

Center on Progressive Reform

What Donors Need to Know

In 1986, then-President Ronald Reagan [quipped](#) “The nine most terrifying words in the English language are: ‘I’m from the government and I’m here to help.’” In 1996, President Bill Clinton [promised](#), “the era of big government is over.” Four years later, when George W. Bush succeeded Clinton, he did all he could to [reduce the power](#) of federal agencies, putting political appointees in place who blocked federal agencies from making rules that protected public health, worker and consumer safety, and the environment.

CPR has been remarkably consistent in what it does and the issues it cares about. The nonprofit believes that government can be an affirmative good. But government can protect the public only when the views of citizens are not drowned out by corporate interests, which have the money and legal expertise to pressure agencies to develop rules that benefit their bottom lines.

CPR was formed to [articulate](#) the progressive argument for regulation. Since its beginning, it has also championed the [administrative state](#), commonly called the fourth branch of government, whose federal agencies implement laws passed by Congress, and whose foot soldiers are nonpartisan civil service employees. It offers legal advice and detailed policy prescriptions that aim to produce fundamental reform in the long term, and strategies for using current regulatory law to reach achievable reform victories in the near term. Over the years, CPR has worked with local communities, helping them win battles for clean air and water and environmental justice. It also has assisted environmental, consumer, worker, and public health groups in their federal and state advocacy.

CPR has always been a lean operation. Long before the pandemic made working remotely routine, the nonprofit always operated that way. Its staff is small—currently numbering 11. But what makes the group so effective is its corps of 60 law professors from around the country who share CPR’s progressive views and are willing to donate their time and expertise.

Blue Tent **recommends** CPR as a unique leader in its space, and considers supporting this group to be a **high priority**, given the lack of progressive capacity for work on regulatory issues.

Is it a top leader in its space—or have the potential to be?

Yes. Among all progressive nonprofits, CPR is the only group that focuses not on individual regulations but the regulatory process. Its 60-member scholars and senior policy staff are called upon frequently to testify before Congress and state legislatures, something staff and scholars have done dozens of times over the past several years. Its work is also frequently cited in both national and regional media, with 500 media hits in 2021 alone.

CPR's legal scholarship, "can be really, incredibly helpful in understanding an issue," Andrew Rosenberg, director of the Center for Science and Democracy at the Union of Concerned Scientists, told Blue Tent.

Does it have a persuasive theory of change and a realistic strategy?

Yes. CPR's focus is on making government work for average Americans. Since government protects the public through its rules and policies and the enforcement of those rules, it is vitally important that the laws and regulations that are supposed to ensure the safety of the air we breathe, the water we drink, the products we buy and the chemicals we use, reflect the values and priorities of the public, not industry. It's equally important that regulations are fully enforced once enacted.

Even as CPR advocates for the public on regulatory issues, it also aims to fundamentally reform the regulatory process and the laws that govern it so that average people can understand the implications of proposed rules on their lives and health, and can make their views known to policymakers and regulators. Building a constituency for such change requires not only advocacy at the federal and state level, CPR believes, but also work with local communities, listening to their concerns and agendas for reform, and then helping them navigate the existing regulatory process so that they can advance their priorities.

CPR is especially focused on enabling historically marginalized populations to have a greater voice on regulation. "Due to a legacy of discriminatory housing and economic policies, low-wealth people of color face disproportionate risk of harm, yet their ideas, experiences and resilience are discounted in law and policy," CPR's three-year strategic plan observes.



CPR says that its involvement in local and state issues helps people see the connection between their lives and the regulatory process, and builds the case for fundamental regulatory reform at the national level.

It looks to its member scholars to drive that change, not only because of their expertise, but also because they work on campuses across the country, many of them with legal clinics engaged with local grassroots groups.

A case in point is CPR's recent work on carbon capture and storage in Louisiana. Activists there feared that carbon capture would harm their communities and that their objections wouldn't be heard. First, they consulted with scientists to understand the concept. Then they asked CPR to tell them what rules applied to carbon capture.

CPR Board President Robert Verchick, director of the Center for Environmental Law at Loyola University, New Orleans, researched the issue and discovered that "dozens of federal regulations apply." By deciphering the regulatory process, CPR was able to point to the "chokepoints" in the process where local activists could challenge permits and federal approvals. "We're the mapmakers, posting signs, clearing roads for people," Verchick said.

CPR sees the climate issue as a major opportunity to build public understanding of the importance of regulations.

"By engaging in climate change," said Minor Sinclair, CPR's executive director, CPR has found "the space where people engage with [regulatory] systems" and agencies. In a recent op-ed, Sinclair, who joined CPR in early 2021, wrote that "1 in 3 Americans were impacted by climate-related disasters this summer. ... [T]he effects of climate change are palpable in ways never felt before."

Is there strong evidence of its impact?

Yes. It is demonstrated by the influence of CPR's member scholars at executive branch agencies, ability to change the debate about regulation in Congress, and victories at the state and local level.

While small, CPR's reputation is sterling in the nation's capital. CPR alumni have held prominent roles in both the Obama and Biden administrations.

CPR scholar and Georgetown University law professor Lisa Heinzerling served on the Obama administration's transition team, and went on to hold senior positions at the Environmental Protection Agency. She recruited CPR colleague Verchick to serve as her deputy and they met regularly with then-EPA Administrator Lisa Jackson, finding her receptive to CPR proposals to better involve the public in the regulatory process. The Biden administration has been even more [welcoming](#). Four member scholars were named to senior positions at the Departments of State, Energy and Interior.

During the Trump years, CPR's [detailed analysis](#) of the bipartisan Regulatory Accountability Act helped block its passage by Congress. In his [House testimony](#), member scholar Sidney Shapiro warned that the bill's requirements could slow down agencies, delaying crucial rules by several years.

But after years of being on the defensive, CPR is helping to change the conversation. On his first day in office, President Joe Biden issued a memo, [Modernizing Regulatory Review](#), which asks federal agencies to better account for the benefits of rules, including those difficult or impossible to monetize.

In the current Congress, CPR helped progressives craft a bill sponsored by Rep. Pramila Jayapal that would strengthen the regulatory process and make it more transparent and accessible to average citizens. Senior policy analyst James Goodwin said that CPR worked for three years with House staff to refine the bill. CPR also recruited member scholar University of Texas Law Professor Wendy Wagner to testify, and recommended other progressive witnesses.

The introduction of the House bill and a subsequent hearing reflects a turning point in progressive [support](#) for robust regulation, Goodwin said.

While it's unlikely the bill will become a law in the current Congress, Goodwin said House action had shown real progress. When CPR began, "no one in Congress was willing" to speak up for improving the regulatory process, Goodwin said. "Through careful work, we changed the narrative about regulation.

CPR has also helped win victories at the state level. In Maryland, CPR worked with grassroots groups to expose the public health dangers of private wells, subject to lax regulation and

monitoring. CPR released a detailed [report](#) outlining the dangers of polluted well water and offering detailed recommendations for ensuring that Maryland families were better protected. Maryland legislators [passed a reform law](#) for private wells in April 2021.

Does it have a plan to achieve future impact?

As it embarks on its third decade of existence, the nonprofit has a new executive director, a larger, more diverse board and optimism that average citizens and state and federal policymakers, in the crosshairs of both the pandemic and the climate crisis, are beginning to recognize government's crucial role in protecting both the public and the planet.

During Biden's first term, CPR plans to use its expertise in the legal and regulatory worlds to advance a proactive regulatory reform agenda in Congress and at the White House, using the touchstones of climate change and environmental justice to make its case. It also plans to continue its work at the local and state levels to give local communities—particularly marginalized communities and workers that are most harmed by climate change—the tools to develop strategies to have their priorities addressed.

Does it have strong leadership and governance?

Sinclair has a 16-year [background](#) with Oxfam, leading its Domestic Program, and efforts to improve working conditions for low-wage food workers. He also co-founded Oxfam International's Cuba office. One reason that Sinclair was hired, according to Verchick, is that he understood the importance of listening to local communities, and “bringing additional talents, resources, and perspectives” – not to influence their agenda, but to strengthen it, Verchick said, noting that Sinclair helped CPR [identify](#) climate change and environmental justice as the best way to connect the public to its work.

In addition to Verchick and Shapiro, the CPR board includes law professors Robert Glicksman, Alice Kaswan, Thomas McGarity, Joel Mintz and Amy Sinden, as well as Gilonne d'Origny, an advisor for the Institute for Protein Design, and community activist Michele Janin. Its three new members, [added in 2021](#), are University of California Law Professor Alejandro Camacho, Sekita Grant, a vice president at The Solutions Project funding environmental initiatives led by women and people of color, and Ajulo Othow, founder and CEO of EnerWealth Solutions, developing renewable energy projects in rural communities.

Is it diverse and culturally competent?

Yes. CPR's staff of 11 includes four people of color, Sinclair said, and when recruiting policy interns, the nonprofit keeps diversity in mind. Its 12-member board includes three people of color. CPR also says it is making an effort to diversify its team of member scholars.

But CPR has gone far beyond adding people of color to its staff and board. It engaged a consultant to interview all its board and staff and many of its member scholars on their attitudes on culture, inclusion and race. "We come from a white tradition, both in the organization, but also more broadly in the administrative law profession," Sinclair said.

The assessment is trying to get a sense of those attitudes, policies and practices that might not be as racially sensitive as they could be, he added.

After the assessment is completed, Sinclair said that CPR will take two years to build on its recommendations and evaluations. "We're on a journey here," he said, we're going to have to learn along the way.

Is its financial house in order?

CPR always has operated virtually, thus saving money on rent and office furniture, and has the generous intellectual support of its member scholars. The organization's budget has been modest, with annual support often totaling under \$1 million, most of it coming from family foundations.

Sinclair wants to double that annual budget to \$2 million over the next three years, noting that the boost in foundation and donor funds would enable him to grow the staff from 11 to 17, allowing it to beef up its policy, program and advocacy operations, its work with member scholars, and its fundraising and administration. A larger budget would be a springboard for more growth in the future, Goodwin said.

Does it collaborate well with other organizations and have strong partnerships?

Yes. CPR serves on the executive board of the Coalition for Sensible Safeguards, and also participates in Coming Clean, the Coalition to Prevent Chemical Disasters, the Virginia Conservation Network, and the Choose Clean Water Coalition.

CPR also worked with the Union of Concerned Scientists on a large effort involving dozens of progressive nonprofits putting together recommendations for the incoming Biden administration.

The thing that CPR brings is that ability to do a deep dive on some issues, and to bring in some really strong scholars,” said Rosenberg of UCS. “They do have a real focus on policy reform, not just opining about something.

Their legal expertise, Rosenberg adds, is an asset when you lobby on Capitol Hill. Hill staff “are going to ask you the questions” about the details of a reform proposal, Rosenberg said. “It’s really good to refer to a CPR paper” that can “explain really arcane issues.

Grassroots groups have also appreciated what CPR brings to the table. “They came to me, so that was nice,” said Monica Brooks, co-founder of Concerned Citizens Against Industrial CAFOs, (concentrated animal feeding operations) a group on Maryland’s Eastern Shore opposed to industrial agricultural livestock operations that pollute the air and water, and harm the health of rural communities.

CFR put her in touch with three other activists in Maryland, and together, they’re trying to put together some comprehensive plans “on how we can benefit our various communities through legislation or policy change.

Brooks also appreciated the expertise CPR offered. “Grassroots groups face this idea that you don’t know what you’re talking about,” Brooks said. “They have been very helpful in providing that extra backbone of data.

Does it have the support of key funders?

Yes. Major funders have included the [Bauman](#), Deer Creek and Public Welfare foundations. The ClimateWorks Foundation is now supporting its involvement in a two-year [research project](#) evaluating California’s track record on environmental justice to see whether the California model can inform reforms in other states and the nation as a whole. In addition, CPR’s recent involvement with the Just Solutions Collective received the support of the Democracy Fund.

Conclusion

CPR plays a unique and valuable role among progressive policy groups in D.C., working on regulatory issues that tend to be neglected by advocates, even as corporate interests invest heavily to influence outcomes that boost their bottom line at the expense of the public interest. By leveraging the pro bono expertise of its legal scholars, CPR gives donors a lot of bang for their buck.

Nevertheless, CPR's capacity remains limited. That's a state of affairs its new executive director wants to remedy. Doubling CPR's modest annual budget over the next three years is an ambitious goal for a nonprofit that deals with regulatory policy, not a cause that easily draws lots of donor dollars or progressive foundations. But it is a crucial step for CPR, one that will help it to continue to grow in the future. Blue Tent **recommends** CPR and considers supporting this group to be a **high priority**.

You may also want to check out:

- [American Constitution Society: What Donors Need to Know](#)
- [People's Parity Project: What Donors Need to Know](#)
- [Demand Justice: What Donors Need to Know](#)
- [Public Citizen: What Donors Need to Know](#)