Economic cooperation</li> <li>COVID-19 relief</li> <li>Indian debt resolution</li> <li>ESOC stabilization</li> <li>Reducing CARE Act funding</li> <li>Sequestration</li> <li>Trade Panel</li> <li>Viktor Rule</li> </ul> <b>Visiting</b> <ul style="list-style-type: none"> <li>Making Election Day a holiday</li> <li>Vote registration on ACA exchanges</li> </ul> |
|--|---|---|



**Education**

- Discharging loan debt
- Title IX reform
- Protecting transgender students
- Improving PSLF
- Regulating loan servicers
- School discipline guidance

**Environment**

- NEPA
- Clean Air Act, social costs of carbon
- Environmental Appeals Board
- New Source Review permitting
- Oil and gas performance standards
- Methane leakage
- Energy efficiency standards
- Federal coal leasing
- Air pollution standards
- Endangered Species Act

**Health Care**

- Immediate operational changes
- Medicaid work requirements
- Market modernization
- Premium tax credits
- Fixing "Family Glitch"
- Tax reconciliation penalty
- STLDI
- §1557 health equity
- §1332 waivers
- Medicaid block grants
- Association health plans

**Housing**

- FHA disparate impact
- Affirmatively furthering fair housing
- Transgender shelter protections
- Racial equity in FHA programs
- Fannie Mae & Freddie Mac review

**Labor**

- COVID-19 emergency standard
- Compensation disclosure
- Equal pay
- Overtime rule
- Tipped worker rule
- Independent contractor rule
- WHD opinion letters

**Nutrition & Agriculture**

- SNAP work requirements
- USDA civil rights reform

**Policing**

- Patterns of unlawful police conduct
- 1033 Program reform
- Federal law enforcement transparency

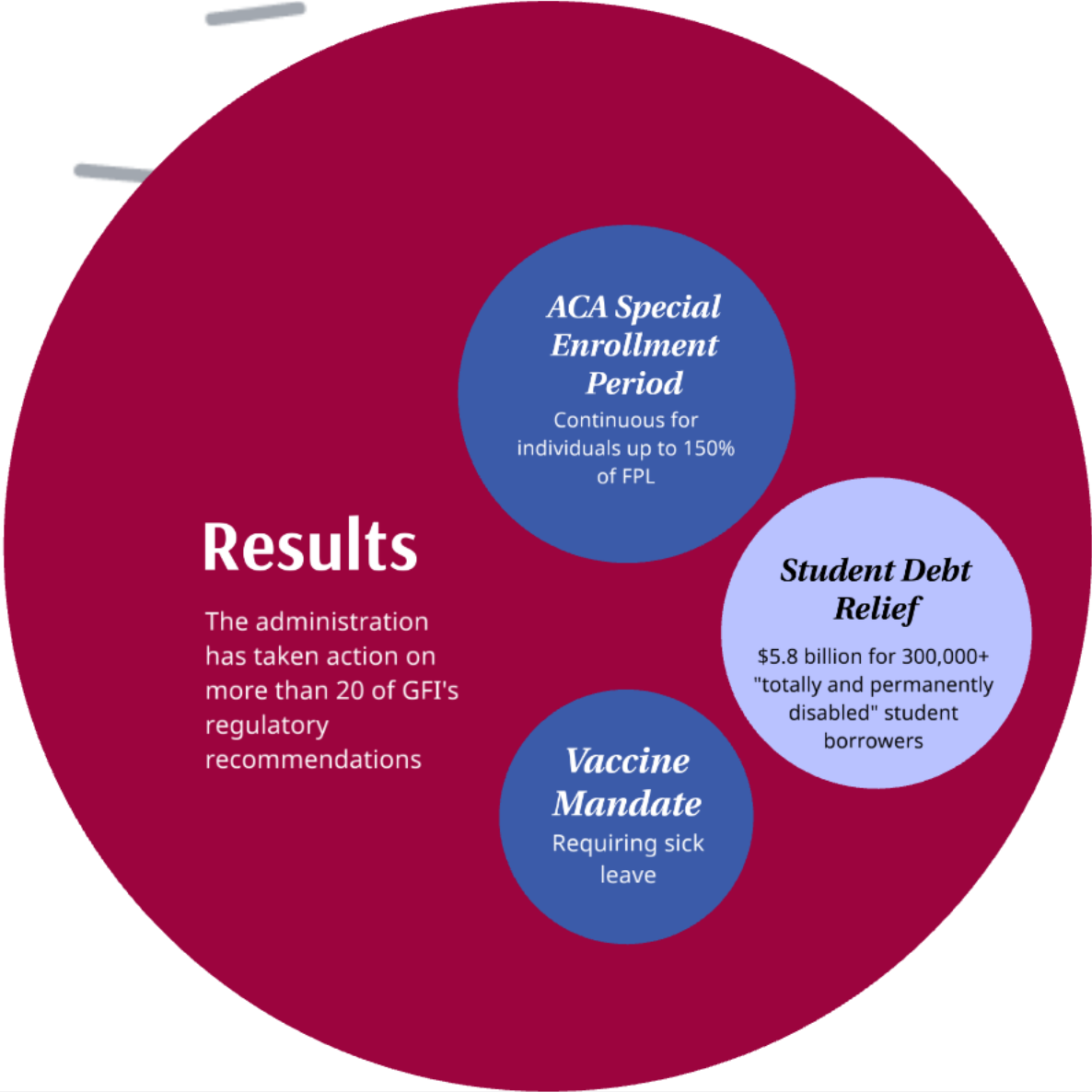
**Treasury**

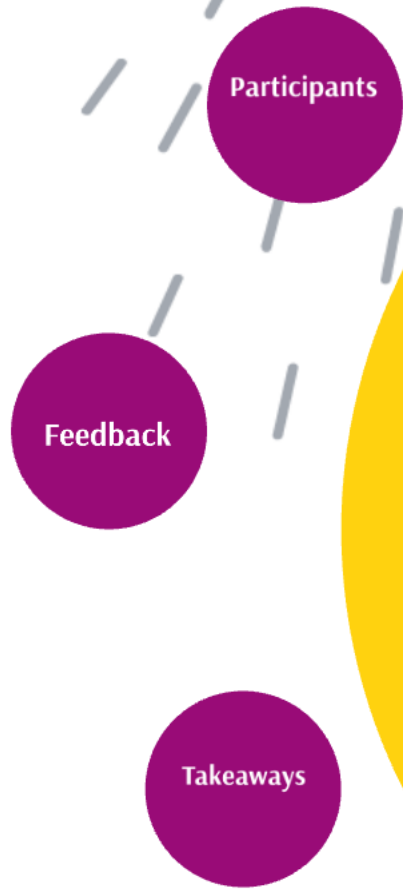
- Executive compensation
- COVID-19 small business debt overhang
- FSOC revitalization
- Redirecting CARE Act funding
- Strengthening Dodd-Frank
- Volcker Rule

**Voting**

- Making Election Day a holiday
- Voter registration on ACA exchanges







# Listening Tour

# Participants

**Muneer Ahmad** *Yale Law*  
**Aaron Ament** *Student Defense*  
**Sharon Block** *OIRA Administrator*  
**Peter Colavito** *ex-SEIU*  
**Aman George** *Democracy Forward*  
**Jeff Hauser** *Revolving Door Project*  
**Robert Jackson** *NYU Law, SEC*  
**Chris Jennings** *Obama WH*  
**Katie Keith** *Georgetown Law*  
**Matt Kent** *Public Citizen*  
**MB Maxwell** *OSF*

**Robin Lloyd** *Giffords*  
**Joel McElvain** *DOJ*  
**Nina Mendelson** *Michigan Law*  
**Amit Narang** *Public Citizen*  
**Raj Nayak** *Assistant Secretary, DOL*  
**Sabeel Rahman** *OIRA*  
**Ganesh Sitaraman** *Vanderbilt, Warren*  
**Narayan Subramanian** *Dep't of Energy*  
**Maggie Thomas** *WH Domestic Climate*  
**Haeyoung Yoon** *NDWA*  
**Dan Zibel** *Student Defense*



# Feedback

1

**Sharon Block**

"I'm jumping out of my seat with excitement about this idea"

2

**Ganesh Sitaraman**

"I strongly agree with the theory of what you're trying to do. There is an astonishing lack of technical capacity within progressive policy infrastructure." One lesson from the Obama era is that "implementation should be the top funder priority," especially in light of the midterms.

3

**Haeyoung Yoon**

This is a "huge gap in the movement," she said. "An organization is very much needed: I don't have 5 lawyers who can dive into a statute."

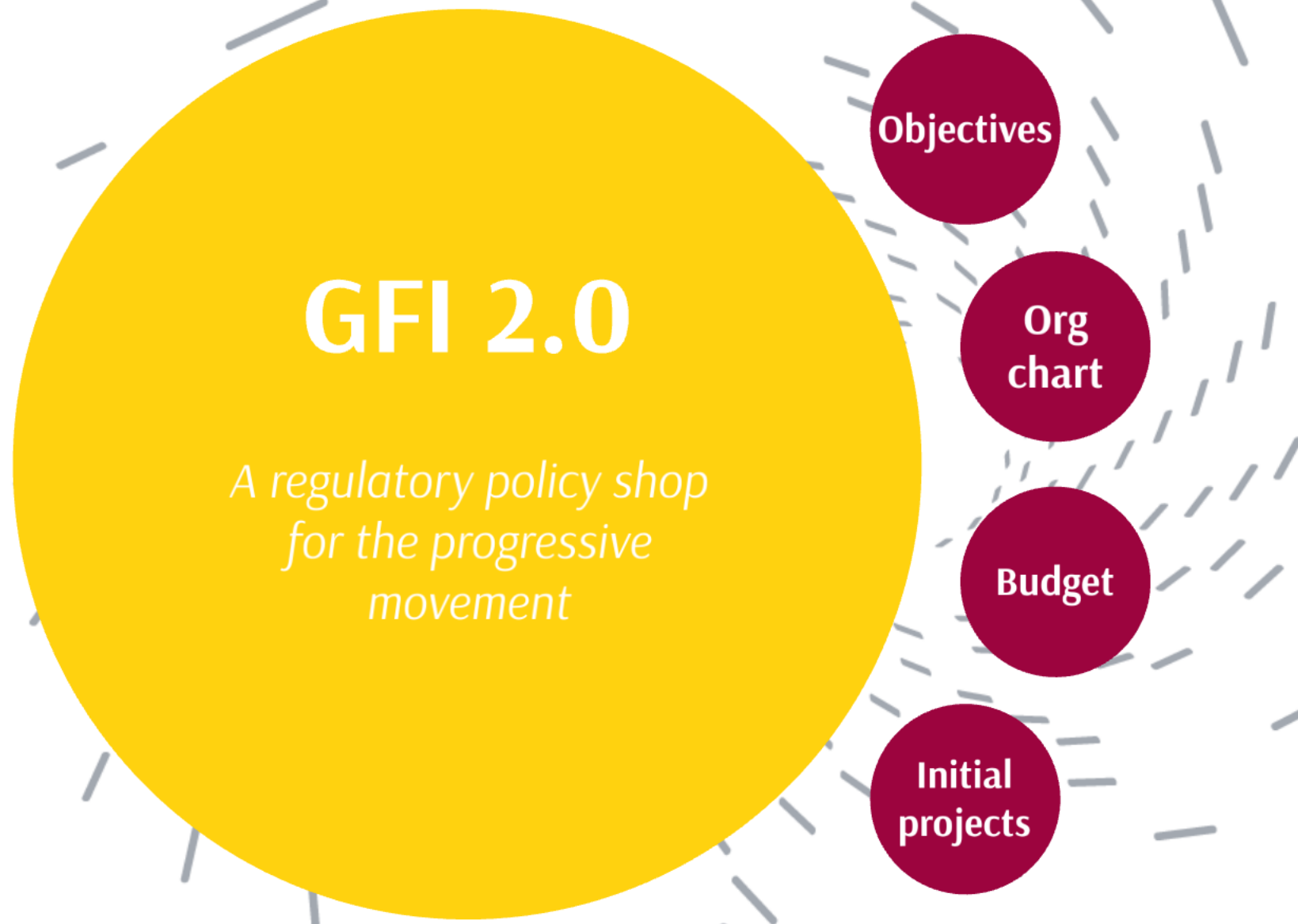
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**Others**

MB Maxwell, Jon Donenberg, Peter Colavito, Maggie Thomas, Chris Jennings, Raj Nayak

# Identifying Gaps

- Regulatory policy development
- Legal analysis
- Talent pipeline



# Objectives

## Friendly administration

Delve into existing statutes to develop new regulatory proposals

Analyze how to implement new legislation in a progressive manner

Assist agencies in executing government-wide regulatory agendas

Advise policymakers on navigating complicated legal issues in a conservative judicial environment

## Unfriendly administration

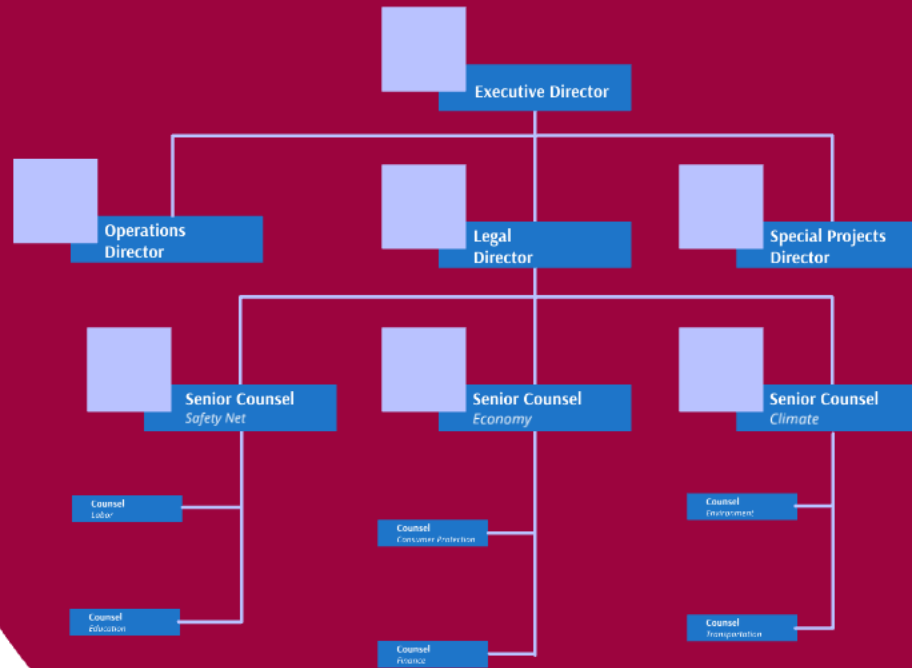
Slow down or block deregulation

Prepare detailed regulatory agendas for the next time progressives take power

Provide a landing pad for progressives with regulatory expertise

Respond to conservative legal developments

# ORG CHART



# Annual Budget

|   |                    |
|---|--------------------|
| Personnel                               | \$2,800,000        |
| Consulting                              | \$100,000          |
| Office Space                            | \$120,000          |
| Misc. (research, travel, website, etc.) | \$115,000          |
| Management Fee                          | \$224,000          |
| <b>TOTAL</b>                            | <b>\$3,359,000</b> |

Initial Projects

1 BBB & BIF implementation

2 Competition executive order

3 Planning for divided government:  
post-2022 midterm sprint