

## MEMORANDUM

To: U.S. Programs  
From: National Security and Human Rights Campaign Staff – Nancy Chang, Sophia Conroy, and Hyon Seo Kwon  
Date: February 17, 2010  
Re: NSHR Campaign Out-of-Docket and April 2010 Docket Grant Recommendations

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The NSHR Campaign is assigned to the second set of USP docket dates in 2010, but for some of our grantees, time is of the essence. We just recommended, and received approval today from Aryeh Neier for, two out-of-docket grants, and we hope to recommend an additional out-of-docket grant of \$25,000 to Ann in March. We will also be recommending three grants on the April 12 CJF/D&P/SDI/TIF docket. These six grant recommendations total \$650,000. The Campaign is also considering contributions to three grants being put forth by other funds on the April docket.

### **I. NSHR CAMPAIGN FEBRUARY OUT-OF-DOCKET GRANTS**

#### **1) Center for Investigative Reporting (Approved on February 17)**

*\$275,000 over 18 months*

To renew support for the Center for Investigative Reporting's investigative journalism project, *America's War Within: Investigating the Legacy of Homeland Security*, which is scrutinizing the spending of Department of Homeland Security funds by state and local law enforcement agencies since the agency commenced operations in 2003, and investigating other streams of federal counterterrorism funding, including recent economic stimulus funding directed towards state and local counterterrorism efforts. This grant will support the project's lead reporter, G. W. Schultz, along with a research fellow, and time from CIR's Executive Director Robert Rosenthal to develop the stories and aggressively distribute them in local, regional, and national media outlets. Given TIF's ongoing general support to CIR, this project does not include any overhead expenses. CIR is based in San Francisco.

#### **2) Tides Center for its project, September 11th Families for Peaceful Tomorrows (Approved on February 17)**

*\$70,000 over one year*

To support the September 11th Families for Peaceful Tomorrows' 9/11 Voices for Restoring Rule of Law Campaign. The Campaign will build and mobilize Peaceful Tomorrows' membership and strengthen its collaborations with other 9/11 family organizations and civil liberties organizations to amplify the voices of 9/11 family members who support closing the prison at Guantanamo Bay and ending indefinite detention and other violations of human rights that have become an enduring legacy of the U.S. "war on terror." Peaceful Tomorrows was launched in 2002 when a small group of family members of those killed on September 11, 2001 connected with one another after reading each other's pleas for nonviolent and reasoned responses to the terrorist attacks. Its membership has grown to 200 family members living in 31 states and seven foreign countries, and 4,000 non-family member supporters. Peaceful Tomorrows is led by a Steering Committee composed of spouses, siblings, and parents of 9/11 victims and operates on a shoestring budget. Its work is carried out by several dozen dedicated volunteer members who receive administrative support from the organization's sole paid employee, a non-family member Project Coordinator.

## **II. NSHR CAMPAIGN MARCH OUT-OF-DOCKET GRANTS**

### **3) Duke Human Rights Center and/or North Carolina Stop Torture Now**

*A maximum of \$25,000 over one year*

To support “Weaving a Net of Accountability,” a conference that will take place at Duke University in Durham, North Carolina from April 8 to 10, 2010, that will explore the question of state-level accountability for extraordinary rendition, and to support post-conference follow up activities. The conference is being sponsored by the Duke Human Rights Center, North Carolina Stop Torture Now, the Immigration and Human Rights Policy Clinic at the University of North Carolina School of Law, and the International Human Rights Law Society at Duke University Law School. The conference will feature: Scott Horton, the author of “The Unresolved Legacy at Guantánamo”; Gavin Simpson, an expert on extraordinary rendition for the Council of Europe; Meg Sathertwaite, co-director of the International Human Rights Clinic and a Faculty Director of the Center for Human Rights and Global Justice at NYU School of Law; Steven Watt, senior staff attorney with the ACLU Human Rights Program and counsel in *El Masri v. Tenet* and *Mohamed v. Jeppesen* challenging the CIA's extraordinary rendition program; Dr. Edward Horgan, a plane spotter and former U.N. Peacekeeper from Ireland; and, speaking via video link from the U.K., Bisher al-Rawi, survivor of extraordinary rendition in 2002 and subsequent imprisonment in Guantanamo. On Saturday, a working group will sketch out the next steps on creating a "Commission of Inquiry" that would move advocates forward on accountability in the state of North Carolina, which hosts CIA contractor AeroContractors at a publicly-owned airport.

## **III. NSHR CAMPAIGN GRANTS TO BE SUBMITTED WITH CJF, D&P, AND TIF APRIL DOCKET**

### **4) Center for Victims of Torture**

*\$80,000 over one year*

To renew support for the Campaign to Ban Torture, which will continue to work with over 100 high-level “validators” from the military, national security, intelligence, and foreign policy sectors to regain a national consensus against torture and seek accountability for torture, the closure of Guantanamo, and due process rights for terrorism suspects. Through its National Consortium of Torture Treatment Programs, the Center will seek to engage its 38 colleague organizations in this advocacy. The Center provides multidisciplinary care and rehabilitative services to survivors of politically motivated torture, trains health care professionals to provide comprehensive care to torture survivors, researches the effects of torture, and conducts public education advocating for an end to the use of torture. The Center is based in Minnesota and has staff members in Washington, D.C., Jordan, and Africa.

### **5) Columbia Law School’s Human Rights Institute**

*Approximately \$100,000 over one year (This grant would be paid from 2010 JEHT Emergency Funds)*

To support the Human Rights Institute’s building of connections and dialogue among litigators, policy advocates, and scholars on emerging issues in counterterrorism practice, such as accountability for human rights abuses committed under the “war on terror” and the intersection of immigration and national security policy. In September 2010, the Institute intends to convene litigators, scholars, and policy makers to discuss barriers to litigation, and timely issues such as diplomatic assurances, relevant jurisprudence outside of U.S. courts, and the implications of the Humanitarian Law Project decision particularly to immigration attorneys. Founded in 1998, the Institute serves as the focal point of international human rights education, scholarship, and practice at Columbia Law School, where it seeks to build bridges between theory and practice, law and other disciplines, constitutional rights and international human rights, and Columbia Law School and the

worldwide human rights movement. Prior to its closure, the JEHT Foundation provided general operating support to the Institute, which helped to cover salaries of the Executive Director and Deputy Director and to contract consultants and researchers, print reports, cover staff travel to conferences, and bring participants to Columbia for convenings and continuing education. This grant would build on support provided through a 2007 Civil Liberties grant to Yale Law School, through which Yale's National Litigation Project retained advocate Tina Foster on a part-time basis to engage in field-building activities for NSHR litigators and to bridge that community to the NSHR advocacy community and academics. Following Harold Koh's departure from Yale last year, Yale has decided not to apply for renewal funding for this project and clinical instructor Hope Metcalf strongly recommended the NSHR Campaign approach the Institute to continue this work. If this grant is approved, the Institute hopes to retain Tina Foster as consultant to the project.

#### **6) American Progressive Caucus Policy Foundation**

*\$100,000 over one year*

To renew support for the organization so that it can serve as a communications, fact-finding, research, and educational center for progressive leaders, policymakers, issue advocates, the media, and the general public on matters of national security. This grant will also support the training of members of Congress to become effective spokespersons for civil liberties and human rights in matters of national security. The organization, based in Washington, D.C., was founded in 2005 in order to bring together the collective wisdom of progressives inside and outside of Congress toward the promotion of peace and global security, energy independence, environmental sustainability, human rights, civil liberties, health care reform, and economic well-being. The organization was largely inactive in the years following its founding. However, in January 2009, with the resurgence of progressive power in the Congress and White House, the organization stepped up its level of activity and hired its first staff members.

### **IV. NSHR CAMPAIGN CO-FUNDING RECOMMENDATIONS FOR D&P AND TIF APRIL DOCKETS**

#### **7) Young Elected Officials Network (fiscal sponsor: People for the American Way Foundation)**

*\$25,000 over two years*

To provide general support to the Network, which provides leadership development and support to more than 525 local, state, and federal elected officials, 35 years of age or younger, from all 50 states. The NSHR Campaign is interested in ensuring that YEO's members have access to experts on NSHR issues.

#### **8) OpenTheGovernment.org**

*\$25,000 over one year*

To provide general support to the coalition, which seeks to further information-sharing, consensus-building, and advocacy coordination among partner organizations. The NSHR Campaign is interested in the organization's efforts to reform policy on the state secrets doctrine. TIF and the NSHR Campaign grantees that are active members of the coalition include the National Security Archive Fund, OMB Watch, the Project on Government Oversight, the Federation of American Scientists, and the Electronic Frontier Foundation.

#### **9) Americans for Informed Democracy**

*\$25,000 over one year*

The NSHR Campaign is considering a small general support contribution toward a D&P tie-off grant to this organization.