

**U.S. PROGRAMS  
Equality and Opportunity Fund  
Summary of Recommended Grants  
Docket II, July 30, 2012**

Program Area/Organization					
Organization	Grant Code	Recommended	Term	2012	2013
<b>Equality and Opportunity Fund</b>					
<b>Immigrant Rights and Racial Justice</b>					
Catholic Legal Immigration Network, Inc	T1: 24449	\$ 250,000	2 years	\$ 125,000	\$ 125,000
Equal Justice Society	T1: 24448	\$ 175,000	1 year	\$ 175,000	
National Partnership for New Americans (fiscal sponsor: Illinois Coalition for Immigrant and Refugee Rights) <sup>1</sup>	T1: 24449	\$ 400,000	1 year	\$ 400,000	
	T1: 21105	\$ 330,900	1 year	\$ 330,900	
<b>LGBTQ Rights and Gender Justice</b>					
Groundswell Fund (fiscal sponsor: New Venture Fund)	T1: 24450	\$ 360,000	1 year	\$ 360,000	
<b>Low-Wage Worker Rights</b>					
Direct Care Alliance <sup>2</sup>	T1: 24451	\$ 120,000	1 year	\$ 120,000	
	T1: 24453	\$ 50,000	1 year	\$ 50,000	
Family Values at Work: A Multi-State Consortium	T1: 24451	\$ 100,000	1 year	\$ 100,000	
Bend the Arc: a Jewish Partnership For Justice <sup>3</sup>	T1: 24451	\$ 270,000	1 year	\$ 270,000	
	T1: 24453	\$ 50,000	1 year	\$ 50,000	
<b>Total Recommended:</b>		<b>\$ 2,105,900</b>		<b>\$ 1,980,900</b>	<b>\$ 125,000</b>
<b>Neighborhood Stabilization Initiative</b>					
National Housing Resource Center (fiscal sponsor: National Community Reinvestment Coalition)	T1: 24451	\$ 150,000	1 year	\$ 150,000	
<b>Total Recommended:</b>		<b>\$ 150,000</b>		<b>\$ 150,000</b>	<b>\$ -</b>

**GRANTMAKING TOTAL THIS DOCKET: \$ 2,255,900**

Approval Signature

Date

30 JULY 2012

<sup>1</sup> This grant of \$730,900 to the National Partnership for New Americans is co-funded by the Equality and Opportunity Fund Immigrant Rights, T1: 24449 (\$400,000) and from the Chairman's and Board's Special Grants, T1: 21105 (\$330,900).

<sup>2</sup> This grant of \$170,000 to the Direct Care Alliance is co-funded by the Equality and Opportunity Fund Economic Security, T1: 24451 (\$120,000) and by the Equality and Opportunity Fund, Rapid Response T1: 24453 (\$50,000).

<sup>3</sup> This grant of \$320,000 to the Bend the Arc: a Jewish Partnership For Justice is co-funded by the Equality and Opportunity Fund Economic Security, T1: 24451 (\$270,000) and by the Equality and Opportunity Fund, Rapid Response T1: 24453 (\$50,000).

## MEMORANDUM

**TO:** Christopher Stone  
**VIA:** Diana Morris and Ken Zimmerman  
**FROM:** Raquiba LaBrie, Solomon Greene, Archana Sahgal, Luna Yasui, and Shruti Garg  
**DATE:** July 12, 2012  
**RE:** Equality and Opportunity Fund Docket II, July 30, 2012

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The mission of the Equality and Opportunity Fund (EOF) is to ensure justice and equality, prohibit arbitrary and discriminatory government action, and lift barriers that prevent people from participating fully in economic, social and political life. The fund concentrates on four core areas of equal opportunity advocacy: racial justice, immigrant rights, LGBTQ rights, and gender justice. EOF also funds cross-cutting efforts that highlight the shared stake that people of color, immigrants, women, and LGBTQ people have in advocating for equality and opportunity. The two cross-cutting priorities for 2012 are economic security and anti-violence advocacy. Beyond this, EOF houses two special initiatives: the Neighborhood Stabilization Initiative, which is being integrated into EOF's core work, and the Campaign for Black Male Achievement.

Attached are the EOF grant recommendations for Docket II of 2012.

### **RACIAL JUSTICE AND IMMIGRANT RIGHTS**

June of 2012 marked two dramatic shifts in the U.S. immigration policy landscape. First, on June 15, 2012, President Obama announced that his administration will suspend deportation and authorize work permits for DREAM Act-eligible youth, effective immediately. A week and a half later, the Supreme Court struck down three parts of Arizona's anti-immigrant law, S.B. 1070, but upheld the law's core racial profiling provision.

While both of these developments have been trumpeted as victories for the immigrant rights field, they have significant shortcomings. The President's action is temporary and does not grant permanent legal status. The Court's decision permits Arizona to require its law enforcement officials to demand proof of legal status from anyone they suspect is undocumented. This provision, and measures like it in other states, cannot be implemented without profiling people based on their appearance or speech.

These developments are likely to place significant demands on the immigrant rights field's legal services and naturalization infrastructure. In this docket, EOF staff recommends two grants to help meet these demands. The recommended general support grant to the **Catholic Legal Immigration Network** will allow it to continue its dual roles as a leading national policy advocacy organization on pressing immigration-related issues and the largest provider of direct legal services to immigrants in the U.S. The grant to the **National Partnership for New Americans** will renew support for its core operations and strengthen its members' naturalization services and advocacy.

The racial justice portfolio grant to the **Equal Justice Society** (EJS) will support its efforts to overturn current barriers to implementing protections in the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution. Its signature issue is dismantling the “intent doctrine” in anti-discrimination law.

## **GENDER JUSTICE AND LGBTQ RIGHTS**

Pursuant to guidance from the U.S. Programs Board, EOF is winding down its gender justice and LGBTQ rights grantmaking by the end of 2012. In an effort to minimize the impact of OSF’s departure from these fields, the Board approved technical assistance funds for organizations in those sectors aimed at strengthening their ability to fundraise and reach new donors. This docket includes one gender justice recommendation to the **Groundswell Fund**, a funder collaborative and technical assistance provider that supports efforts to mitigate reproductive health disparities affecting low-income women and women of color. With this grant, staff is recommending tie-off funding, albeit at an increased annualized amount in order to provide additional technical assistance to local gender justice groups. Docket III will include a recommendation for a similar technical assistance grant to groups in the LGBTQ rights field.

As the Race and Marginalized Populations Working Group continues its research and planning through the coming summer, it will explore how and to what extent U.S. Programs’ future work will address the concerns of LGBTQ people and women.

## **LOW-WAGE WORKER RIGHTS**

EOF is also winding down its grantmaking in the area of low-wage worker rights, although parts of this work may continue as U.S. Programs’ grantmaking in the area of economic equity and race and marginalization evolves. This docket includes recommendations for tie-off grants to two low-wage worker rights organizations. A general support grant to the **Direct Care Alliance** will support its efforts to ensure that the growing direct care sector is comprised of quality jobs, offers quality treatment to patients, and is governed by laws that protect workers as well as the seniors and disabled clients who rely on their services. A general support grant to **Family Values at Work** will strengthen its national network of 16 state coalitions working to expand access to paid sick days and family leave insurance.

The grant to **The Care Fund** is not necessarily a tie-off. It will support Caring Across Generations, a national campaign led by the National Domestic Workers Alliance and Jobs with Justice, EOF and Democracy Fund grantees. The goal of the campaign is to develop the organizing and policy advocacy infrastructure to transform how the country cares for elders and other vulnerable members of society. It seeks to do so by improving the professional training and job quality of the workers who provide that care, including home health attendants and domestic workers. Caring Across Generations speaks to often divisive issues of race, immigration, and gender, and offers a positive solution to bridge the anticipated divide between an aging white population and a growing youth population comprised largely of people of color. For this reason, staff plans to engage in a conversation with the campaign about prospects for renewed support after U.S. Programs has identified new priorities in the areas of race and marginalization and economic equity.

## NEIGHBORHOOD STABILIZATION INITIATIVE

In 2011, EOF's Neighborhood Stabilization Initiative wound down a substantial amount of its grantmaking. For 2012, EOF has identified two interim goals that build on NSI's past work and may serve as a bridge to the goals that the U.S. Programs Board and staff decide to pursue in the areas of housing, access to credit, economic equity, race and marginalization. The first interim goal is to secure past gains and address ongoing threats to fair credit access. Specifically, NSI will counter the false narrative advanced by the lending industry and conservative media that over-reaching homebuyers and government programs caused the mortgage and foreclosure crisis. Working with colleagues at the Annie E. Casey and Ford foundations, staff is engaged in donor outreach to: 1) support efforts to document the cause and effects of the crisis; and 2) promote government oversight of mortgage lending to prevent the emergence of a "dual credit market" that excludes the majority of individuals of color, immigrants and lower-income from fair and affordable mortgages. Staff will be recommending grants in Docket III that directly advance this goal.

The second interim goal is to maximize the impact of the historic multi-state attorneys general settlement announced earlier this year, which resolved a specific set of charges brought against the six largest loan servicers in the U.S. All of these servicers (Ally, GMAC, Bank of America, Citi, JPMorgan Chase, and Wells Fargo) were charged with engaging in servicing abuses, which resulted in their improperly foreclosing on hundreds of thousands of borrowers across the country. EOF's goal is to ensure that the settlement is implemented properly and to seek a full accounting of the practices of loan servicers and their role in the mortgage and foreclosure crisis. To that end, EOF is recommending a project support grant to the **National Housing Resource Center** (NHRC) for its efforts to maximize relief from the attorneys general settlement. NHRC's primary goal will be to ensure that settlement resources benefit communities hardest hit by the foreclosure crisis. Launched last year, it organizes local housing counseling agencies and national intermediaries to uplift the role of housing counseling in creating and sustaining affordable housing options for underserved populations and to advocate for fair and equitable housing policies.

We look forward to meeting with you on July 30 to discuss this docket and any other issues pertaining to the Equality and Opportunity Fund.

**Equality and Opportunity Fund**  
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**RACIAL JUSTICE  
&  
IMMIGRANT RIGHTS**

**Grant ID:** 20036831

**Legal Name of Organization:** Catholic Legal Immigration Network, Inc.

**Tax Status:** 501(c)(3) public charity

**Name of Fiscal Sponsor:** n/a

**Purpose of Grant:** To provide general support

**Grant Description:** A general support grant to Catholic Legal Immigration Network (CLINIC) will support its mission to promote the dignity and protect the rights of immigrants across the country. Founded in 1988, CLINIC is a subsidiary corporation of the United States Conference of Catholic Bishops. Its affiliates constitute the nation’s largest network of non-profit immigration agencies, serving more than 700,000 immigrants per year. These formally affiliated legal service providers include Catholic and other faith-based agencies, ethnic associations, immigrant-led organizing groups, refugee resettlement programs, and anti-domestic violence agencies. Over the next two years, CLINIC anticipates strengthening its public awareness campaigns to counter anti-immigrant sentiment, assist communities to respond to punitive county and state enforcement issues, equip non-profit legal services programs to receive and handle referrals for representation of DREAMers, and strengthen the infrastructure of its legal immigration network. The recommended grant advances EOF’s overarching goal of supporting efforts to ensure justice and equality, prohibit arbitrary and discriminatory government action, and lift barriers that prevent people from participating fully in economic, social, and political life. Further, it advances the specific immigrant rights grantmaking goal of promoting fair immigration enforcement, detention, and deportation policies, as well as promoting immigrant integration.

**Previous OSI Support:** \$4,650,000  
ELF Direct Services (\$3,000,000, 1997-99)  
ELF Advocacy & Policy Grants (\$50,000, 1998; \$50,000, 1999-2000)  
US Programs General Grants (\$60,000, 2002-03; \$75,000, 2003-04)

Immigrant Rights (\$180,000, 2004-06;  
 \$200,000, 2008-10)  
 Strategic Opportunities Fund (\$335,000, 2006-07)  
 USP Independence of Judiciary (\$120,000, 2002-03; \$100,000, 2003-04)  
 Immigration Innovation (\$280,000, 2007-08)  
 Equality and Opportunity Fund (\$200,000, 2010-12)

**Organization Budget:** \$6,350,000

**Project Budget:** n/a

**Major Sources of Support:**

USCCB	\$1,945,000
Vera Institute of Justice	\$1,207,666
Carnegie Corporation	\$ 348,848
Ford Foundation	\$ 145,717
Office of Citizenship	\$ 392,374
Office of Refugee Resettlement	\$ 270,000
Department of Justice	\$ 54,929

**Amount Requested:** \$250,000 over two years

**Is this a contingent grant?** No

**Amount Recommended:** \$250,000 (Equality and Opportunity Fund Immigrant Rights, T1: 24449)

**Term:** Two years, beginning October 1, 2012

**Matching Requirements:** n/a

**Description of Organization**

Founded in 1988, the Catholic Legal Immigration Network, Inc. (CLINIC) is a subsidiary corporation of the United States Conference of Catholic Bishops. Its mission is to enhance and expand delivery of legal services to indigent and low-income immigrants principally through diocesan immigration programs and to meet the immigration needs identified by the Catholic Church in the United States. Using this principle to guide its work, CLINIC dedicates its efforts to promoting the dignity and safeguarding the rights of immigrants, without distinction based upon age, ethnicity, gender, national origin, race, religion, or any other grounds. Headquartered in Washington D.C., it trains and supports a national network of over 200 affiliates with 300 offices in 47 states. Its affiliates constitute the nation's largest network of private, non-profit immigration agencies, serving more than 700,000 immigrants per year. These affiliated legal service providers include Catholic and other faith-based agencies, ethnic associations, immigrant-led organizing groups, refugee resettlement programs, and anti-domestic violence agencies. In 12 years, CLINIC has sub-granted



more than \$19 million to non-profit sectarian and non-sectarian immigration programs, exceeding any such efforts by any other organization for this purpose.

### **Description of Program for Which Funding Is Sought**

CLINIC requests general support.

### **Rationale for Recommendation**

The recommended grant advances EOF's overarching goal of supporting efforts to ensure justice and equality, prohibit arbitrary and discriminatory government action, and lift barriers that prevent people from participating fully in economic, social, and political life. Further, it advances the specific immigrant rights grantmaking goal of promoting fair immigration enforcement, detention, and deportation policies, as well as promoting immigrant integration.

CLINIC continues to play the important dual roles of conducting national policy advocacy on pressing immigration-related issues *and* providing direct legal services to immigrants in the U.S. Through its Center for Immigrant Rights, CLINIC advocates to improve the immigrant related practices of the Department of Homeland Security and the Executive Office for Immigration Review. It plays a liaison role between its local member agencies and U.S. Citizenship and Immigration Services, Immigration and Customs Enforcement, and Customs and Border Protection. Through its member and colleague agencies, CLINIC regularly surfaces problems that immigrants and their families encounter as they attempt to navigate the nation's complex immigration laws and policies. It comments on proposed federal regulations, advocates for appropriate revisions, and supports its affiliate members with local advocacy efforts. It is the largest non-profit provider of legal services to immigrants in the country; its affiliates constitute approximately 35% of all Board of Immigration Appeals recognized sites for legal assistance and 45% of accredited staff. CLINIC is also a member of the New Americans Collaboration supported by OSF and other national funders to scale up naturalization services across the U.S.

Having supported CLINIC for many years, USP staff have been consistently impressed with the organization's delivery of high-quality services and skillful diplomacy in mobilizing the U.S. Conference of Catholic Bishops to take public stands supportive of immigrant rights. The one critique OSF staff would offer is that, at times, CLINIC has not always played well with others. As the largest provider of civil legal services to immigrants in the U.S., it is protective of its turf. Most notably in the citizenship services arena, there has been tension and direct competition between CLINIC and the National Association of Latino Elected Officials (NALEO). However, it appears that CLINIC's and NALEO's participation in the New Americans Collaboration (referenced above) has helped to improve the dynamics between the two groups. Furthermore, in recent years, USP staff have noted that CLINIC has established strong partnerships with other national immigrant rights organizations working to address harsh immigration enforcement policies, many of which are supported by the Equality and Opportunity Fund. These partners include the ACLU Immigrants' Rights Project, Detention Watch Network, and the National Immigration Law Center.

Given President Obama's announcement that his administration will suspend deportation and grant work authorization to DREAM Act-eligible youth, effective immediately, CLINIC has started to play a strong role in supporting DREAM activists. Working with other advocates, CLINIC has sought to engage and educate DREAM activists on the importance of incorporating legal service providers into the development of a response plan. A significant risk is that DREAMers will fall prey to notario fraud and be victimized by individuals who falsely hold themselves out to be lawyers or authorized to represent immigrants in legal settings. The other challenge is the high cost of private attorneys. The American Immigration Lawyers Association has estimated that private attorneys will likely charge between \$1,000 and \$1,500 per deferred action case. Accordingly, CLINIC has started to prepare legal services programs to receive and handle referrals seeking representation of DREAMers. It is exploring ways to strengthen the capacity of these programs, including by offering substantive law and high-volume application training workshops.

CLINIC is also stepping up in response to the Supreme Court's recent decision in *Arizona v. U.S.*, which struck down three parts of Arizona's anti-immigrant law, S.B. 1070, but upheld the law's core racial profiling provision. CLINIC is working with its affiliates to monitor how this section will be implemented and prepare for an increased need for legal services in affected communities in Arizona and the states that have adopted "copycat" laws - Alabama, Georgia, Utah, Indiana and South Carolina.

**Given the important nationwide role that CLINIC is playing in advocacy and direct services to preserve and promote immigrant rights, the Equality and Opportunity Fund recommends a general support grant to CLINIC in the amount of \$250,000 over two years.**

**Grant ID:** 20037241

**Legal Name of Organization:** Equal Justice Society

**Tax Status:** 501(c)(3) public charity

**Name of Fiscal Sponsor:** n/a

**Purpose of Grant:** To provide general support

**Grant Description:** A general support grant to the Equal Justice Society (EJS) will enable it to advance its mission of heightening awareness of the role race plays in the law and popular discourse. EJS is one of few organizations focused on overturning current barriers to implementing protections in the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution. Currently, U.S. Supreme Court jurisprudence requires plaintiffs to prove a perpetrator’s discriminatory “intent” in order to win an anti-discrimination claim. Because contemporary discrimination is frequently structural in nature, unconscious, and/or hidden beneath alternative excuses for a decision maker’s behavior, the showing of intent becomes a near impossible burden. In the coming year, EJS will continue its efforts to monitor discrimination cases and increase its research and litigation capacity. The recommended general support grant advances the Equality and Opportunity Fund’s goals of challenging the structural racism and exclusion faced by people of color and other marginalized groups and supporting the development of structural policy solutions that address widespread inequality.

**Previous OSI Support:** \$3,370,000  
 USP Independence of Judiciary (\$300,000, 2003-04; \$150,000, 2004-05; \$100,000, 2005-06)  
 Racial Justice Initiative (\$30,000, 2005; \$100,000, 2006-07; \$110,000, 2007-08; \$125,000, 2008-09; \$125,000, 2009-10)  
 Progressive Infrastructure Grantmaking (\$200,000, 2005-06; \$30,000, 2006; \$25,000, 2006-07; \$100,000, 2006-07; \$350,000, 2007-08; \$100,000, 2007-08; \$700,000, 2008-10)  
 Democracy and Power (\$100,000, 2008-09)

Transparency and Integrity Fund (\$100,000,  
2009-10, \$75,000 from 2010-11)  
Equality and Opportunity (\$350,000, 2010-12)

**Organization Budget:** \$1,430,500

**Project Budget:** n/a

**Major Sources of Support:**

Ford Foundation	\$275,000
Rosenberg Foundation	\$ 60,000
San Francisco Foundation	\$ 75,000
Fulfilling the Dream Fund	\$125,000
Akonadi Foundation	\$ 40,000
Wallace A. Gerbode Fndn	\$ 75,000
California Community Fndn	\$ 25,000
Quinn Delaney&Wayne Jordan	\$100,000

**Amount Requested:** \$175,000 over one year

**Is this a contingent grant?** No

**Amount Recommended:** \$175,000 (Equality and Opportunity Fund Racial Justice, T1: 24448)

**Term:** One year, beginning July 1, 2012

**Matching Requirements:** n/a

**Description of Organization**

Equal Justice Society (EJS) is a national organization of scholars and advocates advancing progressive legal strategies and public policy reform for enduring social change in America. Based in San Francisco, EJS is dedicated to the long-term goal of reshaping jurisprudence to ensure that the equal protection of all are expanded, rather than diminished, by our courts and policy makers. Eva Paterson, formerly Executive Director of the Lawyers Committee for Civil Rights of the San Francisco Bay Area, established the organization in 2000. A seven member board, led by Kate Kendell, Executive Director of the National Center for Lesbian Rights, governs the organization.

**Description of Program for Which Funding Is Sought**

Equal Justice Society requests general support.

**Rationale for Recommendation**

The recommended grant advances EOF's overarching goal of supporting efforts to ensure justice and equality, prohibit arbitrary and discriminatory government action, and lift barriers that

prevent people from participating fully in economic, social, and political life. It also advances the specific racial justice grantmaking goal of challenging racial barriers and structural racism.

The Open Society Foundations began funding EJS in 2002, shortly after the organization was formed. At that time, EJS and groups such as the American Constitution Society, another OSF grantee, advocated for increased investment by progressive foundations in the generation and packaging of ideas that undergird U.S. social justice advocacy. Their argument was rooted in the concern that conservative advocacy groups were winning the “war of ideas” on a broad range of issues, from judicial independence to racial inequality, because conservative foundations provided their grantees with long-term, flexible support to influence public policy.

After EJS demonstrated its staying power within the field of legal advocacy groups, OSF’s Progressive Infrastructure Fund provided it with substantial capacity-building support in late 2007. Since then, U.S. Programs’ racial justice portfolio has funded EJS’s efforts to challenge current U.S. Supreme Court jurisprudence requiring proof of intent in race discrimination claims.

EJS is one of few organizations explicitly focused on overturning current barriers to implementing protections in the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution. Its signature issue is dismantling the intent doctrine. Currently, U.S. Supreme Court jurisprudence requires plaintiffs to prove a perpetrator’s discriminatory intent in order to win an anti-discrimination claim. Because contemporary discrimination is frequently structural in nature, unconscious, and/or hidden beneath alternative excuses for a decision maker’s behavior (despite the fact that a tangible harm has resulted from his or her actions), the showing of “intent” becomes a near impossible burden.

In 2010 and 2011, EJS began to partner with legal defense funds, other public interest legal organizations, and some private litigators to explore areas of law and cases in which the courts might recognize the limitations of the intent doctrine. It is investigating the following content areas: criminal charging; death penalty; jury selection; and municipal funding disparities. Two of its current cases are:

- *Fisher v. University of Texas at Austin*, which challenges the use of race as one factor in the undergraduate admissions policy at the University of Texas at Austin. EJS is working, in coordination with other civil rights organizations, to shape the legal strategy in *Fisher* and draft an amicus brief.
- *Associated General Contractors v. Caltrans*, which sets contracting goals for small minority- and women-owned businesses. EJS is co-counsel for intervenors and seeks to defend implementation of the California Department of Transportation’s Disadvantaged Business Enterprise program.

In California, EJS continues to manage the California Civil Rights Coalition and California Fairness. For 25 years, the California Civil Rights Coalition has challenged policies and ballot initiatives that threaten civil rights and has sought to advance agendas for tax and budget policy reform, as well as campaign finance reform in the state. California Fairness seeks to promote the use of race-conscious policies through policy advocacy and communications strategies.

A number of factors recommend EJS and its work. It is an excellent collaborator, helping to coordinate the efforts of advocates working on a broad range of issues, from marriage equality to voting rights for formerly incarcerated people. It also focuses on an issue that many in the field recognize as urgent – dismantling the intent doctrine in anti-discrimination law. At the same time, a challenge to which EJS is susceptible is “mission creep.” The cases it chooses to focus on are not always squarely focused on the intent doctrine and it lends its weight to a broad range of progressive causes. Although this more expansive approach to advancing racial justice may help build cross-movement ties, it threatens to dilute the organization’s strength as a leading advocate for reforming anti-discrimination law to reflect current racial realities. In addition, EJS has faced organizational development challenges. Only a few years ago, it made the transition from having an advisory board to a governing board. In the past year, it has experienced a high rate of staff turnover, in part due to natural attrition. The organization has also had periodic cash flow shortages and needed to turn to intermediaries for bridge grants.

Repeatedly, EOF staff has communicated with EJS leadership the need to have a true governing board, narrow its substantive scope, and strengthen its financial reserves. EJS appears to have adopted some of our recommendations, but EOF staff recognizes that continued vigilance and active engagement will be important to ensure that the current grant is used effectively. To that end, staff is in the process of reaching out to other EJS funders to explore the formation of a litigation advisory board to help EJS think through its legal strategies and which cases to take.

Staff now recommends renewed general support for EJS. In contrast to past grants to EJS, the recommended term is for one year only. This grant period will allow staff sufficient time to determine whether the organization merits continued support beyond this grant and whether it fits within U.S. Programs’ evolving work in the areas of race and marginalization.

**Accordingly, EOF recommends continued general support grant of \$175,000 over one year to Equal Justice Society.**

**Grant ID:** 20036837

**Legal Name of Organization:** National Partnership for New Americans

**Tax Status:** Other

**Name of Fiscal Sponsor:** Illinois Coalition for Immigrant and Refugee Rights

**Purpose of Grant:** To provide project support towards organizational development activities and naturalization services

**Grant Description:** A project support grant to 1) strengthen the organizational development of the National Partnership for New Americans (NPNA) and 2) enhance the capacity of its members to engage in naturalization services and advocacy. NPNA was established in 2009 by state immigrant rights coalitions that have collaborated on a wide range of campaigns and issues, including comprehensive immigration reform and naturalization policy. Each of these member organizations engages in substantial direct services delivery, including English as a Second Language courses, financial literacy instruction, and naturalization services, to address the needs of their constituencies and to ensure their policy advocacy is appropriately focused. The recommended grant advances EOF's overarching goal of supporting efforts to ensure justice and equality, prohibit arbitrary and discriminatory government action, and lift barriers that prevent people from participating fully in economic, social, and political life. Further, it advances the specific immigrant rights grantmaking priority of promoting fair immigration enforcement, detention, and deportation policies, as well as promoting immigrant integration. The recommended grant will provide renewed funding at an increased amount.

**Previous OSI Support:** \$920,000  
300,000 (Equality and Opportunity Fund, Immigrant Rights 2010-2011)  
\$620,000 (Chairman's and Board's Special Grants, 2011)

**Organization Budget:** \$877,000

**Project Budget:** n/a

**Major Sources of Support:** Kaplan Foundation \$45,000  
Membership Contributions \$12,000

**Amount Requested:** \$700,000 over one year

**Is this a contingent grant?** No

**Amount Recommended:** \$730,900 (\$400,000 from the Equality and Opportunity Fund Immigrant Rights, T1: 24449 and \$330,900 from the Chairman's and Board's Special Grants, T1: 21105)

**Term:** One year, beginning July 1, 2012 for organizational development; One year, beginning December 1, 2012 for naturalization services

**Matching Requirements:** n/a

### **Description of Organization**

The National Partnership for New Americans (NPNA) is comprised of 12 state and regional immigrant rights coalitions that have collaborated on a wide range of campaigns and issues, including comprehensive immigration reform and naturalization policy. These organizations were lead members of the "field pillar" of the Reform Immigration for America campaign funded by Open Society Foundations, among others. Each of these member organizations engages in substantial direct services delivery, including English as a Second Language courses, financial literacy instruction, and naturalization services, to address the needs of their constituencies and to ensure their policy advocacy is responsive to the actual needs of their base.

NPNA was formed in 2009 by the following member groups: CASA de Maryland; Coalition for Humane Immigrant Rights in Los Angeles; Florida Immigrant Coalition; Illinois Coalition for Immigrant and Refugee Rights; Massachusetts Immigrant and Refugee Advocacy Coalition; National Korean American Service and Education Consortium; New York Immigration Coalition; One America; Pineros y Campesinos Unidos del Noroeste/CAUSA; and Tennessee Immigrant and Refugee Coalition. Since then, the Colorado Immigrant Rights Coalition and Voces de La Frontera have also joined.

### **Description of Program for Which Funding Is Sought**

NPNA seeks project support funding for the following: 1) to strengthen its organizational development; and 2) to enhance the capacity of its members to engage in naturalization services and advocacy.

#### **Organizational Development**



Because NPNA has not yet obtained its independent 501(c)(3) status, it requests renewed project support in the amount of \$200,000 towards its organizational development. These activities include strengthening its financial and governance systems, amplifying its communication strategies and online presence, building its ability to implement programs, focusing on its short-term and long-term strategy plans, and developing a fundraising plan to expand its donor base.

### Naturalization Services and Advocacy

NPNA seeks renewed project support in the amount of \$500,000 to strengthen the naturalization efforts of its members. The recommended grant will enable four of NPNA's strongest members to use approximately \$270,000 to continue aggressive citizenship campaigns in Illinois, Maryland, Massachusetts and Washington. Smaller amounts will be provided to two seasoned immigrant rights coalitions in New York City and Los Angeles that offer limited citizenship services and technical assistance and train lawyers to assist with naturalization application. The remainder of the grant will enable smaller members to expand their naturalization efforts in Colorado, Florida, Oregon, and Tennessee.

Specifically, NPNA plans to accomplish the following goals in 2013:

- Complete between 3,500 and 4,100 new naturalization applications;
- Assist, in addition, between 12,000 and 15,000 citizenship-eligible immigrants through phone and online support by providing information regarding the naturalization application process;
- Use public education efforts promoting the availability of naturalization services and the benefits of citizenship to reach between 150,000 and 200,000 individuals that rely on online advocacy and social media;
- Continue ethnic media campaigns to promote the availability of naturalization services and the benefits of citizenship in the 11 states in which NPNA operates; and
- Train lawyers, law students and other volunteers to provide naturalization application assistance.

### Rationale for Recommendation

A grant to NPNA will advance EOF's overarching goal of supporting efforts to ensure justice and equality, prohibit arbitrary and discriminatory government action, and lift barriers that prevent people from participating fully in economic, social, and political life. It advances the specific immigrant rights grantmaking priority of promoting immigrant integration.

In recommending continued support for NPNA, EOF staff acknowledges that it is taking a risk. OSF is NPNA's largest funder. And it is still too early to say whether NPNA will be able to sustain itself independent of OSF support. Nonetheless, staff is recommending a sizeable amount of support to this organization for two principal reasons. First, we want to test whether NPNA offers a viable model for increasing the voice and influence of state immigrant rights

groups within national advocacy circles. Second, we believe that NPNA's members offer tremendous expertise in its current area of focus – naturalization – from which state and national advocates can benefit.

For years, staff has observed the persistent tension between state immigrant rights coalitions and national “beltway” advocacy groups. Many of our fellow funders and some grantees argue for maintaining a rigid division of labor between state and national groups: national groups take the lead on federal policy but will rely on state coalitions for on-the ground press, mobilization, and engagement of national policy makers by their constituents. The challenge with this arrangement is that it often ignores the policy expertise and recommendations of state players. By putting OSF support behind NPNA when few other funders have done so, staff is attempting to signal to the immigrant rights field that it is not only appropriate but essential to coordinate the work of national beltway groups *and* state coalitions, and elevate the best models for reform at the state level, where significant immigration policy plays out.

Naturalization offers a ripe area to demonstrate the effectiveness of state groups because four NPNA members have deep expertise in advancing sophisticated naturalization campaigns and have been able to attract both public and private support for their naturalization service delivery and policy advocacy.

In June of 2011, the OSF Board agreed to set aside up to \$4 million of its discretionary funds over two years to fund efforts to scale up naturalization services across the country. That funding enabled OSF to invest in the New Americans Collaboration, a newly formed national naturalization initiative. Other funders are primarily national foundations (Carnegie, Knight, Picower, Grove and Haas Jr.). The work is conducted through national intermediaries, including Catholic Legal Immigration Network, National Association of Latino Elected Officials, Immigrant Legal Resource Center, the Asian Pacific American Legal Center, and Pro Bono Net. Since joining the New Americans Collaboration, staff has sought to use OSF's leverage, as one of the largest funders in the Collaboration, to bring NPNA to this national table. Despite numerous challenges, staff has succeeded in including NPNA in the New Americans Collaboration's quarterly meetings and evaluation and communication strategies. At the Collaboration's most recent quarterly meeting in May of 2012, funders and advocates began to express greater enthusiasm for inclusion of NPNA, particularly when NPNA revealed that it has been able to complete naturalization applications at a more cost-effective rate than the other Collaboration members.

In a relatively short period of time, NPNA has made a very strong showing with its naturalization work. In the first quarter of 2012, it has: completed a total of 4,113 naturalization applications; trained 291 service providers; and hosted 21 webinars, trainings and naturalization “bootcamps.” Five of its smaller members have been trained by the Bureau of Immigration Affairs and aim to be accredited by the end of 2012. One of its members, CASA de Maryland, has made strides in developing a microloan program to help naturalization applicants cover fees and is now providing technical assistance to help other NPNA members develop similar microloan programs.

Furthermore, in light of President Obama's recent announcement that his administration will suspend deportation and grant work authorization to DREAM Act-eligible youth, many

citizenship service providers and their funders are exploring how to take advantage of existing naturalization infrastructure to help advise young people who are now eligible for deferred action. OSF staff plans to work with both NPNA members and the New Americans Collaboration funders and advocates to explore how they take full advantage of the current moment.

With this recommendation, staff seeks to synchronize two streams of OSF funding that NPNA receives. The first is core support, which OSF has provided since 2010 to help establish NPNA as an independent organization and strengthen its overall capacity with some staff and a web presence. The second stream is for naturalization. The grant term for core support funding will begin on July 1. If this recommendation is approved, a small amount of naturalization funding - \$30,000 – will also be released immediately to support naturalization services in Miami, Florida due to the overwhelming volume of citizenship-eligible people there. The remainder of the naturalization funding will be released in December of 2012.

**Accordingly, EOF recommends \$530,900 in project support for naturalization and \$200,000 in project support for organizational development for a total grant of \$730,900 to the National Partnership for New Americans.**

# **LGBTQ RIGHTS AND GENDER JUSTICE**

**Grant ID:** 20036515

**Legal Name of Organization:** Groundswell Fund

**Tax Status:** Other

**Name of Fiscal Sponsor:** New Venture Fund

**Purpose of Grant:** To support the Groundswell Fund

**Grant Description:** The Groundswell Fund supports efforts to mitigate reproductive health disparities of low-income women and women of color. New Venture Fund serves as its fiscal sponsor. Groundswell generates new funding and capacity building resources to grassroots organizing and policy change efforts led by communities most affected by such disparities. It prioritizes organizations that directly engage low-income women and women of color in advocacy and leadership development. It also serves as an expert amongst reproductive rights and health funders on matters related to women of color, youth, and low-income communities. In this capacity, Groundswell educates and expands philanthropic support for reproductive justice organizations focused on the most marginalized communities. The recommended grant advances EOF's overarching goals of ensuring justice and equality, prohibiting arbitrary and discriminatory action, and lifting barriers that prevent people from participating fully in economic, social, and political life. It also advances EOF's gender justice aim of protecting the gains of the reproductive rights movement while crafting new policy solutions to problems faced by poor women, women of color, immigrant women, LGBTQ people, and men who face structural inequality because of their gender or gender identity. With this grant, staff is recommending tie-off funding, in line with recent program direction from the USP Board, at an increased annualized amount. The increased support would provide program planning and fundraising strategies of our grantees in the reproductive justice arena.

**Previous OSI Support:** \$525,000 from the Equality and Opportunity Fund, 2010

**Organization Budget:** \$27,835,095

**Project Budget:** \$4,086,783

**Major Sources of Support:**

Hewlett Foundation	\$1,165,000
Anonymous	\$ 450,000
Ford Foundation	\$ 300,000
Packard Foundation	\$ 300,000
Compton Foundation	\$ 50,000

**Amount Requested:** \$360,000 over one year

**Is this a contingent grant?** No

**Amount Recommended:** \$360,000 (Equality and Opportunity Fund, Gender Justice, T1: 24450)

**Term:** One year, beginning July 15, 2012

**Matching Requirements:** n/a

**Description of Organization:**

The Groundswell Fund (Groundswell) supports the development of a stronger, more effective U.S. movement for reproductive health and rights by generating new resources for advocacy on behalf of those most affected by reproductive health disparities -- low-income women, women of color and immigrant women. Groundswell generates new funding and capacity building resources for grassroots organizing and policy change efforts led by communities most impacted by such disparities. Since its inception in 2008, it has engaged 26 national foundations, 12 regional or local grantmaking partners, and more than 1,200 individual donors to help move \$8.6 million in new resources to efforts aimed at low-income women and women of color. Groundswell also serves as an expert amongst reproductive rights and health funders on matters related to women of color, youth, and low-income communities. In this capacity, Groundswell educates funders and expands philanthropic support for reproductive justice organizations focused on the most marginalized communities.

**Description of Program for Which Funding Is Sought:**

Groundswell uses three core strategies to advance its mission: 1) it serves as a re-granting intermediary to support grassroots organizing and policy advocacy to address the conditions faced by underserved women with a focus on low-income women and women of color; 2) it provides challenge grants to community and women's foundations to leverage support from national funders for underserved communities; and 3) it conducts quantitative and qualitative evaluations to assess the needs of underserved communities and the efficacy of grantees seeking to address race-based reproductive health disparities.

**Re-granting:** Groundswell's re-granting efforts aim to strengthen advocacy for reproductive health and rights, which has been significantly weakened in recent decades by the lack of an

organized base, isolation from other social justice movements, and the failure to engage and promote the leadership of women most affected by health disparities. It has leveraged interest from a diverse range of philanthropic partners, including, but not limited to, the Ford Foundation, Hewlett Foundation, Packard Foundation, General Services Foundation, Compton Foundation, Irving Harris, and Mary Wohlford Foundation.

Challenge Grants: Groundswell's challenge grants to local foundations and women's funds are paired with technical assistance - a critical source of added value for funders and grantees seeking to make a compelling case on behalf of women of color, immigrants and low-income women. Broadly, the goals of the technical assistance are to: deepen understanding of the specific reproductive health needs of marginalized women in the U.S.; connect local and regional organizations to national advocacy groups and networks; and provide professional development resources for funders and grantees. Assistance for grantees includes subsidized attendance at national conferences, such as the Civil Liberties and Public Policy Conference at Hampshire College; communications, policy advocacy, fundraising, and evaluation training; and a clinic that works intensively with 16 organizational leaders for an eight-month period to provide individually tailored organizational and leadership coaching. Substantively, grants have advanced efforts to increase access to contraceptives, improve maternal and infant mortality rates, ban the shackling of pregnant, incarcerated women, and promote comprehensive sex education.

Evaluation: Groundswell conducts the largest annual, nation-wide evaluation of the reproductive justice movement. The resulting data gives funders and grantees a macro-level perspective on trends, opportunities and challenges, and provides Groundswell and its supporters with in-depth data on the impact of individual grantees.

The recommended tie-off grant includes increased support of \$97,500 for Groundswell to provide foundation partners and grantees more extensive assistance on developing long-term fundraising plans, to disseminate research and policy papers relevant to the field more systematically, and to implement a strategic communications strategy to raise public awareness and engagement in reproductive health issues as they relate to the most marginalized women.

### **Rationale for Recommendation:**

The recommended grant to the Groundswell Fund advances the Equality and Opportunity Fund's (EOF) overarching goal of ensuring justice and equality, prohibiting arbitrary and discriminatory government action, and lifting barriers that prevent people from participating fully in economic, social, and political life. It also advances EOF's gender justice strategy of protecting the gains of the reproductive rights movement while crafting new policy solutions to problems faced by poor women, women of color, immigrant women, LGBTQ people, and men who face structural inequality because of their gender or gender identity.

On nearly every reproductive health indicator, women of color in the U.S. are more comparable to women in developing countries that they are to their white counterparts. Compared to white women, African American women are four times more likely to die from complications of pregnancy and have 23 times the rate of AIDS diagnoses; Native American women are three

times more likely to be sexually assaulted and lack even the most basic reproductive health care through Indian Health Services; Vietnamese American women have five times the rate of cervical cancer; and Latinas experience twice the rate of unintended pregnancy, twice the rate of chlamydia and three times the rate of cervical cancer. These racial health disparities underscore the need for targeted investments to address race-based reproductive health disparities.

The shifting demographics of the U.S. necessitate innovative strategies if we are to meaningfully challenge the ongoing attack on reproductive rights. By 2015, youth will comprise 30 percent of the electorate and people of color are projected to comprise the majority of the population by 2042. According to the U.S. Census, this “rising American electorate” accounted for 81 percent of population growth between 2000 and 2010 and a stunning 95 percent between 2008 and 2010. It will be impossible to move the needle on any reproductive health and rights issue without the leadership of organizations that are engaging and mobilizing communities of color. Of Groundswell’s approximately 60 grantees, nearly half are led by young women under the age of 30, and 58% identify youth under 30 as their primary or secondary constituency. The vast majority of these organizations are also led by and focused on engaging women of color and low-income women.

Groundswell grantees have a strong track record of success in advancing reproductive issues at the local, state and federal level. In the past three years, they have contributed to the passage of 68 policies that affirm and defend women’s reproductive rights. Further, they have ensured that those victories address the needs of communities experiencing the greatest reproductive health disparities. Examples include:

- Banning the practice of shackling of pregnant women in all federal prisons;
- Securing comprehensive sex education in New Mexico, Chicago and D.C.; and
- Securing millions in federal funding to expand reproductive health care access through Indian Health Services.

Groundswell’s grantmaking and capacity building programs are aligned with EOF’s belief that women’s rights, especially reproductive rights, are a necessary element of an open society. Groundswell and EOF also share a commitment to supporting organizations led by the people most affected by inequality and increasing their participation in civil society and their ability to hold government and other institutions accountable to the needs of their communities.

As a funder collaborative, Groundswell provides EOF staff with an important means to be informed of needs and opportunities in the field and to coordinate strategies with leading national and local funders committed to reproductive health and rights. Its relationships with state and local foundations also enable EOF to leverage its influence as a large national funder to expand local donor support for women of color and immigrant women. Finally, its ability to function as a hands-on, operational grantmaker makes it an ideal partner to provide capacity building and fundraising assistance to grantees as EOF exits the reproductive justice field.

With this grant, staff is recommending tie-off funding, in line with recent program direction from the USP Board, albeit at an increased annualized amount in order to provide additional technical assistance to local groups. As EOF exits the gender and reproductive justice fields, we seek to



place organizations in the sector in a strong position to fundraise. To that end, staff recommends an increase in the annualized amount to provide program planning and fundraising strategies of our grantees in this reproductive justice arena.

**Accordingly, the Equality and Opportunity Fund recommends a project support grant of \$360,000 over one year to the Groundswell Fund.**

## **LOW-WAGE WORKER RIGHTS**

**Grant ID:** 20036694

**Legal Name of Organization:** Direct Care Alliance

**Tax Status:** 501(c)(3) public charity

**Name of Fiscal Sponsor:** n/a

**Purpose of Grant:** To provide general support

**Grant Description:** To provide general support for the Direct Care Alliance to ensure that the growing direct care sector offers quality jobs and excellent treatment of patients and is governed by laws that protect both workers and the seniors and disabled clients they serve. This national and state-based alliance comprises of direct care workers, employers and recipients of long-term care. Its three core programs include a leadership institute to train direct care workers in advocacy and organizing to help build: 1) worker-led associations and coalitions; 2) state and federal level advocacy on issues that affect direct care workers; and 3) a national credential workforce program to help direct care workers build relevant, competitive skills. It has supported the establishment and growth of 12 state-based worker associations nationwide. The recommended grant advances multiple goals of the Equality and Opportunity Fund. First, it ensures justice and equality by lifting barriers that prevent people from participating fully in economic, social and political life. Second, its focus on low-wage workers' rights helps to highlight the shared interest people of color, women, immigrants, and LGBTQ people have in advocating for equality and opportunity. With this grant, staff is recommending tie-off funding, at a steady annualized amount, in line with recent program direction from the USP Board.

**Previous OSI Support:** \$120,000 from EOF - Economic Security (2011-2012)

**Organization Budget:** \$709,856

**Project Budget:** n/a

**Major Sources of Support:**

Ford Foundation	\$350,000
Langeloth Foundation	\$ 74,856
Center for Co-Op Development	\$ 20,000

**Amount Requested:** \$120,000 over one year

**Is this a contingent grant?** No

**Amount Recommended:** \$170,000 (\$120,000 from Equality and Opportunity Fund - Economic Security, T1: 24451 and \$50,000 from Equality and Opportunity Fund Rapid Response, T1: 24453)

**Term:** One year, beginning August 1, 2012

**Matching Requirements:** n/a

**Description of Organization**

Based in New York City, the Direct Care Alliance (DCA) is a national organization dedicated to supporting direct care workers through federal and state level organizing and advocacy. Its efforts are centered on the belief that improving job quality for direct care workers results in better care for seniors, disabled and other recipients of care. Guided by this commitment to engaging all stakeholders, DCA is comprised of direct care workers, employers and recipients of long-term care. Its three core areas of work include a leadership institute, federal and state advocacy, and a credentialed program for direct care workers.

**Description of Program for Which Funding Is Sought**

DCA requests general support.

**Rationale for Recommendation**

The recommended grant to DCA advances multiple goals of the Equality and Opportunity Fund (EOF). First, it ensures justice and equality by lifting barriers that prevent people from participating fully in economic, social and political life. Second, its focus on low-wage workers' rights advances EOF's goals of highlighting the shared interest people of color, women, immigrants, and LGBTQ people have in advocating for equality and opportunity, and developing structural policy solutions to widespread inequality.

Direct care occupations are projected to be amongst the fastest growing in the U.S., with over 1.6 million new direct care workers needed over the next decade. This is largely attributable to the aging of "baby boomers." Unfortunately, poor working conditions – low wages, lack of health and paid sick leave benefits, and limited opportunities for training and career advancement – cause high turnover rates and have resulted in a care crisis that threatens the health and well-being of millions of older Americans and people with disabilities.

Improving the working conditions for direct care workers has a large impact on low-income women of color and immigrant women as nearly 90% of direct care workers are women – disproportionately women of color and immigrants. In addition, nearly half of this workforce

lives in households with incomes below 200 percent of the poverty level; 37 percent of personal and home care aides lack health insurance; and approximately 47 percent live in households that receive one or more public benefits such as Medicaid or food stamps. Additionally, an estimated 23 percent of direct care workers are foreign born (this is likely to be a significant underestimation because of the high number of uncounted immigrant workers that are providing home care in the informal economy).

Last year, DCA made historic progress on its flagship issue of extending basic labor protections guaranteed by the Fair Labor Standards Act to home care workers. In large part due to its administrative advocacy, the Department of Labor issued a proposed rule in December 2011 to extend minimum wage and overtime protections to homecare workers. This proposed rule fundamentally shifts direct care from an outdated notion of companionship to an acknowledgement of its status as professional home-based healthcare support. Given the increasing dependence on direct care workers and the growing number of people turning to direct care for job opportunities, this proposed rule will have far reaching impact on securing workplace protections for low-wage workers. The next three months will be critical to ensuring that the proposed rules move from the Office of Management and Budget to the President for approval. DCA and EOF grantee the National Employment Law Project are leading weekly calls amongst advocates such as SEIU and AFSCME to coordinate activities.

The following are highlights of DCA's principal strengths and ongoing work:

Building active, effective and sustainable state associations. DCA is successfully training direct care workers to serve as effective advocates and providing them with opportunities to put their new skills into practice. It operates the Voices Institute, a training program that provides direct care workers with tools to build lasting state-based worker-led associations that seize state and local opportunities to protect and improve working conditions. To date it has trained over 250 direct care workers that have established 12 state-based worker associations (Arizona, Delaware, Florida, Iowa, Indiana, Maine, Minnesota, New Mexico, New York, Pennsylvania, Texas, and Wisconsin). In 2012 it offered four of its state networks—in New York, Florida, New Mexico and Arizona—deeper technical assistance aimed at developing advocacy, fundraising and membership development plans. Key initiatives in the states include educating lawmakers and other stakeholders about the critical role that Medicaid plays in supporting long-term care. DCA affiliates in Arizona and New Mexico are also advocating for more state workforce development funds to be used to train and credential direct care workers.

Policy advocacy. Previous EOF support enabled DCA to hire a National Advocacy Coordinator based in Washington, DC. With a DC presence, the organization increased its visibility on relevant state and federal campaigns and created more opportunities for direct care workers to participate in policy-making processes at the state and federal levels. The National Advocacy Coordinator maintains and builds relationships with national organizations, legislative and executive branch offices; ensures that DCA's constituents and allies receive timely and relevant information to participate in advocacy initiatives; and develops advocacy strategies to advance DCA's policy agenda. DCA's core policy objectives include:

- Enhanced health and other benefits, such as paid sick leave, holiday and vacation time, and access to quality, affordable health insurance
- Improved training standards and access to affordable education for direct care workers
- Credentialing and career advancement opportunities within the direct care profession
- Expanded data collection and research on direct care occupations
- Visible and accessible pathways to citizenship for immigrant direct care workers
- The protection of benefits workers have earned (Medicare, Medicaid and Social Security)

Developing a network of diverse stakeholders to improve working conditions. DCA plays a unique and powerful role in uniting direct care workers, supportive employers, consumers, and labor unions to improve conditions and career opportunities for direct care workers. But for DCA's involvement, these constituencies would not come together. For example, at the state-level, it facilitates partnerships in Maine between labor and employers with hardened anti-union views. In New York, its partnership with the Service Employees International Union and Beth Abraham, a large long term care employer across the state, offers a model of constructive collaboration among labor, employers and worker leaders.

Direct care unions and employers recognize DCA as an honest broker focused on improving quality of care. Its success in this role reflects, in part, its first-hand knowledge of unions: its founder and Executive Director is a former SEIU employee, and its board of directors includes a labor representative. DCA's credibility is also grounded in the inclusion of direct care workers in its leadership. Five out of eleven board members are direct care workers. Trainers for its credentialing program, Voices Institute and technical assistance programs are also direct care workers

Caring Across Generations Campaign. DCA is a member of the leadership team and steering committee of EOF grantee Caring Across Generations, a national campaign to improve job quality for domestic workers and other professional caregivers and to create pathways to career development and citizenship. DCA has been instrumental in developing the policy agenda and advocacy strategies for this campaign. It supports grassroots events, including Care Congresses – local events designed to organize workers and other groups that want to improve home care and protect Medicare and Medicaid.

In the past year, DCA has confronted significant staff and fundraising challenges. Last September, its executive director, Leonila Vega, was forced to go on indefinite medical leave. Due to programmatic shifts, Atlantic Philanthropies did not renew its grant (\$375,000) to DCA, resulting in budget gaps in the organization's credentialing program and state-based work. In response, DCA underwent a strategic planning process to streamline its work. David Ward, DCA's Director of Policy and Planning, has stepped in as the Interim Director and has done a stellar job communicating changes to funders while continuing to oversee a successful national advocacy campaign. With an annual operating budget just over \$700,000, DCA is an efficient and high-performing grantee that serves as a principled voice for direct care workers and a reliable ally to a diverse set of stakeholders.

With this grant, staff recommends tie-off funding in line with recent program direction from the USP Board.

**Accordingly, EOF recommends \$170,000 in general support to the Direct Care Alliance.**

**Grant ID:** 20036744

**Legal Name of Organization:** Family Values at Work: A Multi-State Consortium

**Tax Status:** 501(c)(3) public charity

**Name of Fiscal Sponsor:** n/a

**Purpose of Grant:** To provide general support

**Grant Description:** To provide general support to Family Values at Work: A Multi-State Consortium, a national network of 16 state coalitions working to expand access to paid sick days and family leave insurance. Through investments in robust organizing, coalition-building, and civic engagement campaigns, the Consortium builds the capacity of affected women of color and low-income women to impact policy change at local, state, and national levels. Family Values at Work’s aims to engage all women, but has a specific commitment to low-wage workers as part of a broader goal of advancing gender equity within the low-wage worker movement. The recommended grant advances multiple goals of the Equality and Opportunity Fund. First, it ensures justice and equality by lifting barriers that prevent people from participating fully in economic, social and political life. Second, its focus on low-wage workers’ rights helps to highlight the shared interest people of color, women, immigrants, and LGBTQ people have in advocating for equality and opportunity. With this grant, staff is recommending tie-off funding, at a steady annualized amount, in line with recent program direction from the USP Board.

**Previous OSI Support:** \$200,000 from the Equality and Opportunity Fund, 2010-2012

**Organization Budget:** \$2,944,000

**Project Budget:** n/a

**Major Sources of Support:**

Ford Foundation	\$2,215,000
Annie E. Casey Foundation	\$ 174,000
Public Welfare Foundation	\$ 160,000
Wellspring	\$ 125,000
Moriah Fund	\$ 50,000



Wellspring	\$ 125,000
Hagedorn Foundation	\$ 75,000

**Amount Requested:** \$100,000 over one year

**Is this a contingent grant?** No

**Amount Recommended:** \$100,000 (Equality and Opportunity Fund - Economic Security, T1: 24451)

**Term:** One year, beginning October 1, 2012

**Matching Requirements:** n/a

### **Description of Organization**

Family Values at Work: A Multi-State Consortium (Family Values at Work) is a national network of 16 state coalitions working to expand access to paid sick days and family leave insurance as core labor standards at the state and federal levels. It is comprised of nine core member states (CA, CO, GA, MA, ME, NJ, NY, WA, and WI) and seven associate member states (CT, IL, MI, MN, NC, OR, PA). Through investments in robust organizing, coalition-building, and civic engagement campaigns, it builds the capacity of those most impacted by the lack of access to paid sick and family leave to advocate for local, state and national policy change. Family Values at Work's aims to engage all women, but has a specific commitment to low-wage workers as part of a broader goal of advancing gender equity within the low-wage worker movement.

Family Values at Work began in 2003 with a planning grant from the Annie E. Casey and Ford Foundations, to explore a model of enhancing state collaboration in organizing and policy advocacy. It also sought to develop a means to engage larger national foundations in state efforts. It strengthens state level work through sharing of resources, successful strategies and promising models for policy reform. As state level successes have generated national interest, it provides a platform for state and local advocates to inform federal policies.

Family Values at Work's public education efforts have contributed to positive climates for:

- The 2006 passage of a citywide paid sick days ordinance in San Francisco.
- The 2007 passage of a family leave insurance law in Washington state.
- The 2008 passage of a citywide paid sick days ordinance in Washington, D.C.
- The 2008 passage of a family leave insurance law in New Jersey.
- The 2008 passage of a referendum enacting a paid sick days ordinance by the voters of the City of Milwaukee.
- The 2009 passage of an amendment to FMLA allowing more leave for military family members.
- 2011 passage of the first statewide paid sick days law, in Connecticut.
- 2011 paid sick days requirement for employees of companies awarded contracts by the City of Philadelphia.

## **Description of Program for Which Funding Is Sought**

Family Values at Work requests general support.

## **Rationale for Recommendation**

The recommended grant to Family Values at Work advances two critical EOF goals. First, it ensures justice and equality by lifting barriers that prevent people from participating fully in economic, social and political life. Second, its focus on low-wage workers' rights helps to highlight the shared interest people of color, women, immigrants, and LGBTQ people have in advocating for equal opportunity. EOF selected low-wage workers' rights as a priority area because of its potential to bridge the concerns of multiple marginalized groups. Further, its specific commitment to advocating for gender equity within the low wage worker rights movement addresses the structural inequities faced by women.

Although the majority of women with children are in the workforce, women continue to bear greater care-giving responsibilities than men; thus, they are disproportionately impacted by the lack of care-giving standards at work. Policies that acknowledge and account for the disproportionate family caretaking burdens that women bear are critical to closing the income gap between men and women.

The lack of paid sick days for workers in the U.S. is well-documented. Three-fourths of low-wage workers go without paid sick leave. Access to paid family leave is similarly limited, with only two states offering family leave insurance and half the workforce unable to access even the unpaid leave mandated through the Family and Medical Leave Act (FMLA). According to studies by the Institute for Women's Policy Research, the Alfred P. Sloan Initiative of Georgetown University Law Center, and others, the inability to cover costs of unpaid leave was the predominant reason for not utilizing FMLA leave. In California, the first state to adopt paid family leave policies, the benefit to working women and mothers has proven significant. Given that the law was enacted in 2004, long-term impact cannot yet be assessed. But analysis of medium-term effects indicates that the paid leave policy has resulted in an increase in access to parenting leave by 6-7%. Notably, the most significant increases have been amongst historically disadvantaged workers shouldering significant caretaking responsibilities—unmarried mothers and African American and Latina mothers.

With a small, efficient staff and a geographically diverse, state-based board, Family Values at Work focuses nearly two-thirds its resources on strengthening the state coalitions with grants, coordinating state strategies that support a national policy agenda, facilitating exchange of best practices, and developing centralized and uniform communications and messaging strategies.

The work of Family Values at Work is carried out by a network of state coalitions. Each state coalition is coordinated by one or two women-led agencies with impressive histories of advocacy, leadership development, and mobilization of diverse constituencies, particularly low-wage working women and union members. State policy goals include securing paid sick leave policies, family leave insurance and leave for school activities. Core states, which receive an annual grant of \$150,000 from national funds, include: California, Colorado, Georgia, Illinois,

Maine, Massachusetts, Minnesota, North Carolina, New Jersey, New York, Oregon, Pennsylvania, Washington, and Wisconsin. Associate states include: Connecticut, Illinois, Missouri, Minnesota, North Carolina, Oregon and Pennsylvania. These states receive smaller annual grants, ranging from \$15,000 to \$50,000, and participate in monthly calls and strategy calls.

Family Values at Work's emphasis on the leadership and engagement of workers and employers affected by the lack of paid sick leave and workplace flexibility ensures critical worker perspectives are included in policy discourse. For example, it enabled the participation and testimony of affected workers and employers in the national White House Forum on Workplace Flexibility and the four regional forums in Atlanta, Seattle, Denver and New Jersey. It conducted four worker focus groups in conjunction with these regional events. The workers identified scheduling demands—being required to work unpredictable and constantly changing shifts, and having to work overtime with little or no notice—as key sources of conflict between their responsibilities at work and at home. They also described little to no leeway to adjust work hours or to take time mid-day to deal with family or medical emergencies. When these workers are sick or need to care for a sick child, they often lack access to paid sick time and risk workplace discipline or job loss for taking time off. Family Values at Work is now working with EOF grantee National Partnership for Women and Families on a follow-up event highlighting the findings hosted by the White House Council on Women and Girls and the Women's Bureau.

Family Values at Work plays an important coordinating and information sharing role amongst state leaders engaged in paid sick leave and workplace flexibility advocacy. Each year, it brings together state coalition leaders and experts to obtain updates from the field and develop shared strategies. This year's annual meeting included over 130 participants. It also convenes strategy sessions on specific goals such as better coordination of communications strategies and messaging. Communications experts gathered to refine the paid sick days message to convey the urgency of the issue and to strengthen strategies to disseminate real life stories. The Family Values at Work Story Bank is part of this larger communications strategy and features 80 worker and employer stories. Story Bank testimonials have been featured in at least 20 national and local news outlets.

Family Values at Work has also created an Implementation Think Tank which supports states that have won policies with implementation and public education strategies based on lessons learned from other states. For example, California and New Jersey have extensive experience with the challenges of effectively implementing state family leave insurance policies. The think tank assists leaders from these states to document and share their knowledge about establishing relationships with state administering agencies, increasing participation and awareness of leave policies, and ensuring that often overlooked groups of workers (e.g., limited English proficient workers, low-wage workers, and immigrant workers) know their rights under the law. This implementation assistance helps more workers access paid sick days and family leave and contributes to the overall success of such programs.

Executive director Ellen Bravo is a widely respected national expert and leader on economic justice matters. Under her leadership, the organization plays a critical leadership role in Work Family Strategy Council, comprising 20 leaders of national groups engaged in work and family

issues.<sup>1</sup> The Council is developing two-year, five-year, and ten-year plans to achieve paid family and medical leave at the federal level. Bravo and Policy Director Wendy Chun-Hoon also serve as key thought partners and strategists for philanthropic colleagues. They are both active in the Rockefeller Family Fund Work Family 2012 initiative aimed at identifying and supporting campaigns with a high potential of winning workplace flexibility policies. The organization is also part of the leadership team of EOF grantee Caring Across Generations, a national campaign to improve job quality for domestic workers and other professional caregivers and to create pathways to career development and citizenship.

With this grant, staff is recommending tie-off funding at a steady annualized amount in line with recent program direction from the USP Board.

**Accordingly, EOF recommends a general support grant to Family Values at Work: A Multi-State Consortium in the amount of \$100,000 over one year.**

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<sup>1</sup> Members include the Center for Economic and Policy Research, Center for American Progress, Kalmanovitz Initiative for Labor and the Working Poor, Institute for Women's Policy Research, Labor Project for Working Families, Institute for Women's Policy Research, National Council of Negro Women, Labor Project for Working Families, A Better Balance, Center for Law and Social Policy, National Partnership for Women & Families, 9to5, The Center for the Next Generation, National Domestic Workers Alliance, and Restaurant Opportunities Centers United.

**Grant ID:** 20037127

**Legal Name of Organization:** Bend the Arc: a Jewish Partnership For Justice

**Tax Status:** 501(c)(3) public charity

**Name of Fiscal Sponsor:** n/a

**Purpose of Grant:** To contribute to the Care Fund and support Caring Across Generations, a campaign to improve the professional training and job quality of workers who provide direct care

**Grant Description:** A project grant to Bend the Arc will provide unrestricted project support to the Care Fund. The Care Fund supports Caring Across Generations, a national campaign led by the National Domestic Workers Alliance and Jobs with Justice, EOF and D&P grantees. The goal of the campaign is to develop the organizing and policy advocacy infrastructure to transform how the country cares for elders and other vulnerable members of society. It seeks to do so by improving the professional training and job quality of the workers who provide that care, including home health attendants and domestic workers. Absent significant reforms in the care industry, direct care workers, the vast majority of whom are women of color, will continue to lack economic security and basic workplace rights. The recommended grant advances multiple EOF goals. It will advance EOF's overarching goals of ensuring justice and equality, prohibiting arbitrary and discriminatory government action, and lifting barriers that prevent people from participating fully in economic, social, and political life. It also advances EOF's gender justice strategy of protecting the gains of the reproductive rights movement while crafting new policy solutions to problems faced by poor women, women of color, immigrant women, LGBTQ people, and men who face structural inequality because of their gender or gender identity. Finally, its focus on low-wage workers' rights helps to highlight the shared interest that people of color, women, immigrants, and LGBTQ people have in advocating for equality and opportunity.

**Previous OSI Support:** \$325,000

(\$125,000 from the Equality and Opportunity Fund, 2011; and \$200,000 from the Democracy and Power Fund, 2011)

**Organization Budget:** \$6,515,000

**Project Budget:** \$1,480,000

**Major Sources of Support:**

Ford Foundation	\$500,000
Unbound Philanthropy	\$125,000
Rockefeller Foundation	\$500,000
NoVo Foundation	\$150,000
Moriah Fund	\$ 75,000
New World Foundation	\$ 50,000

**Amount Requested:** \$300,000

**Is this a contingent grant?** No

**Amount Recommended:** \$370,000 (\$320,000 from the Equality and Opportunity Fund Economic Security, T1: 24451 and \$50,000 from the Equality and Opportunity Fund Rapid Response, T1: 24453)

**Term:** One year, beginning July 1, 2012

**Matching Requirements:** n/a

**Description of Organization:**

Formed in 2012, Bend the Arc: A Jewish Partnership for Justice is the new name for the organization that was born from the merger of Jewish Funds for Justice and the Progressive Jewish Alliance. Guided with the mission to promote an American Jewish social justice agenda, Bend the Arc seeks to collaborate across lines of race and faith with people and communities throughout the United States to create economic opportunity and secure basic rights. Bend the Arc's philanthropy falls under two complementary areas --community reinvestment work and grantmaking. CEO Alan van Capelle has a strong reputation as a civil rights and social justice leader.

Bend the Arc houses the Care Fund, a donor collaborative that provides grantmakers the opportunity to pool resources and coordinate strategies to support Caring Across Generations (CAG Bend the Arc staffs the donor collaborative and oversees the grantmaking process, engages funders, and conducts due diligence to ensure all grants meet necessary fiduciary obligations.

## **Description of Program for Which Funding Is Sought:**

A project grant to Bend the Arc will provide support to the Care Fund. The Care Fund supports Caring Across Generations, a national campaign led by the National Domestic Workers Alliance and Jobs with Justice, EOF and Democracy Fund grantees. The goal of the campaign is to transform how the country cares for elders and other vulnerable members of society. It seeks to do so by improving the professional training and job quality of the workers who provide that care, including home health attendants and domestic workers. Absent significant reforms in the care industry, direct care workers, the vast majority of whom are women of color, will continue to lack economic security and basic workplace rights.

The Campaign includes five core programs and policies aimed at providing care and improving job quality and training for the direct care workforce. The core policy issues include: 1) establishment of a career ladder to train and certify domestic workers and other workers; 2) a new visa category for immigrant direct care workers participating in certified training programs; 3) establishment of labor standards for direct care and domestic workers; 4) a means to support families who need to provide this care to their loved ones; and 5) the protection of Medicare, Medicaid, Social Security and other public caretaking benefits.

To develop and advance these issues, CAG will pursue the following strategies:

Local Care Councils and Care Congresses. Much of the ground work in each of the five areas will be accomplished through local Care Councils that will host regional Care Congresses. National Domestic Workers Alliance has selected 18 cities across the country to be focal points for the campaign, including: Albuquerque, Atlanta, Baltimore, Boston, Chicago, Dallas, Dayton, Washington, D.C., Denver, Houston, Las Vegas, Los Angeles, Miami, Milwaukee, New York, Philadelphia, Portland, Richmond, San Antonio, San Francisco and Seattle. Care Councils in each city will convene a coalition of direct care workers, elderly advocates, women's organizations, unions, disability advocates, communities of faith, and youth. The goal of the Congress is to educate and engage stakeholders about the care crisis and develop local infrastructure to advocate for job creation in the direct care sector and for expanded workplace protections.

Non-Partisan Voter Engagement. CAG will establish grassroots voter engagement groups in at least five states. It will plan and implement targeted non-partisan voter education and get-out-the-vote activities among elderly, youth, and naturalized citizen voters, while delivering a message about caring for the elderly and disabled and creating quality jobs for care workers.<sup>1</sup>

Strategic Communications. CAG will launch *I Care*, a strategic communications campaign that will share the stories of care workers in the context of campaign goals. *I Care* will utilize a wide range of digital and social media sources to help shift mainstream culture to truly value the care experiences and needs of elderly people and people with disabilities, as well as labor and experiences of caregivers.

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<sup>1</sup> Bend the Arc will not conduct or support voter registration as part of these non-partisan voter engagement activities. Funded voter outreach will adhere to IRS guidelines regarding support for candidates, partisanship and advocacy during an election season.

## **Rationale for Recommendation:**

The recommended grant advances multiple EOF goals. It will advance EOF's overarching goal of ensuring justice and equality, prohibiting arbitrary and discriminatory government action, and lifting barriers that prevent people from participating fully in economic, social, and political life. It also advances EOF's gender justice strategy of protecting the gains of the reproductive rights movement while crafting new policy solutions to problems faced by poor women, women of color, immigrant women, LGBTQ people, and men who face structural inequality because of their gender or gender identity. Its focus on low-wage workers' rights helps to highlight the shared interest people of color, women, immigrants, and LGBTQ people have in advocating for equality and opportunity.

**Caring Across Generations was created by the National Domestic Workers Alliance to address the pending care crisis.** Jobs with Justice is co-leading this innovative campaign along with partners at two unions (AFSCME and SEIU) and EOF grantee, the Direct Care Alliance (also recommended for funding in this docket). Over the last year, with OSF support, the National Domestic Workers Alliance, Jobs with Justice, the Family Values at Work Consortium (also recommended for funding in this docket), Center for Community Change, Institute for Policy Studies, AFSCME, Hand in Hand: The Domestic Employers Association, Direct Care Alliance, SEIU, National Employment Law Project, the AFL-CIO and other key partners have developed the groundwork for a campaign to transform long-term care in the U.S. The goal of the campaign is to **organize and transform the direct care industry through public policy and an organizing strategy that engages the broad spectrum of stakeholders invested in receiving and providing care for those who need it.** The campaign rests on the premise that, in order to care for our country's aging population, we must ensure that families are able to afford quality direct care, that direct care workers have fair and safe working conditions, and that workers have access to appropriate training, career advancement, and citizenship.

Direct care services encompass home health care, domestic work, and other supportive services that ensure an independent and dignified quality of life for elderly and disabled people. The impending gap between the need for direct care for elderly and disabled Americans and the workforce available to provide such direct care presents a "care crisis" of immense proportions. In 2011, 4 million, predominantly white Americans will turn 65. By 2040, an estimated 27 million elderly and disabled adults will require direct care services. In contrast, today's direct care workforce is comprised of approximately 3 million. The profound demographic shifts in the U.S. also bring matters of race, gender and immigration status to the forefront of the care crisis. The country faces a near future where the caretaking needs of a predominantly white population will be met by a vulnerable workforce comprised largely of younger women of color, many of whom are immigrants. Tackling matters of race, immigration and gender in the context of an intimate caretaking relationship is fraught with fear, but infused with the promise of a transformation of core societal values.

OSF was an early supporter of CAG and, in the brief time since its inception, it has generated significant interest and buy-in from a broad swath of national leaders and funders in the immigrant rights, labor, LGBTQ rights, disability advocates, and gender justice fields. CAG has also garnered support from key federal agencies and policymakers. The Washington DC launch



of CAG featured Secretary of Labor, Hilda Solis, and White House Senior Advisor, Valerie Jarrett. EOF's recommended grant will offer ongoing support for a central, coordinated grantmaking strategy for the Campaign. Participating in the Care Fund enables EOF to pool resources with other grantmakers. It facilitates centralized coordination between advocates and funders of diverse components of the campaign, including workplace organizing, civic engagement, communications, and policy advocacy. Such coordination is especially important to a campaign comprised of stakeholders from various states and cities and representing diverse interests.

Notable accomplishments since EOF's previous grant include:

- CAG has started organizing Care Councils comprised of multiple stakeholders in a dozen cities across the country. To date it has sponsored Care Congresses in five of these cities, including San Antonio, San Francisco, Seattle, Los Angeles, and New York City, each of which has drawn hundreds of care workers, seniors and disability advocates, who have begun tackling the local and statewide challenges presented by the growing need for affordable, quality long-term care.
- Launching robust, non-partisan civic engagement programs anchored in five states (FL, NM, OH, VA, and SC) around the country. Engaging senior voters is a core component of this strategy. As one example of this work, in March 2012, the Campaign's state partner in New Mexico, the OLE Education Fund, facilitated a tele-town hall for senior communities interested in improving the quality of care in the state. A total of 7,800 seniors signed into the call, with 600 people staying on for a substantial portion of the town hall, and 250 participating in the entire call. OLE is now following up with participants and thousands of other voters to identify additional paths of campaign participation.
- Solidified infrastructure with three key staffing positions. Sara Gould, former President and CEO of the Ms. Foundation, began her position as the Director of CAG on April 1. Considering the proposed scope and scale of the Campaign and the unique, but challenging opportunity to engage a wide range of donors, Gould's extensive fundraising and management expertise is a much anticipated and welcome addition. In the preceding months, CAG hired Joseph Phelan, former communications lead for the Miami Workers Center and Florida New Majority, as Communications Director, and Trishala Deb, former program officer of Public Interest Projects and the Arcus Foundation, as the Partnerships Director.
- Begun the process of establishing 501c3 status for the National Domestic Workers Alliance, a co-leader of CAG. A portion of this recommended grant will be applied towards board and staff development activities aimed at creating innovative and meaningful ways for domestic workers to continue leading and implementing the alliance's work.

- Developed and strengthened partnerships with the Paraprofessional Healthcare Institute, National Employment Law Project, National Immigration Law Project, the Institute for Policy Studies, and others, to further define the contours of the five point policy agenda.
- In partnership with Leadership Team member, Direct Care Alliance, advocated for regulatory changes at the Department of Labor that would extend basic wage and hour and workplace protections to home care workers.

CAG has succeeded in engaging and inspiring a diverse range of local and national leaders because it speaks to often divisive issues of race, immigration, and gender, and notions of family and caretaking from a set of common values and interests. It proposes addressing the impending care crisis with compassion and dignity for both the people in need of care and the workers providing that care. With multiple points of entry and interest in the campaign, it offers an opportunity to build bridges between and among diverse constituencies. The potential for new inter-generational and multi-racial alliances also offers a positive solution to the anticipated divide between an aging white population and a growing youth demographic comprised largely of people of color. These opportunities offer a chance to generate support for CAG and illustrate EOF's commitment to link advocacy efforts and promote positive solutions to long-standing structural inequalities.

A campaign of this scope also faces several challenges. Progress on a national agenda requires strong local advocacy networks, yet most of the local networks are nascent and just beginning to fundraise. CAG has and will need to continue to fundraise from larger national funders while engaging in robust local fundraising. Staff is confident that Sara Gould's leadership and experience will help address key development concerns. Substantively, limited resources will require CAG to focus on a one or two key policy goals amongst its wide range of issues. CAG has convened a leadership team comprised of seasoned strategic advocates to identify and assess priority issues based on feasibility, impact on core constituents, and required resources.

**The Equality and Opportunity Fund recommends a grant of \$370,000 over one year to the Care Fund, housed at Bend the Arc: a Jewish Partnership For Justice.**

# **NEIGHBORHOOD STABILIZATION INITIATIVE**

**Grant ID:** 20036526

**Legal Name of Organization:** National Housing Resource Center

**Tax Status:** Other

**Name of Fiscal Sponsor:** National Community Reinvestment Coalition

**Purpose of Grant:** To support efforts to maximize the impact of the recent \$25 billion multi-state Attorneys General settlement with the nation's largest mortgage servicers

**Grant Description:** A project grant to the National Housing Resource Center (NHRC) will support its efforts to maximize relief from the recent \$25 billion multi-state Attorneys General settlement with the nation's largest servicers. NHRC's primary goal will be to ensure that settlement resources benefit communities hardest hit by the foreclosure crisis. Launched last year, NHRC organizes local housing counseling agencies and national intermediaries to uplift the role of housing counseling in creating and sustaining affordable housing options for underserved populations and to advocate for fair and equitable housing policies. The proposed project will create a national infrastructure to maximize the impact of the foreclosure settlement through the following activities: 1) monitoring state plans for allocating settlement funds; 2) educating housing counselors on the settlement terms and new servicing standards; 3) building a national communication network among counselors to share developments in enforcement and achieve better mortgage resolutions; and 4) escalating complaints, tracking servicer performance and identifying patterns of noncompliance. The recommended grant advances the Equality and Opportunity Fund's goal of stabilizing communities hardest hit by the economic crisis and its specific grantmaking priorities of 1) supporting innovative efforts to overcome the bottleneck in mortgage modifications; 2) exposing and reversing the racial biases underlying the current mortgage crisis; and 3) expanding sustainable credit options for lower-income borrowers and borrowers of color.

**Previous OSI Support:** n/a

<b><u>Organization Budget:</u></b>	\$375,000
<b><u>Project Budget:</u></b>	\$154,650
<b><u>Major Sources of Support:</u></b>	Corporate donors; membership dues
<b><u>Amount Requested:</u></b>	\$150,000 over one year
<b><u>Is this a contingent grant?</u></b>	No
<b><u>Amount Recommended:</u></b>	\$150,000 (Equality and Opportunity Fund - Economic Security, T1: 24451)
<b><u>Term:</u></b>	One year, beginning September 1, 2012
<b><u>Matching Requirements:</u></b>	None

**Description of Organization:**

The National Housing Counseling Resource Center (NHRC) was launched in 2011 to coordinate the advocacy activities of national intermediaries and local housing counseling agencies on the frontlines of the current housing and foreclosure crisis. NHRC organizes the nonprofit housing counseling industry into a unified voice and serves as an advocate for low-income households who benefit most from housing counseling services.

NHRC brings together two housing counseling coalitions under a single umbrella to advance a common mission: to expand high-quality, responsible and effective housing counseling services for low-income consumers and improve the visibility and impact of the non-profit housing counseling industry. The first, the Coalition of HUD Housing Counseling Intermediaries, was formed in June 2009 to organize, share information and create a unified advocacy voice for all 21 national intermediaries certified to distribute HUD housing counseling funds. The second, National Housing Counseling Action Network, was formed in 2011 to organize, share information and create a unified advocacy voice for unaffiliated, local housing counseling organizations—i.e., those agencies that receive public funding directly and are not part of national intermediary networks. Under NHRC’s leadership, both coalitions have been instrumental in the winning campaign to restore HUD housing counseling funding this year (described in more detail below).

NHRC is led by Bruce Dorpalen, who was previously the Director of Public Affairs for Affordable Housing Centers of America and brings to the organization 37 years of experience in the housing counseling field and nonprofit management. The organization has submitted an application to become a project of the Tides Foundation and currently is awaiting a decision from Tides. In the interim, the National Community Reinvestment Coalition, an existing EOF grantee, serves as the fiscal sponsor for NHRC.

**Description of Program for Which Funding Is Sought:**

A project grant to NHRC will support its efforts to maximize relief using the recent \$25 billion multi-state Attorneys General settlement with the nation’s largest servicers. NHRC’s primary goal will be to ensure that settlement resources benefit communities hardest hit by the foreclosure crisis. To advance this goal, the proposed project will create a national infrastructure to maximize the impact of the foreclosure settlement through the following activities:

*1) Monitor state plans for allocating settlement funds.* Approximately \$2.5 billion of the \$25 billion in settlement funds has been allocated to the state Attorneys General participating in the settlement agreement to be used for “discretionary” purposes. Although the intent behind these funds was to provide much-needed resources to local programs and services for distressed homeowners and communities with high concentration of foreclosures, recent research reveals widespread misuse of these funds and redirection for non-housing purposes.<sup>1</sup> NHRC will mobilize local housing counseling agencies to press for commitment of these funds for housing-related services that will help stabilize hardest hit communities. It will also work with state Attorneys General offices to design effective implementation plans and supply “best practice” recommendations based on the extensive experience of NHRC and its members across housing markets.

*2) Educate housing counselors on the settlement terms and new servicing standards.* In addition to monetary relief, the settlement agreement established servicing standards that address some of the most egregious practices within the servicing industry (such as “dual tracking” of mortgage resolutions—i.e., pursuing foreclosure while modification plans are under review) and provide homeowners and their advocates with new tools to achieve fairer and timelier mortgage resolutions. While the new servicing standards present a tremendous opportunity for more efficient resolutions, they are complex and require vigilance by counselors and consumers to ensure they are enforced. NHRC will train housing counselors on the standards and educate them on how to test compliance and enforce cases of noncompliance.

*3) Build a national communication network among counselors to share developments in enforcement and achieve better mortgage resolutions.* NHRC will build a listserv for the nonprofit housing counseling industry to alert counselors to trainings, provide updates on emerging trends in enforcement, and share best practices and effective strategies to achieve better resolutions. It will also host regular conference calls and periodic webinars and in-person briefings for its membership.

*4) Escalate complaints, track servicer performance and identify patterns of noncompliance.* Through its leadership in settlement negotiations and early implementation, NHRC has established strong relationships with the Monitoring Team of the Attorneys General, headed by Patrick Madigan, Iowa Assistant Attorney General, as well as the national Office of Mortgage Settlement Oversight, headed by Joe Smith, which are jointly charged with enforcement of the

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<sup>1</sup> A recent study by EOF grantee Enterprise Community Partners shows that only 27 of the 49 states that are party to the settlement agreement plan to use all of their discretionary funds for housing. And, 15 states have indicated that they intend to use most or all of their funds for non-housing purposes (typically to address budgetary shortfalls), and the remaining states have not yet indicated how they intend to use the funds. See Shaila Dewan, *Needy States Use Housing Aid Cash to Plug Budgets*, NY TIMES, May 15, 2012, at A1 (covering Enterprise report).

settlement terms. NHRC will publish contact information for the participating state Attorneys General offices on its website and encourage counselors to notify the relevant offices when servicing standards are not being met. When cases are not resolved adequately or in a timely manner through the state Attorney General's office, NHRC will refer cases to the Monitoring Team. By serving as a central clearinghouse of complaints, NHRC will also be able to identify patterns of non-compliance and direct systemic problems to the National Office of Mortgage Settlement Oversight.

### **Rationale for Recommendation:**

The proposed project advances EOF's overarching goal of supporting efforts to ensure justice and equality, prohibit arbitrary and discriminatory government action, and lift barriers that prevent people from participating fully in economic, social, and political life. It also advances the goal of stabilizing communities hardest hit by the foreclosure crisis and the following specific grantmaking priorities: 1) supporting innovative efforts to overcome the bottleneck in mortgage modifications; 2) exposing and reversing the racial biases underlying the current mortgage crisis; and 3) expanding sustainable credit options for lower-income borrowers and borrowers of color.

Last year, in the wake of the elimination of HUD funding for housing counseling services in the FY2011 budget, over 100 independent housing counseling agencies from 23 states came together in Baltimore to discuss how to improve the visibility and centrality of housing counseling as a fundamental component of a fair and sustainable housing delivery system in the U.S. With funding from the Ford Foundation, these organizations formed the National Housing Counseling Action Network (NHCAN) to serve as the "advocacy-arm" of the non-profit housing counseling industry. NHCAN joined forces with the existing Coalition of HUD Housing Counseling Intermediaries (CHHCI) to educate policymakers about the important role that housing counseling plays in placing lower income families into sustainable mortgages, preventing mortgage defaults, and avoiding foreclosure—as well as providing a range of tenant assistance and homelessness prevention services. The two coalitions successfully advocated for a partial restoration of federal funding for housing counseling, which went from zero in the FY 2011 budget to \$45 million in the FY 2012, despite overall funding cuts to most social services programs. Recognizing the important role that counselors can play in shaping an equitable and lasting housing recovery, NHCAN and CHHCI committed to continuing the partnership under auspices of the newly formed National Housing Resource Center (NHRC).

Earlier this year, the Obama administration and Attorneys General from 49 states and the District of Columbia announced an unprecedented \$26 billion settlement with the nation's largest banks to address widespread fraud and abuse in the mortgage servicing industry, which led to hundreds of thousands of homes being wrongfully foreclosed over the past several years. Although the settlement constitutes the largest infusion of funds into national mortgage relief efforts since the crisis began, the real work lies ahead. The main challenges going forward are three-fold: 1) to vigilantly monitor the settlement to ensure that banks comply with its terms and that funds are directed to real relief for the hardest hit communities, rather than diverted for budgetary shortfalls or other political purposes; 2) to fight to ensure that the federal government adopts the same fair lending practices that it now demands from banks; and 3) to continue to press the

administration's new federal mortgage task force to fully investigate and prosecute the substantial claims that were carved out of the settlement.

NHRC is dedicated to addressing the first two of these challenges. (The last challenge—pressing for additional relief based on claims carved out of the settlement—is the focus of the work of the Campaign for a Fair Settlement, funded in EOF's first docket of 2012). Working with EOF staff, NHRC has developed a proposal to track state-level settlement implementation plans and provide local organizations with resources to advocate for directing funds to hardest hit communities. NHRC is uniquely positioned to serve as the counseling "voice" in settlement implementation. Its membership includes the majority of non-profit housing counseling agencies in all 50 states and, through its successful campaign to restore HUD housing counseling funding, has established itself as a respected and influential advocate for counseling services. NHRC's Executive Director, Bruce Dorpalen, is routinely consulted by HUD staff to help shape federal counseling policies, and has established strong working relationships with both the Attorneys General Monitoring Team and the Office of Mortgage Settlement Oversight.

Recognizing that housing counseling is but one of several critical pillars of successful settlement enforcement (and foreclosure relief generally), NHRC has partnered with EOF grantee National Consumer Law Center, which represents the bulk of legal services agencies representing borrowers in foreclosure, and several national community organizing networks (including EOF and Democracy Fund grantees National People's Action, PICO, New Bottom Line and the Campaign for Fair Settlement) to coordinate settlement advocacy enforcement activities across a range of sectors and constituencies.

EOF staff has recently begun conversations with the court-appointed monitor for the foreclosure settlement, Joe Smith, former North Carolina Commissioner of Banks. Smith is responsible for ensuring that the five biggest mortgage servicers that are parties to the settlement agreement engage in principal reductions and implement new servicing standards established by the settlement. He has reaffirmed the need for a civil society complement to the public enforcement efforts he oversees and is enthusiastic about NHRC's role in mobilizing and coordinating housing counselors to track and report patterns of non-compliance.

**Accordingly, the Equality and Opportunity Fund recommends a grant of \$150,000 over one year to the National Housing Resource Center.**