

**OSI U.S. PROGRAMS
EQUALITY AND OPPORTUNITY FUND
THREE YEAR STRATEGIC PLAN**

August 2009

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I. OVERVIEW

The Equality and Opportunity Fund (EOF) was created in 2008 to elevate the importance of the civil justice issues housed under OSI's former U.S. Justice Fund and to increase support for an intersectional equality agenda.¹ It focuses on achieving equity across four core areas: race, citizenship, gender, and sexuality.² It also supports three targeted initiatives that address urgent equal opportunity concerns and demonstrate how the fate of particular vulnerable populations is inextricably tied to the fate of the nation as a whole. They are: the Campaign for Black Male Achievement; the Neighborhood Stabilization Initiative; and the Immigration Innovation Fund.³

EOF's overarching mission 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. It is driven by the belief that the surest way to build and strengthen open society is to address the societal fault lines where inequity is most evident. These fault lines expose society's most vexing challenges, but they also hold tremendous potential for uncovering the transformative theories and practices needed to achieve open society.

Mindful that public policy often fails to take into account the principal barriers to equality and opportunity, EOF applies an explicit race, class, and gender lens to all of its work. Although we recognize this lens is not exhaustive, it captures the major, inter-connected categories of experience that shape an individual's life and influence how society is structured. In applying this lens, we seek to move beyond the tendency to compare the oppression of different groups. Instead, we seek to expose and untangle the systems that deny equality and opportunity to the most marginalized groups so that we can ultimately change those systems.

II. GUIDING PRINCIPLES

EOF's mission is driven by our open society values and our pragmatism. The principle of equal rights and equality before the law, with no individual or group having special privileges, is a centerpiece of U.S. democracy and open society. Similarly, the promise of opportunity motivates Americans and newcomers to make the most of their talents and advance themselves and society as a whole. These values are vital to OSI's work in strengthening open society in the U.S.

¹ EOF embraces the following pre-existing OSI portfolios with start dates noted in parentheses: racial justice (2004); immigrant rights (2004); lesbian, gay, bisexual, transgender and queer (LGBTQ) rights (2003); women's rights; Neighborhood Stabilization Initiative (NSI) (2007); Campaign for Black Male Achievement (CBMA) (2008).

² EOF's total grantmaking budget for 2009 is \$7,500,000. We expect to have a grantmaking budget of \$9,000,000 in 2010 and \$10,000,000 in 2011.

³ The 2009 through 2011 budget for CBMA is \$3 million ('09); \$5 million ('10); and \$5 million ('11). The 2008 through 2009 budget for NSI is \$5 million ('08) and \$5 million ('09). The 2009 through 2011 for Immigration Innovation is \$15 million over three years.

Beyond our commitment to our ideals, our pragmatism forces us to recognize that inequality and exclusion are costly. As the share of the U.S. minority population grows relative to the total U.S. population, failure to address barriers to equality and opportunity for people of color, immigrants, women, and LGBTQ people will present challenges for the entire country. By the middle of this century, people of color and immigrants will constitute more than half of the U.S. population.⁴ If current trends persist, they will be largely poor, ill-housed, under-educated, and under-employed.⁵ Women continue to lag behind men in educational attainment, workforce participation, and earnings. Violence and discrimination directed at LGBTQ people remains widespread and largely unaddressed. Ignoring these conditions is neither just nor advantageous for the U.S.

EOF's approach is to focus on the gains that can be achieved by promoting equality and opportunity. We believe that the U.S. possesses vast untapped human resources capable of supplying the "energy, entrepreneurship, creativity and intelligence" needed to improve the nation's standing as a world leader and respected democracy.⁶ We also believe that a "shared fate" philosophy linking the plight of all Americans has the potential to unite minority and majority groups, revealing how just and inclusive policies benefit us all.

EOF is guided by a number of principles that hew to U.S. Programs' vision and operating principles. We support work that:

- Emphasizes the values of fairness and shared fate;
- Exposes and addresses the structural roots of inequality;
- Is led by individuals and groups directly affected by unjust policies, laws and practices; and
- Addresses barriers that cut across multiple EOF issue areas.

III. CHALLENGES & OPPORTUNITIES

The current political moment offers significant challenges and opportunities for moving an equal opportunity agenda in the U.S. Clearly, EOF can not take on every challenge but we aim to confront those challenges that most directly impact our work and to convert them into opportunities.

Challenges

- President Obama's election has given rise to the flawed assumption that the U.S. populace has overcome its prejudices and minority groups no longer have excuses for not succeeding.
- Many significant players within the broader progressive movement have failed to prioritize policy reforms that would address structural inequality.

⁴ Carr, James H. and Nandinee Kutty, eds. Segregation: The Rising Costs for America, Routledge, 2008.

⁵ Id.

⁶ Friedman, Thomas L., The World is Flat: A Brief History of the Twenty-First Century, Farrar, Straus & Giroux, 2005.

- Hard-hit by the financial crisis, the non-profit sector is scaling back or ending important work as human needs are increasing. Although OSI has not been directly harmed by the crisis, the indirect effects are vast and growing. The rapidly changing financial landscape demands more flexibility and new analysis to determine how OSI resources can be leveraged to achieve greatest impact.
- The financial crisis, wars in Iraq and Afghanistan, and looming international conflicts elsewhere make EOF issues seem less urgent.
- Open society opponents promulgate racist, anti-immigrant, sexist, and homophobic messages veiled by coded phrases, claims of neutrality (e.g., “color-blindness” or “post-racialism”), and images designed to trigger ingrained stereotypes. These messages have been widely adopted and popularized by the mass media.
- Open society opponents use potentially divisive issues such as marriage equality, immigration, equal opportunity policies, and now the economic crisis to drive a wedge between different groups that are potential allies.
- There are divisions within and across the movements EOF supports that need to be exposed and addressed.
- Many Americans believe that persistent inequality is driven by flaws in individual ability and effort. Americans are reluctant to acknowledge the structural roots of inequality.
- The financial crisis is hitting communities of color, immigrants, and women first and hardest. Unemployment levels are climbing and social services are being cut.
- As with most open society issues, there is an ongoing challenge to build and sustain public will for equality and opportunity policies.

Opportunities

- President Obama was elected with a strong mandate for change. His election and some of the dialogue emerging from his administration have created an opening to advance EOF issues.
- Because OSI is in a strong financial position relative to many other foundations, there is a widening opportunity to exercise leadership in the non-profit sector and to reinforce the urgency of advancing equality and opportunity for all.
- The success of new political websites such as MoveOn.Org, the Huffington Post and ColorOfChange reveal a merging of new technology trends, media and politics that enable open society advocates to broadcast messages and images that promote open society values more effectively.
- Recently there have been a number of important policy victories in marriage equality, affirmative action, and immigration followed by retrenchment of key opponents (e.g., Rick Warren on marriage equality). These developments may offer valuable case studies on the limitations of wedge politics and supply momentum for equal opportunity advocates.
- The after-effects of Prop. 8’s passage in California and the failure of comprehensive immigration reform brought certain inter- and intra-movement tensions into stark relief. These developments have exposed the need for more

- The work of OSI grantees, including the Kirwan Institute, the Aspen Institute, the Center for Social Inclusion, the Poverty & Race Research Action Council, and the Applied Research Center, has resulted in broader understanding and application of the concept of structural exclusion, particularly among progressive funders and “usual suspect” policy advocates. The moment is ripe to encourage broader adoption of a structural analysis.
- The financial crisis’ devastating impact on communities of color, immigrants, and women also provides an opportunity to examine the structural factors that have contributed to their vulnerability in the current economic climate, and to work towards reversing these structural barriers through comprehensive policy reform.

IV. EOF STRUCTURE AND GRANTMAKING STRATEGIES

As mentioned above, in addition to several special initiatives, EOF embraces four pre-existing OSI portfolios: racial justice; immigrant rights; lesbian, gay, bisexual, transgender and queer (LGBTQ) rights; and women’s rights. In the past, there has been no coordinated effort to integrate grantmaking across these areas. The U.S. Programs strategic planning process has revealed the need for a coherent structure and rationale to unite our work.

By developing tighter connections across fields EOF supports, staff believes we can correct three principal blind spots that plague progressive advocates. First, there is a failure to recognize the particular concerns of individuals who belong to multiple constituencies. For example, an Asian American lesbian may encounter discrimination on the bases of race, gender, and sexual orientation. Equal opportunity advocacy needs to be re-calibrated to take into account the multiple and overlapping forms of discrimination and exclusion that some individuals face. Second, there is a failure to recognize that marginalized groups often suffer from the same or similar types of structural exclusion. Work-related tensions between African Americans and immigrants illustrate this point. Although the workplace is currently a place of tension for some African Americans and immigrants, it can be a place of opportunity as both constituencies learn how their fates are linked as low-wage workers equally concerned with workplace reforms. Third, there is a failure to recognize that equal opportunity concerns are often more effectively addressed by bringing the power of multiple movements to bear. Again, advocates for immigration reform increasingly recognize the need to engage racial justice organizations as allies. Forging stronger alliances between immigrant rights and racial justice groups helps to address racial discrimination faced by immigrants, and to prevent immigration reform from being used as a wedge between the immigrant rights community and the African American community.

To avoid these blind spots in our own work, EOF plans to organize its work differently. We will identify policy challenges that implicate equality and opportunity and integrate our grantmaking across EOF’s four core areas to address those problems and highlight

the shared stake that people of color, immigrants, women and LGBTQ people have in advocating for change. We will fund anchor organizations (defined below) to build linkages across constituencies and EOF's core areas. We will continue to fund critical campaigns within a single field only when equality and opportunity are the major principles at stake. Beyond this, EOF will support re-granting intermediaries and funding collaboratives capable of identifying and funding grassroots advocates working within or across EOF's core issue areas. EOF will make grants at the local, state and national levels. Of course, there will be exceptions, but for the most part we will strive to apply this framework to our grantmaking going forward.

A. Integrated Problem-solving Approach

EOF will organize its work around policy problems or issues that cut across some or all of the areas of race, citizenship, gender, and sexuality. There are many issues that lend themselves to an integrated problem-solving approach. Possibilities identified by EOF Board advisors and staff include: violence and harassment; housing; economic opportunity; and infrastructure equity.

Staff is still in the process of selecting two or three cross-cutting substantive themes. Once we decide, we will make grants on multiple fronts. We will prioritize support of grassroots organizing and mobilization to ensure there is a vocal base of affected individuals well-positioned to advocate for change. We will also support effective policy advocates to persuade relevant decision makers within their reach to implement needed policy change. We will fund research and evaluation to strengthen advocates' arguments for change. Support of legal advocacy will be essential to ensure compliance with relevant laws and to bolster reform efforts. Finally, we will support communications and public education strategies to raise and maintain public visibility of the issue in question.

B. Supporting Anchor Organizations

EOF will provide flexible, multi-year support to anchor organizations operating within or across fields EOF supports. An EOF anchor organization:

- Is generally acknowledged to be a field leader;
- Supports both grassroots groups and elite policy advocates, and seeks to narrow the gap between them;
- Supports a field or multiple fields through organizing, policy research, legal advocacy, communications expertise or provision of other technical assistance;
- Partners frequently and develops strategies in coordination with other fields and constituencies seeking to advance equality and opportunity for all; and
- Possesses a stable, reliable and diverse funding base.

EOF already funds a number of groups that meet these criteria. They include the Applied Research Center, the National Immigration Forum, the Opportunity Agenda, and the National Gay and Lesbian Task Force.

C. *Supporting Critical Campaigns within Fields*

In each of EOF's four core areas, there may be important national campaigns focused on a single issue that lend themselves to EOF support. A qualifying campaign must:

- Build strong political will across multiple constituencies;
- Address an issue that is ripe for policy change; and
- Take advantage of established advocacy infrastructure.

The obvious example of a critical campaign within a single field that would merit EOF's support is comprehensive immigration reform.

D. *Developing Re-granting Partnerships*

In an effort to identify and seed grassroots organizations that may not come to the attention of a national foundation and to encourage more community-based foundations to support cross-cutting equal opportunity advocacy, EOF is interested in developing re-granting partnerships with intermediaries. We will prioritize support to intermediaries with experience in leveraging national foundation support to attract support from local funders. EOF already supports some re-granting intermediaries, including the Astraea Lesbian Foundation for Justice, which re-grants to LGBTQ groups with limited access to traditional sources of funding, particularly people of color-led groups. Other possible re-granting partners include Ms. Foundation, a national women's fund, and the Catalyst Fund, which supports women of color-led reproductive justice organizations and projects.

E. *Rationale for New Approach*

EOF's decision to organize our work around common policy problems that implicate race, citizenship, gender and sexuality is born out of a recognition that these factors often overlap to produce multiple types of discrimination and inequality. In large part, we must credit Kimberle Crenshaw and others who have argued for an "intersectional" analysis of inequality and discrimination.

Twenty years ago, Crenshaw coined the term "intersectionality" in a law review article examining *Degraffenreid v. General Motors*, a case in which African American women sued the automaker for race and gender discrimination in employment. The case was dismissed because neither white women nor African American men were similarly excluded from employment opportunities at GM. Ultimately, the trial court saw race and gender discrimination as group-based and exclusive, not overlapping.

Since Crenshaw published her first article on intersectionality, the concept has gained considerable momentum and a host of interpretations. According to Crenshaw, the concept is a "prism from which to view a range of social problems to better ensure

inclusiveness of remedies, and to identify opportunities for greater collaboration between and across social movements.”⁷

Crenshaw’s analysis leads EOF to three principal conclusions. First, an intersectional analysis helps to expose how our grantmaking may reinforce separations across movements. Second, it highlights how EOF can apply its resources to bridge movements and build stronger and larger constituencies supportive of equal opportunity. Third, an intersectional analysis is more protective of individual rights because it responds to the interests of people who belong to multiple constituencies and often fall through the cracks when an exclusive, group-based analysis is used as in *Degraffenreid*.

As staff considered how to incorporate an intersectional approach into EOF’s grantmaking, we determined that focusing on problems that affect many marginalized groups, such as access to transportation or workers’ rights, would allow us to put theory into practice in a way that delivers measurable outcomes.

F. Geographic Scope

Similar to other funds within U.S. Programs, EOF has considered the possibility of identifying priority states or regions for place-based grantmaking. The rationale for adopting a place-based approach would be to maximize the impact of our funding by supporting multiple strategies and multiple groups working in concert to produce tangible outcomes in a particular place. While this idea is appealing, it is premature for EOF to pre-select locales in which we would like to achieve impact. For the next three years, EOF will fund critical opportunities to advance equality and opportunity in a few thematic areas. Where possible, EOF will leverage its funds to complement the place-based strategies of other U.S. Programs funds. At this time, however, our approach will be largely opportunistic with an eye toward the future development of a place-based grantmaking strategy.

V. DEVELOPMENT OF INTEGRATED PROBLEM-SOLVING APPROACH

GOAL: IDENTIFY TWO TO THREE ISSUES THAT ADVANCE EQUAL OPPORTUNITY ACROSS MOST OR ALL OF EOF’S CORE AREAS

STRATEGIES:

- Compile recommendations for EOF priority issues made by Board advisors, U.S.P. staff, experts from the fields, and program development consultant.
- Evaluate potential for advancing equal opportunity across EOF core areas within each recommended priority issue.

⁷ Crenshaw, Kimberle, *A Primer on Intersectionality*, African American Policy Forum, p.3.

- Coordinate with, and review place-based grantmaking plans of other U.S.P. funds and campaigns to identify opportunities to leverage EOF resources.
- Decide on two to three issues for coordinated EOF investment.
- Commit to a minimum of three years of grantmaking in priority issue areas.

IMPACT:

- Successful policy reform on identified priority issues.
- Increased capacity of advocates to collaborate across fields.
- Increased media and public attention directed to the shared stake marginalized groups have in EOF priority issues.
- Best practices in coordinated equal opportunity advocacy will emerge and be documented.

EOF PROGRAM AREAS

VI. RACIAL JUSTICE

Few issues in American life have been as intractable as race. Race reminds the country of the values of equality and opportunity on which it was founded, while calling attention to the vast amount of work that remains to be done if we are to achieve true equality.

During the 1950s and 1960s, the civil rights movement mobilized the nation’s collective consciousness around racial justice. But the victories of the civil rights movement did not secure the lasting change that activists and policymakers hoped for. As new issues arise, and talk of a post-racial America is bandied about, the old civil rights model – one that relied largely on judicial remedies and protest – appears less effective in dealing with rapidly changing U.S. demographics and the declining political relevance of traditional identity politics. At the same time, there is a new crop of advocates that define themselves against the practices of traditional civil rights groups and identify themselves as “racial justice” advocates. These racial justice groups, such as the Center for Social Inclusion or the New Orleans Workers Center for Racial Justice, rely less on litigation and more on grassroots organizing, public education, and communications strategies grounded in policy research and analysis to accomplish policy change.

EOF’s ambitious task for the next three years will be to help build common ground among these groups. Although their leaders span a range of generations and employ different advocacy strategies, their broad goal is the same: racial equality in the U.S. Clearly, the path to achieving racial equality is not as easily defined as the path to achieving comprehensive immigration reform, for example. However, through one-on-one outreach to other funders and leading advocates as well as convenings, EOF plans to

play a leadership role in building the capacity of traditional civil rights groups and emerging racial justice groups to develop a concrete policy agenda.

Beyond working to identify shared priorities for these groups, our grantmaking in this area will be directed towards 1) support of anchor organizations for the field; 2) critical racial justice campaigns, such as voting rights reform and racial profiling; and 3) EOF thematic grantmaking, which will weave together all of EOF's core areas.

GOAL: BUILD THE CAPACITY OF TRADITIONAL CIVIL RIGHTS ORGANIZATIONS AND EMERGING RACIAL JUSTICE GROUPS TO DEVELOP A CONCRETE AGENDA AND INNOVATIVE NEW STRATEGIES FOR ADVANCING RACIAL JUSTICE

STRATEGIES:

- Map the field of traditional and emerging civil rights organizations and legal defense funds, including their priorities, strategies, lead constituencies, current funding levels, and geographic scope.
- Provide capacity-building support and technical assistance to the civil rights field to strengthen capacity, facilitate coordination, and support the field in developing a concrete and innovative set of goals and strategies to advance racial justice.
- Decide which national civil rights organizations will be funded by EOF with support from other U.S.P. funds.
- Commit to funding three to five state and local civil rights group engaged in innovative, multi-racial advocacy that moves beyond conventional identity politics in order to elevate best practices and encourage national organizations to adopt more innovative strategies.
- Document and disseminate learning and best practices acquired from outreach to, and convening of, civil rights funders and advocates.

IMPACT:

- Increased capacity of the civil rights field.
- Field development of a clear set of goals and strategies for advancing racial justice.
- More equitable distribution of resources among national civil rights groups.
- Increased development of proactive equal opportunity advocacy strategies that unite the concerns of multiple racial groups.
- Increased attention to structural inequality by civil rights groups.

Funding Partners: Ford Foundation; Heron Foundation; MacArthur Foundation; Kresge Foundation; Atlantic Philanthropies; Marguerite Casey Foundation; Surdna Foundation.

VII. IMMIGRANT RIGHTS AND IMMIGRATION INNOVATION

The current organization of the immigrant rights portfolio lends itself to easy integration into EOF's new structure. Already, immigrant rights funds a number of national anchor organizations, such as the National Immigration Forum and America's Voice Education Fund. With the creation of the Immigration Innovation Fund, the portfolio is also supporting a critical national campaign, the Four Pillars Campaign (described below). Beyond this, over the next few years, EOF will seek to weave attention to immigrant rights into our thematic grantmaking, which will address all of EOF's core areas in tandem.

At present, EOF's immigrant rights grantmaking advances the specific goals of: stemming the erosion of the civil and human rights of immigrants; linking immigration to broader policy issues; and advancing sound immigration policy through a campaign for comprehensive immigration reform. Reflected throughout this work is an attempt to connect equal opportunity concerns across issues and constituencies and to demonstrate how integrating immigrants into the mainstream of society will lift all boats. As EOF moves forward with its reorganization, it will weave these goals into our new structure.

The campaign efforts supported through the immigrant rights portfolio offer a useful example of the type of campaigns EOF will continue to support within particular fields. In 2007, George Soros approved the creation of the Immigration Innovation Fund with a total allocation of \$15 million for 2009 through 2011. These funds were earmarked to support a new immigration reform effort, known as the Four Pillars Campaign (an overview is attached). The Campaign focuses on four major efforts: (1) public policy and research, (2) strategic communications, (3) field and alliance building, and (4) civic engagement. Since last fall, several national and local organizations began to coordinate the new immigration reform campaign, engaging diverse constituencies across the nation and began to build a foundation of community, faith, labor, and business leaders to develop and execute the campaign. This spring, they will publicly launch the *Reform Immigration for America Campaign*, which builds on the work to date and that will be the culmination of this coordinated planning process.

The goal of the new campaign is to turn the tide of public debate and to develop policy solutions for broad immigration reform rooted in the American values of earned citizenship, the rule of law, and the promise of the American Dream. OSI will only support activities consistent with section 501(c)(3) of the Internal Revenue Code and will carefully structure its grants to public charities to avoid making any expenditures for lobbying. The Campaign funding provides timely resources to take advantage of the current political moment and shape a transformative national agenda for confronting inequality.

GOAL 1: SUPPORT EFFORTS TO STEM THE EROSION OF THE CIVIL AND HUMAN RIGHTS OF IMMIGRANTS.

STRATEGIES:

- Identify and support organizations working to restore due process protections to non-citizens.
- Support advocacy organizations that challenge punitive immigration laws and policies that lead to increased border militarization, immigrant criminalization, and detention and deportation.
- Fund organizations working to challenge the harsh immigration consequences of criminal convictions and address the intersection of immigration and criminal justice.

IMPACT:

- Standards are adopted that protect the rights of workers and families during workplace and home raids.
- Border enforcement is done in consultation and in consideration of border communities.
- Immigrants subject to deportation proceedings receive free legal assistance if they cannot afford a lawyer and have access to an individual hearing before an impartial administrative or judicial officer, and the right to appeal to an impartial body.
- Immigrants subject to deportation are treated with dignity. Detention is not used except when there is a well established risk of flight. When immigration detention is used, it should be in the least restrictive circumstances possible.
- Violations of immigration regulations are not treated as criminal offenses

GOAL 2: SUPPORT EFFORTS TO LINK IMMIGRATION TO BROADER NATIONAL POLICY ISSUES.

STRATEGIES:

- Promote organizations that effectively connect immigrant concerns to progressive agendas ranging from economic equality, racial justice, and national security to healthcare, education, and housing.
- Support organizations that actively engage the African American community, youth, LGBT activists, labor, business, faith leaders, and white progressives.

IMPACT:

- Other sectors and movements take up immigration reform as an integral part of their work and speak up for immigrant rights.
- Increased funding to organizations outside of the immigrant right field to support their immigration work.

GOAL 3: ADVANCE SOUND IMMIGRATION POLICY REFORM THROUGH A CAMPAIGN FOR COMPREHENSIVE IMMIGRATION REFORM.

STRATEGIES:

- Fund projects that seek to reform the immigration system through policy advocacy and research, and that seek to develop policy solutions and administrative changes.
- Promote efforts aimed at strengthening the capacity of local grassroots organizations to deliver support for broad immigration reform by creating field-wide capacity and deepening alliances between immigrants and native-born communities for mutual support.
- Support organizations to be able to orchestrate demand for reform from immigrant and ethnic communities, faith communities, the labor movement, state and local officials, progressive voices, youth groups, African American and civil rights groups, and concerned employers.
- Support and expand the capacities of advocacy organizations to build a campaign-style communications and rapid-response war room that will significantly increase the volume and velocity of the campaign's messages in mainstream, new, and ethnic media with the goal of improving public support for immigration reform and changing the public discourse.
- Identify and support organizations that are actively responding at the local and state level to the harsh enforcement environment towards immigrants.
- Strengthen the capacity of organizations to create an unprecedented citizenship promotion and voter mobilization campaign aimed at increasing the number of immigrant voters who can mobilize on a number of social justice issues.
- Build the capacity of locally-based grassroots organizations to engage with public policy advocacy by connecting them with regional and national level coalitions.

IMPACT:

- Immigration system has been reformed in such a way that it significantly reduces illegal immigration, offers flexible earned legalizing mechanisms,
- Legal status is accorded to high school graduates brought to the U.S. illegally as young children by their parents.
- AgJOBS policy is implemented, legalizing farm workers who are illegally in the U.S. and streamlining the agricultural temporary worker program.
- An independent Standing Commission is established to make regular recommendations to Congress for adjusting admissions levels based on labor market needs, unemployment patterns, and changing economic and demographic trends.

Funding Partners: Ford, Carnegie, Atlantic, J.M. Kaplan Fund, Hagedorn Foundation, Haas Jr., Unbound Philanthropy, Western Union.

VIII. LGBTQ RIGHTS

Recognizing the threat that persistent discrimination based on sexual orientation and gender identity poses to a truly open society, EOF will focus on supporting the most marginalized populations within the LGBTQ community. Transgender individuals as well as lesbian and gay people of color, immigrants, youth and seniors tend to be particularly vulnerable to employment discrimination, incarceration, homelessness, and inadequate health care. To help policymakers, equal opportunity advocates, service providers and the media understand the extent of the political, economic, and social isolation experienced by many LGBTQ individuals, EOF will support a range of policy advocacy strategies, including grassroots organizing, legal advocacy, policy research and analysis, and public education.

In the past few years, the LGBTQ rights program has funded efforts to fight discrimination and move public opinion on LGBTQ rights across a wide range of issue areas. With core support from OSI, national anchor LGBTQ organizations have won several crucial victories in recent years, including lifting the federal immigration and travel ban on individuals with HIV/AIDS, overturning state laws that criminalize sodomy between consenting adults, and gaining legal recognition of same-sex civil marriages in six states—to name just a few. Yet, despite increasing public acceptance of lesbian and gay relationships, overt discrimination on the basis of sexual orientation remains enshrined in federal, state and local law, which poses a structural barrier to equality and opportunity for LGBTQ individuals.

EOF is currently engaged in an intensive program development process to deepen our knowledge of the current state of LGBTQ and gender justice advocacy and lay the foundation for EOF's cross-cutting thematic grantmaking. Once that process is

completed in September, EOF will develop more defined goals and strategies for this portfolio. While we will continue to support the work of national anchor organizations on legal recognition of LGBTQ relationships and families and build upon momentum generated by gains in the campaign for marriage equality, we will concentrate on the needs of the most marginalized LGBTQ individuals and seek to identify EOF-wide cross-cutting themes to highlight the shared interest that these individuals have with other marginalized groups in advocating for equality and opportunity policies.

Going forward, EOF will strive to:

- Support litigation and advocacy aimed at expanding and enforcing laws that guarantee equal rights for all LGBTQ individuals and families;
- Increase the participation and leadership of diverse voices within the LGBTQ rights movement, with an emphasis on people of color, youth, immigrants, transgender people, and faith communities;
- Strengthen connections between the LGBTQ rights movement and movements to advance women's rights, immigrant rights, and racial justice in order to advocate for comprehensive antidiscrimination laws, combat hate crimes and develop an inclusive progressive agenda across a range of policy reform issues;
- Support LGBTQ youth organizing and leadership development, recognizing that LGBTQ youth are leading efforts to fight discrimination, harassment, and violence in schools while pioneering work at the intersection of LGBTQ issues and issues of racial and economic justice;
- Build the capacity of the LGBTQ movement to advance transgender rights, particularly in bellwether states and localities considering (or defending) transgender-inclusive antidiscrimination laws;
- Support efforts of LGBT rights and civil rights organizations to engage diverse faith communities to foster productive dialogue around LGBT issues and religion and to build a faith-based progressive social justice movement that is inclusive of LGBT rights; and
- Exercise leadership in the philanthropic community to increase funding for LGBTQ issues.

Funding Partners: Arcus Foundation; Astraea National Lesbian Foundation; Ford Foundation; Gill Foundation; Evelyn and Walter Haas, Jr. Fund; Wellspring Advisors.

IX. GENDER JUSTICE

For several years, U.S. Programs housed a Reproductive Health and Rights grantmaking program that considerably built the policy capacity and advocacy infrastructure of the reproductive rights movement, and supported emerging reproductive health technologies that have now taken hold. OSI is widely credited with changing the landscape with regard to emergency contraception and greatly expanding the movement's capacity as a whole to communicate about and advocate for family planning, contraception, and other reproductive rights matters. Women's issues have also been funded to varying degrees

through other prior grantmaking areas such as the Constitutional and Legal Policy program, the After Prison Initiative, and the Sentencing and Incarceration Alternatives Project. Thus, U.S. Programs has already created a foundation of support for women’s issues on which it can build.

In thinking through a new stage of funding for the women’s rights portfolio, EOF is developing a framework around “gender justice” which would build on this prior grantmaking as well as broaden the analysis to focus on the most marginalized communities. Gender justice promotes the idea that the freedoms of a just society—where dignity, autonomy and the right to human, social, economic and political capital are available to all people—are in no way limited by a person’s gender, gender identity or expression, or the degree to which they conform to traditional notions of masculinity or femininity.⁸ It includes the critical gender issues that affect men, women, and transgender individuals. Through our grantmaking, we will seek to re-conceptualize the definitions of gender to form a more inclusive and empowering set of beliefs that will allow individuals to more fully express their humanity. We will prioritize support for advocacy focused primarily on gender justice issues that impact poor women, women of color, LGBTQ and immigrant women.

EOF has initiated an intensive program development process to identify the goals and strategies for a gender justice grantmaking strategy (and for a LGBTQ rights and intersectional grantmaking strategy, as noted above). As part of this process, EOF will engage activists in the gender justice field to answer questions such as: what are the most pressing issues within the gender justice movement; what are the most under-funded issues and/or regions of the US when it comes to the gender justice movement; and what are some of the barriers to success for the women’s rights/gender justice movement? Similar questions will also be asked of philanthropic leaders in the field to determine how they frame their grantmaking strategies as well as learn more about how they fund through an intersectional or movement building lens. EOF expects to complete its program development process in this area by September.

SPECIAL INITIATIVES

X. CAMPAIGN FOR BLACK MALE ACHIEVEMENT

In their book, The Miner’s Canary, Lani Guinier and Gerald Torres state that “[t]hrough African American males represent a population with superlative disparities in numerous areas, the complexity of issues this group faces are being confronted by U.S. residents from a wide range of backgrounds.” The overarching goal of EOF and the Campaign for Black Male Achievement (the Campaign or CBMA) is to make the unassailable case that black males in the U.S. are the miner’s canary whose exclusion from economic, social, educational, and political life in the U.S. implicates the fate of all members of society.

⁸ Ms. Foundation’s *Youth, Gender and Violence* report.

The Campaign responds to a growing body of research that reveals the intensification of black males' negative life outcomes. It builds on U.S. Programs' mission to support individuals and organizations that nurture the development of a more democratic, open society, as well as OSI's expertise and past work to reduce incarceration, promote racial justice, and support youth engagement and leadership development.

The Campaign devoted its first year of activities to exploratory grantmaking, strategic planning, developing strategic alliances and philanthropic partnerships. The leadership of the Campaign intends to meet in the near future with its board advisors to share its strategic blueprint for providing grantmaking and other operational support to eliminate barriers and strengthen opportunity structures in three core areas: education, family, and work. These are the three primary institutions that profoundly influence a black male's chances for success, and shape his identity as a citizen and community member. The Campaign recognizes that it is ambitious to attempt to achieve meaningful impact in each of these areas. It also recognizes that it cannot do this work alone. For these reasons, the Campaign will continually seek to carve out manageable policy objectives that capitalize on OSI's strengths. The larger part of its focus will be on leveraging OSI resources to attract needed expertise and funding from other sources that are better-suited to address issues that fall beyond OSI's scope.

Specifically, the Campaign's goals are to promote black boys' educational achievement; strengthen family support structures for black men and boys; expand work opportunities for black males; provide catalytic leadership in the field of philanthropy; and develop a strategic communications framework to change public representations and perceptions of black boys and men. (A summary of the Campaign's strategic plan is attached.)

The Campaign for Black Male Achievement has already positioned itself as a leader in the growing pool of philanthropies making targeted investments in improving life outcomes of black men and boys. The Campaign seeks to be a clear voice for a sustained commitment of resources to the field and envisions building bridges between the worlds of policy advocacy and direct practice to advance the field.

XI. NEIGHBORHOOD STABILIZATION INITIATIVE

The Neighborhood Stabilization Initiative (NSI) supports effective and timely responses to the national subprime lending and foreclosure crisis. As part of U.S. Programs' Equality and Opportunity Fund (EOF), NSI advances the Fund's mission to eliminate barriers that prevent people from participating fully in economic, social and political life and to ensure that the benefits and burdens of society are shared equitably. Because homes are often a family's strongest financial asset, opportunities for homeownership are closely linked to wealth creation and financial security, particularly for African American and Latino households. The current subprime and foreclosure crisis threatens to unwind substantial gains in minority homeownership that the country has witnessed in recent

decades.⁹ More ominously, because many subprime and predatory lenders targeted minority borrowers in concentrated geographic areas, entire communities of color now face widespread displacement, property abandonment, disinvestment, rising crime and blight as unaffordable loans fall into foreclosure at unprecedented rates.

In response, NSI supports a range of structural reform efforts aimed at promoting sustainable homeownership, mitigating the impacts of the current crisis, and preventing its recurrence in the future. NSI's grantmaking priorities in each of these areas are described more fully in the attached program description. However, it is worth emphasizing here that NSI staff will respond to two critical realities in our work going forward.

First, it is clear that the mortgage and foreclosure crisis is far from over. Most industry observers agree that the country has yet to witness the peak in mortgage defaults or foreclosures (or the bottom of the housing market), and early projections of the scope and duration of the crisis have proven far too conservative. And while on a national level foreclosure rates already exceed those during the Great Depression, they are nearly twice as high in communities of color.¹⁰ In response, NSI has prioritized advocacy strategies that fill critical gaps in foreclosure prevention policies and programs, particularly those that address the needs of the most vulnerable populations (people of color, immigrants, and low-income families). The urgency of NSI's work to ensure equality and fairness in loan modifications and housing recovery efforts is now greater than ever.

Second, even after the immediacy of current crisis subsides (i.e., default and foreclosure rates return to historically sustainable levels), community advocates will need to continue to press for affordable housing opportunities and access to credit under fair terms. The same communities that are currently experiencing the highest concentrations of foreclosures are also witnessing the severest contraction in credit availability, resulting in an economic stranglehold that likely will outlive the national financial crisis. NSI will prioritize advocacy strategies aimed at addressing structural barriers to fair lending and community reinvestment, and ensure that we avoid reverting to racial redlining couched in the rhetoric of fiscal conservatism.

We recognize the extent to which the current foreclosure crisis implicates core open society concerns at the heart of U.S. Programs' values and mission. The crisis has been driven by what could be characterized as some of the most "closed" features of U.S. society: deeply rooted racial disparities in wealth and access to wealth-building institutions; feeble legal protections for immigrants and low-income consumers excluded from the financial mainstream; and opacity and lack of oversight in the financial sector. The confluence of these factors allowed irresponsible and discriminatory lending practices to flourish, with devastating social and economic consequences that are now painfully apparent. NSI recognizes that a lasting solution to the crisis will only be

⁹ See Pew Hispanic Center, *Through Boom and Bust: Minorities, Immigrants and Homeownership*, available at <http://pewhispanic.org/files/reports/109.pdf>

¹⁰ See United for a Fair Economy, *The Silent Depression: State of the Dream 2009*, available at http://www.faireconomy.org/news/state_of_the_dream_2009_the_silent_depression

achieved if we can restore transparency and accountability to the financial sector and support grassroots coalitions able to advocate effectively for stronger consumer protections, fair lending enforcement, and community reinvestment

Currently, NSI is authorized for funding through the end of 2009. During the upcoming budget planning process for 2010, staff will request continued funding for NSI as an ongoing EOF program. (A more detailed overview of NSI's priorities is attached.)

XII. LINKS TO OTHER OSI EFFORTS

A. Democracy and Power Fund

There are many points of overlap with the Democracy and Power Fund's focus on multi-issue, multi-constituency power-building and civic engagement in communities of color, LGBTQ communities, immigrant communities and among women. As EOF strengthens its thematic grantmaking to organizations and campaigns that advance its core priorities, it will rely heavily on D&P's investment in strengthening advocacy infrastructure. D&P's support of civic engagement and grassroots organizing, as well as leadership development and youth engagement will help to undergird the work EOF invests in to combat structural barriers that cut along lines of race, citizenship, gender, and sexual orientation.

D&P and EOF are co-funding a number of organizations that are resource hubs for the racial justice field, including the Center for Social Inclusion, Applied Research Center, and Opportunity Agenda. There are also cross-cutting U.S. Programs grantees, such as the Leadership Conference, Center for Community Change and Advancement Project that advance our combined aims.

CBMA's interest in youth organizing and leadership development is closely aligned with D&P's priorities. CBMA and D&P co-fund the Young People's Project in Mississippi, which uses math literacy as a tool to develop young leaders and organizers to change the quality of education and life in their communities. NSI co-funds with D&P two national community organizing networks (NTIC and PICO) that are organizing low-income people and people of color to advance economic equality in housing recovery and strengthen community reinvestment policies. A number of Seize the Day Fund grantees also advance our shared interest in broadening participation of directly affected constituencies at emerging policy tables and achieving equal opportunity in implementation of economic recovery plans. Those grantees include the Inter-Alliance Dialogue, PolicyLink, and ColorOfChange.

D&P, along with SOF, is coordinating U.S. Programs' grantmaking to address the administration of the 2010 Census. This also presents an opportunity for D&P and EOF to collaborate.

B. Criminal Justice Fund

The administration and scale of the U.S. criminal justice system implicate all of EOF's core issues: race, citizenship, gender and sexual orientation. These issues play out in different ways. Race and immigration status have arguably fueled rising incarceration rates in the U.S. with excessively punitive treatment of people of color within the criminal justice system and increasing calls for immigrant detention. Questions of gender justice arise in looking at growing numbers of incarcerated women and transgender people and disruption of ties between incarcerated parents (of all genders) and their children. Over-policing of LGBT individuals, particularly LGBTQ youth of color, and criminalization of lesbian and gay sexual activity offer other points of connection.

Collaborations between the two funds are underway. The Soros Justice Fellowships and EOF's immigrant rights portfolio are planning a retreat to bring together criminal justice and immigrant rights advocates to devise collaborative strategies to challenge the increasing criminalization of immigrants, use of criminal justice law enforcement to enforce immigration laws, and increasing rates of immigrant detention and deportation.

Because of the staggering rates of over-representation of black males in the criminal justice system, the interests of the Criminal Justice Fund and the Campaign for Black Male Achievement are also closely aligned. One area that CJF and CBMA will partner around is disrupting the "school to prison" pipeline that results from use of discriminatory zero tolerance disciplinary policies in schools that have a disparate impact on black males and substantially undermine their chances for achieving academic success. CBMA will also seek opportunities to partner with CJF in supporting efforts to lift the barriers preventing formerly incarcerated individuals from gaining quality employment, housing, and educational opportunities.

NSI is partnering with CJF to link housing recovery and neighborhood stabilization efforts to jobs and economic opportunities for formerly incarcerated individuals.

Where the connections between the work of the Criminal Justice Fund (CJF) and EOF weaken is around issues of prison conditions. Historically, CJF has not focused on prison conditions. For that reason, it is unlikely that CJF and EOF would jointly entertain funding requests related to discriminatory treatment of transgender people within prisons, for example. It is also unlikely that EOF would independently consider those requests with so many other competing demands to address.

C. Transparency and Integrity Fund

The strategic plan for the Transparency and Integrity Fund (TIF) provides a detailed overview of the opportunities for collaboration between TIF and EOF. TIF points out that EOF and TIF already co-fund the Equal Justice Society and Lambda Legal Defense Fund on their work around judicial independence and increasing judicial diversity. TIF's grantmaking to advance election systems reform also directly complements EOF's

support for voting rights reform. As TIF deepens its grantmaking to address privatization of prisons and immigrant detention centers, EOF will provide strategic input and possibly complementary funding. NSI is consulting with TIF on opportunities to increase transparency and accountability in federal and state housing recovery efforts and to provide support for ethnic media, as “trusted messengers,” to raise awareness about resources for distressed borrowers and combat predatory foreclosure rescue scams. TIF’s general interest in supporting journalism initiatives that focus on the needs of communities of color dovetails with EOF’s interests and will likely lead to joint grantmaking.

TIF and EOF are also beginning to collaborate in their Seize the Day funding as they seek to integrate the work of groups arguing for transparency and equity in the economic recovery. At the May 2009 U.S. Programs Board meeting, a cross-section of TIF, D&P, and EOF grantees presented on achieving equity in the economic recovery. The grantees were the Center for Social Inclusion, the Inter-Alliance Dialogue, OMB Watch, and the Institute for Policy Studies. Less than a month after the U.S. Programs Board meeting, these same groups convened an all-day meeting titled, “Promoting Equity Metrics in the Recovery Act.” They are now in the process of determining how to strengthen collaboration between transparency advocates and equal opportunity groups.

D. National Security and Human Rights Campaign

The main area where the interests of the National Security and Human Rights Campaign (NSHR) and EOF intersect is immigrant rights and racial justice. Going forward, EOF plans to build on existing collaborations with NSHR around detention and racial profiling, promoting accountability of the Department of Homeland Security, and countering hate and extremism, particularly as it applies to Muslim, Arab and South Asian communities. Shared grantees include the Rights Working Group and the Migration Policy Institute.

E. Strategic Opportunities Fund

EOF plans to continue to collaborate with the Strategic Opportunities Fund (SOF) to support equal opportunity advocates in the Gulf Region. CBMA will work closely with SOF and OSI-Baltimore to develop grantmaking strategies to address the reauthorization of the No Child Left Behind Act. CBMA in particular and EOF generally are interested in collaborating with SOF as it develops its work around the use of art and culture to advance social change.

F. OSI-Baltimore

OSI-Baltimore continues to be a strategic thought partner to EOF on virtually all of its work. EOF plans to increase its collaboration with OSI-Baltimore on issues of racial justice, immigrant rights, LGBTQ rights, and gender justice. Currently, CBMA and NSI collaborate most intensively with OSI-Baltimore. CBMA’s educational equity goals complement OSI-Baltimore’s work in decreasing the disparities in school discipline

policies that currently exist between black boys and other students. As mentioned above, CBMA, OSI-Baltimore, and SOF are working together to devise grantmaking priorities around reauthorization of the No Child Left Behind Act.

Through several capacity-building grants, NSI has strengthened the ability of two Maryland-based coalitions to comprehensively address the foreclosure crisis at the local level and has funded Civil Justice Inc., a Baltimore-based legal service network, to engage in impact litigation to challenge the most egregious predatory lending practices. NSI is also pursuing opportunities to collaborate with the newly created Special Fund for Poverty Alleviation to develop model poverty-reduction strategies that specifically address the needs of low-income renters and other populations particularly vulnerable to the crisis.

G. OSI-DC.

EOF works closely with OSI-DC office on immigration reform efforts. Beyond that, EOF collaborates with OSI-DC when policy developments of mutual concern arise, such as racial profiling.

XIII. OPERATIONS TIMELINE

2009:

- Complete CBMA strategic plan and solicit Board Advisor feedback.
- Compile recommendations for EOF priority issues made by Board advisors, U.S.P. staff, experts from the fields, and program development consultant.
- Decide on two to three priority issues for coordinated EOF investment across core areas by September 30, 2009.
- Recommend initial set of EOF priority issue grants in November 6 docket.
- Define three-year goals and strategies for LGBTQ rights and gender justice portfolios.
- Make new LGBTQ rights and gender justice grants on Docket III and November 6 docket.
- Begin to map the field of traditional civil rights and emerging racial justice organizations.
- Continue to identify and fund anchor organizations within and across all four EOF issue areas.
- Finalize EOF grantmaking guidelines.
- Update EOF page on OSI website.
- Develop plan for staggering of EOF multi-year grants.
- Organize EOF annual staff retreat.
- Continue to refine goals and implement grantmaking strategies across EOF.

2010:

- Develop 2010 workplan.
- Continue and increase EOF donor organizing activities.
- Organize small strategy sessions and larger field convenings with funders and advocates to develop plan to provide capacity-building support and technical assistance to the civil rights and racial justice fields, and to support the field in developing a concrete and innovative set of goals and strategies to advance racial justice.
- Decide which national civil rights organizations will be funded by EOF with support from other U.S.P. funds.
- Commit to funding three to five state and local civil rights group engaged in innovative, multi-racial advocacy that moves beyond conventional identity politics in order to elevate best practices and encourage national organizations to adopt more innovative strategies.
- Organize EOF annual staff retreat.
- Continue to refine goals and implement grantmaking strategies across EOF.

2011:

- Develop 2011 workplan.
- Continue and increase donor organizing activities.
- Document and disseminate learning and best practices acquired from outreach to, and convening of, civil rights funders and advocates.
- Evaluate Reform Immigration for America Campaign and work with funding partners and field advocates to identify next steps for immigrant rights field.
- Begin to evaluate viability of EOF place-based grantmaking strategy.
- Organize EOF annual staff retreat.
- Continue to refine goals and implement grantmaking strategies across EOF.

2012

- Develop 2012 workplan.
- Continue and increase donor organizing activities.
- Organize EOF annual staff retreat.
- Continue to refine goals and implement grantmaking strategies across EOF.