

## MEMORANDUM

**To:** U.S. Programs Board  
**From:** Maria Teresa Rojas  
**Date:** August 25, 2008  
**Subject:** **Special Funding Request for Immigration Comeback Strategy**

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I am submitting a special funding request for the comeback strategy being mounted by the immigrant rights field that aims to turn the tide of public debate and create the necessary conditions for immigration reform to be achieved within the next five years. The magnitude of the legislative defeat last year, the gravity of the situation for immigrants in the current anti-immigrant environment, and the possibilities for reform that a new administration and new Congress offer, have catalyzed advocates to develop a more proactive multi-faceted reform campaign.

The demise of comprehensive immigration reform in 2007 was a devastating event for immigrant rights advocates across the country. Advocates have needed time to process the full impact of this major setback and to face the terrible loss of time, energy, and opportunity that this defeat represented. Bruised but undaunted, leading national and local advocates have come together in multiple retreats and planning meetings to conduct an extensive analysis and to develop a new immigration reform strategy. What has emerged from this process is a plan of action—a new campaign—to set the stage for legislative reform to be possible within five years.

This memorandum lays out the overall campaign strategy that OSI grantees will follow with funding from multiple source including a possible multi-year investment by OSI. The timing is right for a significant intervention by funders to capitalize on the efforts and investments made last year and the opportunity 2009 offers. Although there are a number of factors that affect the potential timing of another legislative reform effort, advocates report that there are indications that Barack Obama, should he be elected, and Congressman Rahm Emanuel may move forward immigration reform within the first nine months of 2009. While there are no guarantees that there will be an opening in 2009, advocates believe the prudent course of action is to use the period between now and January to prepare a legislative proposal and build consensus around it. They need to lay the groundwork for legislative, communications, and advocacy efforts that are able to be mobilized in 2009 if the opportunity presents itself, while at the same time building support, public understanding, and an infrastructure that can sustain advocacy efforts over a period of several years if necessary.

Given these circumstances and information gathered through close consultations with leading advocates<sup>1</sup> and other funders<sup>2</sup>, OSI is considering a special allocation of funds for three years for 2009 and beyond. This will allow OSI's grantees to continue to play a major role in shaping immigration policy and changing the public debate about immigration, and will advance the goals of several of the U.S. Programs initiatives, namely the Equality and Opportunity Fund, the Democracy and Power Fund, and the National Security and Human Rights Campaign. This will be a joint effort

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<sup>1</sup> Frank Sharry, America's Voice; Ali Noorani, National Immigration Forum; Deepak Bhargava, Center for Community Change; Cecilia Muñoz, National Council of La Raza.

<sup>2</sup> Ford Foundation, Carnegie Corporation, Atlantic Philanthropies, J.M. Kaplan Fund, Hagedorn Foundation, Haas Jr. Fund, Unbound Philanthropy, Western Union.

within U.S. Programs that will strengthen alliances between immigrants and native-born communities and other potential allies, address the racialized nature of the public discourse, increase civic participation, and promote workable solutions that serve the nation's best interests.

## **I. BACKGROUND**

There is broad consensus in the field about the reasons why comprehensive immigration reform could not be achieved in 2007. Proponents found themselves fighting mainly a policy battle while the opposition mounted a political and cultural fight. Anti-immigrant forces garnered greater media attention and public response, which succeeded in intimidating lawmakers on both sides of the aisle. The immigrant rights field simply did not have enough political and electoral power to influence policymakers. Also, the policy solutions contained in the Senate bill were supported by few and did not address the public's concern about the economy and globalization. Another lesson learned from last year's failed legislative effort is the need to engage allies from outside the immigrant rights field not only when support is needed but through a longer and deeper relationship around shared concerns and interest in broader solutions.

### The Comeback Strategy: The Four Pillars Campaign

The new campaign strategy consists of four main pillars: 1) an unprecedented citizenship promotion and nonpartisan voter mobilization effort; 2) a revamped policy strategy augmented by strong research and advocacy capacity; 3) a communications and rapid-response war room operation to construct and move a powerful narrative in support of reform; and 4) a stronger national network of grassroots activists and allies. In addition, I am recommending dedicated funds for what can be considered a fifth pillar to address legal advocacy and enforcement issues given the escalation of raids, local ordinances, and the use of criminal charges to enforce immigration.

The goal of the new campaign is to turn the tide of public debate and to develop policy solutions for broad immigration reform rooted in the American values of earned citizenship, the rule of law, and the promise of the American Dream. The idea is to mount an effective campaign that gets and stays on the offensive until we win major immigration reform. OSI will not support any political activities inconsistent with section 501(c)(3) and will carefully structure its grants to public charities to avoid making any expenditures for lobbying.

The field's new approach is to move forward with a campaign structure instead of the coalition approach that was used during the past couple of years. This will allow for a more efficient structure that can address key policy and strategy issues in consultation with a broader group of individuals and organizations committed to winning. Each pillar will draw on the expertise of different organizations. This field-wide effort is more of an organizing framework than a traditional branded campaign and is already resonating with advocates at all levels.

In campaign terms, then, we can think of achieving broad immigration reform as the "candidate" that we are trying to "elect." Each of the four pillars will be headed by what can be considered a "field director" in the following way:

- *Civic engagement*: The "Director" for the electoral/civic engagement pillar will be the We Are America Alliance.
- *Policy and Research*: The National Immigration Forum will serve as "Director of Policy" and the Immigration Policy Center will serve as the "Director of Research."

- *Field and Alliance Building*: The Center for Community Change will serve as the “Director of Grassroots Mobilization” with a strong emphasis on cross-community alliance building.
- *Communications*: America’s Voice, formerly the Coalition for Comprehensive Immigration Reform, will serve as the “Director of Communications.”

A Steering Committee made up of the key leaders who head each of the pillars will serve as the “Campaign Manager.” Accountability will rest with the organizations taking the lead in each area. The campaign is poised to kick into high gear in 2009.

## II. ELEMENTS OF THE CAMPAIGN AND RECOMMENDED FUNDING PRIORITIES

### 1. Civic Engagement

Goal: To create an unprecedented citizenship promotion and nonpartisan voter mobilization campaign aimed at increasing the number of immigrant voters who can mobilize on a number of social justice issues.

Strategy: This pillar will be led by members of the We Are America Alliance (WAAA), such as Mi Familia Vota, Democracia USA, Center for Community Change, and various state immigration coalitions. WAAA is working in 13 immigrant rich states with focused nonpartisan voter registration, education and turnout efforts. A central part of this work will be the *Ya Es Hora* citizenship campaign led by Univision, the National Association of Latino Elected and Appointed Officials, and the National Council of La Raza. Other important efforts include *Yalla Vote*, which focuses on the Middle Eastern and Arab community. These campaigns target not only immigrants but a broader section of underrepresented communities.

Potential Grantees: We Are American Alliance, Four Freedoms Fund, Center for Community Change, Arab American Institute Foundation, Arab Community Center for Economic and Social Services (ACCESS), and National Coalition on Black Civic Participation.

Links to other OSI Efforts: OSI has provided substantial funding over the last two years for civic engagement in immigrant communities and the Democracy and Power Fund will be a key partner in this area going forward.

### 2. Policy and Research

Goal: To enhance policy advocacy and research geared to creating legislative reform, and to develop policy solutions and administrative changes.

Strategy: This will be accomplished through a coordinated effort among the major national policy organizations in consultation with local and regional groups, led by the National Immigration Forum and the Immigration Policy Center.

The following developments suggest the need to be prepared with a legislative agenda as early as January, as well as the need to build the infrastructure for potential advocacy efforts in 2009:

- Senator Obama has made public commitments at the annual conference of the National Council of La Raza (NCLR) and other events to make immigration reform a top priority in his first year in office; he has reiterated these commitments in private conference calls with immigrant rights leaders.
- There is a growing acknowledgment among some Congressional leaders that it will be difficult to accomplish other elements of a domestic policy agenda, like healthcare reform, while

immigration remains unresolved. Frustration about the size of the undocumented population is a useful tool for opponents of health reform and other domestic policy reforms, creating an incentive to get immigration off the table early.

- Congressman Rahm Emanuel privately told Janet Murguia of NCLR that there may well be an opening for immigration reform in the first nine months of 2009, and that if advocates are not ready with a bill, others on the hill will prepare one.
- If immigrant and Latino turnout in the election is as significant as anticipated, this could create additional momentum to address the immigration issue early.

Organizations are also developing transition policy recommendations that focus on administrative changes that can be implemented directly without awaiting legislative action. Those working on administrative advocacy proposals include the major immigrant rights advocacy organizations, groups focused on refugee and asylum issues, large multi-issue organizations that work on immigration policy (e.g. ACLU, SEIU), and several other experts. The issues they are focusing are: family immigration and naturalization; employment and workforce; border security and enforcement; due process; asylum and refugee issues; public benefits; and Department of Homeland Security structure.

Potential Grantees: National Immigration Forum, National Council of La Raza (NCLR), Asian American Justice Center, Migration Policy Institute, Economic Policy Institute, National Conference of State Legislatures, TRAC/University of Syracuse.

Links to other OSI Efforts: The OSI-DC office plays an important role monitoring and advising on potential strategies. Policy solutions to immigration will take into account many of the issues of interest to the Transparency and Integrity Fund and the National Security and Human Rights Campaign.

### **3. Communications**

Goal: To build a campaign-style communications and rapid-response war room that will significantly increase the volume and velocity of the campaign's messages in mainstream, new, and ethnic media with the goal of improving public support for immigration reform and changing the public discourse. The goal is to also establish a national and local communications infrastructure that develops and executes a collective communications strategy.

Strategy: America's Voice will coordinate the communications efforts, including the work being done by the Four Freedoms Fund's Communications Initiative, the Opportunity Agenda, Media Matters, and others.

There are five key themes that are emerging as priorities for the campaign: 1) *Who are we as a country?* Will we be defined by our ideals and the promise of the American Dream for all, or by the fear, intolerance, and the extremism of those pushing mass deportation?; 2) *Who are immigrants?* Immigrants are workers, families, taxpayers, citizens, soldiers, people of faith, Americans in all but paperwork; 3) *What policies work?* Mass deportation won't work, practical solutions including smart enforcement and earned citizenship will; 4) *What are the politics?* Anti-immigrant forces make noise but don't turn elections; immigrants vote on this issue and do influence elections; 5) *Who and what will be helped by broad immigration reform?* American workers, local communities, immigrant families, local economies, and the rule of law.

Another area of focus is to challenge the proliferation of hate speech and extremism in the immigration debate. This includes identifying and throwing on the defensive a targeted number of hard line opponents of broad immigration reform and challenging cable personalities who have gone undisputed for too long. Anti-hate work also needs to be done with a particular focus on the needs of the Muslim, Arab and South Asian communities.

Potential Grantees: America's Voice, Immigration Policy Center, Media Matters, New America Media, America's Forum. The anti-hate consortium consists of organizations like the Center for New Community, Mexican American Legal Defense and Education Fund, National Council of La Raza, and Leadership Conference for Civil Rights.

Links to other OSI Efforts: The National Security and Human Rights Campaign is very interested in exploring joint funding to address this type of hate and extremism as it pertains to Muslim, Arab and South Asian communities.

#### **4. Field and Alliance Building**

Goal: To build a grassroots network capable of delivering support for broad immigration reform by creating field-wide capacity and deepening alliances between immigrants and native-born communities for mutual support.

Strategy: This pillar will be led by the Center for Community Change (CCC) in conjunction with key statewide coalitions and emerging community groups in new immigrant states. State and local organizing along with DC-based legislative work will increase in importance after the elections. CCC, NCLR, and the Four Freedoms Fund are creating a field infrastructure that develops leadership and creates new alliances. The campaign will build an orchestrated demand for reform from immigrant and ethnic communities, faith communities, the labor movement, state and local officials, progressive voices, youth groups, African American and civil rights groups, and concerned employers. The goal is to also include funding for strategic allies to have the capacity to engage in this issue.

Potential Grantees: Center for Community Change, Four Freedoms Fund, National Council of La Raza, New Orleans Workers Center for Racial Justice, Justice for Immigrants Campaign, Black Alliance for Just Immigration, Gamaliel Foundation Network, Immigration Equality, National Center for Lesbian Rights, United States Students Association, Campaign for America's Future.

Links to other OSI Efforts: This is an area of great potential for collaboration within OSI by the Equality and Opportunity Fund and the Democracy and Power Fund.

#### **5. Enforcement**

Goal: To respond to the harsh enforcement environment by building support for immigrants, particularly at the state and local level, where there is the greatest need and where the capacity is most limited, and by addressing the impact of the escalation of enforcement operations.

Strategy: There is great need to support policy advocacy, organizing and communication efforts and legal advocacy. The escalation of aggressive federal enforcement and a dramatic increase in the number and scope of anti-immigrant measures at the state and local level have combined to create a sense of siege in immigrant communities. The steady rise in the number of home and workplace raids, detentions, and deportations all across the country are taking a great toll on families, organizations, and communities. The Catholic Legal Immigration Network is organizing a raids

preparedness and response mechanism throughout the country that encompass legal needs, social services, community-government relations, media, and community education. There is also a strong enforcement-only environment along the U.S.-Mexico border that needs more attention and resources. In order to address this emergency situation aggressively, and make this new campaign truly all encompassing, this funding package includes a “fifth” pillar consisting of advocacy on detention and enforcement issues.

A recent development in response to increased enforcement is the creation of a National Immigrant Bond Fund to assist immigrants to post bond so they can assert their right to legal counsel and due process in court. This is a revolving matching fund program administered in conjunction with frontline, local service providers and legal clinics. The Fund is housed at Public Interest Projects and is operated through a national steering committee made up of many OSI grantees, including Catholic Legal Immigration Network, the Detention Watch Network, and the National Immigration Project of the National Lawyers Guild.

Potential Grantees: National Immigrant Justice Center, National Immigration Law Center, Detention Watch Network, Rights Working Group, Mexican American Legal Defense and Education Fund, Catholic Legal Immigration Network.

Links to other OSI Efforts: Work in this area is closely related to the goals of the National Security and Human Rights Campaign and we will explore ways to collaborate on these issues. With the detention system subject to little oversight or accountability, there is also a natural link with the work of the Transparency and Integrity Fund.

### **III. CONCLUSION**

A number of organizations and networks are bringing their resources to bear on this new strategy. In 2007, OSI and other funders distributed approximately \$16 million in response to the unique window of opportunity for immigration reform that opened early in the year. Although reform efforts failed, following the collapse of the Senate bill advocates faced a dramatic increase in harsh enforcement practices and anti-immigrant legislation, which put additional strain on the organizations we support and immigrant communities. Advocates shifted gears quickly and were able to use the remainder of the 2007 funds to fight back this new wave of attack and to develop the campaign strategy for moving forward.

Today, funders are coming together again to ensure that the investments made last year serve as the foundation to build upon for the long haul until reform is achieved. With potential commitments from a number of foundations, including OSI, the campaign will be well underway to becoming a force at a level that the immigrant rights field has never had before.

A sense of urgency accompanies this campaign, given the alarming increase in raids and anti-immigration ordinances affecting thousands of immigrants, and given the changing political landscape and the need for the immigrant rights field to be ready for the new administration. In the next year, key partners will have to organize more systematically to build up, out, and across the campaign. This is a historic year in many ways, and OSI has the opportunity to make an important, defining contribution to the process outlined above. This work will advance not only the immigrant rights field but also the overarching goals of the Equality and Opportunity Fund, as well as the goals of the Democracy and Power Fund and the National Security and Human Rights Campaign.