

Seize the Day Initiative Weekly Update June 3, 2009

The following are recent updates from OSPC and OSI on operational activities related to the Seize the Day initiative.

OPEN SOCIETY POLICY CENTER Updates

Advancing the Hardest Issues: National Security and Human Rights

OSPC convened a Monday, June 2, meeting with many of the leading organizations in DC (nearly all grantees of the National Security and Human Rights Campaign) working to prevent military commissions and preventive detention. The groups broadly agreed that while President Obama's National Archives speech contained important positive elements, it has created a number of serious problems. The groups are very concerned about any effort by the Administration to seek legislative fixes to the military commissions because they fear that Congress is likely to go even farther than the Obama Administration in authorizing long-term preventive detention of terrorist suspects and adopting other problematic provisions. The groups agree that we have an extremely serious problem with Congress on the issue of bringing Guantanamo detainees to U.S. soil – even after the President's speech. All of the groups will continue to oppose any detention without trial with the exception (for some groups) of persons actually detained on the battlefield in Afghanistan. Among other things, the groups are looking for “validators” (e.g., law enforcement, prosecutors, military and intelligence officials knowledgeable about the failure of the UK's long-term detention of IRA suspects) for the position that detention without trial outside of zones of armed conflict is not necessary and is actually counterproductive. (Wendy Patten, Senior Policy Analyst, OSPC)

OSPC will be working this week on a written submission for the Obama Task Force on Interrogation. We previously organized two meetings between the Task Force and a variety of partner organizations and grantees. The written submission will focus on interrogation techniques that should be prohibited, problems with the Army Field Manual on Interrogation and core principles that should be included in any interrogation manual adopted by the Obama Administration. Realistically, this is probably the last week to make recommendations to the Task Force before it begins interagency consideration of draft recommendations. Wendy Patten also is guiding the development of joint recommendations to the Task Force on renditions. (Steve Rickard, Director, OSPC)

Advancing the Hardest Issues: Criminal Justice Reform

Senator Arlen Specter (D-Pa.), who has served on the Senate Judiciary Committee since he was elected in 1980, was recently appointed Chair of that committee's Subcommittee on Crime and Drugs. The subcommittee is considered the most prestigious of the subpanels on Judiciary, because it has jurisdiction over as much as 70 percent of the Justice Department's budget and is responsible for writing crime and drug sentencing laws. Senator Specter is likely to be supportive some key OSI priorities, while pushing for tough on crime policies in some areas as well. In acknowledging the appointment, he said that he “looked forward to tackling issues of jail sentences for white collar crime like

Medicare and Medicaid fraud, the crack-powder cocaine sentencing disparities, tough sentencing for career criminals and realistic rehabilitation for inmates who will be returning to society.” (Lenny Noisette, Program Director, Criminal Justice Fund)

Advancing the Hardest Issues: Climate Change

On May 21st, the House Energy and Commerce Committee defied expectations and passed the American Clean Energy and Security Act of 2009 (ACESA), sponsored by Reps. Henry Waxman and Ed Markey. On the plus side, the bill establishes a strong long-term goal -- an 80 percent reduction in carbon pollution by 2050. It contains strong energy-efficiency language, makes a huge commitment to protect tropical forests, and puts the down payment on a number of other critically important initiatives, such as financing energy efficiency, protecting low-income consumers from energy price spikes, and adaptation to climate change in the US and abroad. However, the oil, coal and dirty-utility interests prevented enactment of President Obama’s much bolder vision: the bill does almost nothing for renewable electricity generation, it gives away about 85% of the revenues it generates, many to polluting industries that hope to maintain the status quo, and, perhaps most troubling, it weakens the EPA’s authority to regulate coal-fired power plants. Floor action is expected before the July 4th recess.

Reactions from the environmental and climate advocacy community have been mixed, for it is far from the bill that they (or scientists) would write. On the one hand, it is seen as a huge step forward and an “historic victory” (in the words of the Sierra Club’s Carl Pope, taken out of a more complicated context), and on the other hand it is hugely disappointing and won’t accomplish anywhere near what is needed. While there is agreement that the bill needs to be stronger, there is also reluctant acknowledgment that in the face of fierce and powerful commercial and political interests (the coal industry is outspending climate advocates 8:1 on advertising and lobbying), it’s the best that could be achieved. Much of the environmental community is backing the bill while calling for it to be strengthened on the House floor and when/if the Senate takes it up. OSI grantee the **Alliance for Climate Protection** (c3) and its cousin the Climate Protection Action Fund (c4) have been extremely active, working in close coordination with others, including OSI grantee the **Energy Action Coalition**. It looks like the Alliance will continue to support the bill, while the Energy Action Coalition is likely to oppose the bill and use its youth constituency to lean on the Administration to demand stronger measures from Congress. The Obama administration has hailed the bill, and word on the street is that they will sign almost anything. (Nancy Youman, Deputy Director, U.S. Programs)

Advancing the Hardest Issues: Drug Policy Reform

Tuesday, May 19, the House Oversight and Government Reform Domestic Policy Subcommittee held a hearing on the Office of National Drug Control Policy. Gil Kerlikowske, the new “Drug Czar” presented on the first panel; the second panel comprised a number of experts on drug policy and funding. Attendance by members of the Subcommittee was fair (about five of the Democratic members, including Subcommittee Chair Dennis Kucinich, Patrick Kennedy, and Elijah Cummings, and one Republican). Most of the discussion supported expanding demand reduction

programming and utilizing a public health approach to deal with addiction. (Diana Morris, Director, OSI-Baltimore)

OPEN SOCIETY INSTITUTE Updates

Advancing the Hardest Issues: National Security and Human Rights

The National Security and Human Rights Campaign staff are having conversations with a number of grantees and with OSI-DC staff to determine whether there are new or revised funding needs or opportunities in light of President Obama's recent speech and decisions on a number of national security policies. (Nancy Chang, Campaign Manager, NSHR Campaign)

Advancing the Hardest Issues: Criminal Justice Reform

A second hearing before the U.S. House Judiciary's Subcommittee on Crime, Terrorism & Homeland Security on the national indigent defense crisis, entitled "Indigent Representation: A Growing National Crisis," will be held on June 4th. Among the witnesses to be called by the majority are three members of the **National Right to Counsel Committee**, a project supported by OSI, which recently issued a comprehensive report documenting the deficiencies in the provision of indigent defense throughout the country. (Lenny Noisette, Program Director, Criminal Justice Fund)

Advancing the Hardest Issues: Comprehensive Immigration Reform

The American Immigration Law Foundation's **Immigration Policy Center**, an OSI grantee, released last week two reports that show that there is no connection between recent immigrants and the unemployment rate, as well as recent immigrants and the unemployment rate across racial/ethnic groups. The reports examined data from the Census Bureau and found that there is no apparent relationship between the number of recent immigrants in a particular locale and the unemployment rate among native-born whites, African-Americans, Latinos, or Asians. Even now, at a time of economic recession and high unemployment, there is no correlation between the number of recent immigrant workers in a given state, county, or city and the unemployment rate among native-born workers. These findings are in line with other long-term studies conducted around the world which have shown that immigration has very little impact on native unemployment. This information is timely and very important for the immigrant rights field in talking about current economic issues in the national immigration reform debate.

President Obama will convene Congressional leaders from both parties on June 8 to begin a policy conversation on immigration reform that, it is hoped, will lead to Congress taking up the issue later in the year. This meeting comes on the heels of the official launch of the Campaign to Reform Immigration for America in 30 cities across the country and a DC campaign summit that will bring together over 700 organizers from business, faith, immigrant, and labor groups across the nation. While OSI does not support lobbying efforts, OSI supports the campaign through a package of grants that were recently approved. The campaign's and the summit's lead organizers are the **National Immigration Forum** and the **Center for Community Change** and it will unleash a series of national and local events that will build on the momentum being

created by the President and Senator Schumer's leadership on the Senate Immigration Subcommittee. Opponents of immigration reform are speculating that the nomination of Judge Sotomayor might be an effort by the President to appease Latinos and put immigration reform on hold. However, immigrant advocates are making it clear that immigration reform is not a narrow agenda item of concern only to immigrants or Latinos and that Sotomayor's nomination is no substitute for action on immigration reform. (Maria Teresa Rojas, Senior Program Manager, Equality and Opportunity Fund)

Advancing the Hardest Issues: Drug Policy Reform

OSI's Closing the Addiction Treatment Gap (CATG) initiative has provided research and data to a newly formed coalition of mental health and addiction stakeholders seeking to assure that addiction and mental health are both included in health reform initiatives. The CATG Rhode Island grantee has worked with the Mayor of Providence to have a resolution seeking expansion of treatment resources supported by the US Conference of Mayors, which will meet in Providence in early June. The New York State CATG grantee was active in providing information and research to advocates who successfully removed the Rockefeller Drug laws and added \$50 million for treatment in that state. The New Jersey and Arkansas CATG grantees were both active in providing data that advocates used to increase the availability of Medicaid for addiction treatment in each state; and, the Wisconsin CATG grantee has prepared a detailed analysis of the applicability of parity legislation to Medicaid managed care plans. Finally, plans are under way to include five questions in a national omnibus poll to determine current attitudes toward expanding resources for drug treatment. (Diana Morris, Director, OSI-Baltimore)

Ensuring Transparency, Equity, and Accountability in the Economic Recovery

An important priority of the Seize the Day Initiative is to expand post-election public participation, particularly from constituencies that have historically been underrepresented in policy change efforts. "Voices from the Front Lines of the Economic Crisis" was the title of a unique May 12th Congressional Progressive Caucus hearing that brought immigrant and low-wage worker activists from across the nation to the Hill to share first-hand struggles to preserve their livelihoods and keep their homes, health care, and neighborhoods intact. Congressmen John Conyers and Raul Grijalva led the hearing and invited representatives from an emerging Seize the Day-funded project, the **Inter-Alliance Dialogue** (OSI funding supported the Dialogue's convening, not its lobbying efforts), to offer testimony. Among the speakers were members of the **National Domestic Workers Alliance** (NDWA), representing thousands of mostly immigrant women who work as housekeepers and nannies (NDWA will be a recommended grantee in the Democracy and Power Fund's June docket), and the **National Day Laborer Organizing Network**, a coalition of local immigrant day laborer centers across the U.S. Both networks are seeking greater workplace protections and an end to their Department of Labor "excluded" workforce status. Following the congressional briefing, Inter-Alliance Dialogue network leaders, joined by **Institute for Policy Studies** representatives, met with Jared Bernstein, formerly of the Economic Policy Institute, the new Director of the White House's Middle Class Task Force. Bernstein picked up on the need to address the millions of workers living in the U.S. – particularly domestic and

farm workers, both largely immigrant workforces – who are not covered by labor law protections. (Bill Vandenberg, Program Director, Democracy and Power Fund)

This week's update was compiled by Bill Vandenberg and reviewed by Ann Beeson and Kay Murray.