

Seize the Day Initiative Weekly Update **June 24, 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

The Republican campaign against President Obama's commitment to close the Guantanamo detention facility continues to frighten congressional Democrats and is already producing bad legislation. On Thursday, the House defeated by a single vote a Republican amendment to prohibit the Justice Department from taking any actions to implement the President's January 22 Executive Order closing the facility in one year's time. Thirty-nine Democrats supported the Republican amendment, which was only defeated because Ron Paul broke ranks with the Republicans to oppose it. US Programs and OSPC are in emergency consultations with a number of key partners about the requirements of an emergency campaign to push back against the Republican onslaught. Such a campaign would rely heavily on organizing bipartisan groups of "validators" – prosecutors, law enforcement and prison officials, state and local elected leaders, homeland security experts, interrogators, retired military officers – and engaging the broader progressive community on this issue. It would likely require a major new infusion of funding, including substantial c4 funding, because the Republican campaign is being waged nationally, at a high profile level, and clearly represents a strategic Republican decision that Guantanamo, detention and interrogation issues represent a genuine vulnerability for Obama and the Democrats. The Republican campaign has major implications for virtually all of OSI's US counterterrorism policy priorities.

Also, last week there were a host of negative signs indicating that the Obama Administration plans to proceed not only with using military commissions to try some Guantanamo detainees but also intends to work with Congress on indefinite detention legislation. Attorney General Holder was explicit in saying that the Administration wanted to work with Congress on a legislated framework for determining who could be held indefinitely without charge and on a process for periodic review of such detentions. The Armed Services Committees are also reportedly planning to include legislation on military commissions – and possibly indefinite detentions – in the Defense authorization legislation which the Senate will begin marking up next week. Various reports from meetings with the Administration's Detention Task Force also lend support for the expectation that it will recommend some form of indefinite detention regime. It remains a possibility that the Administration will apply any indefinite detention regime only to persons already detained at Guantanamo – the "mess" that Obama "inherited." But we and our allies are in agreement that if the Congress legislates in this area the outcome is almost certainly to include the authority to detain new prisoners and hold them "for the duration of the conflict" or words to that effect. (Steve Rickard Director, OSPC; Nancy Chang, Campaign Manager, National Security and Human Rights Campaign)

Federal Nominations

After a flurry of initial attacks on Justice Sonia Sotomayor following her nomination, opposition seems to be dying down at least until confirmation hearings begin on July 13th. Grantee-advocates have been working very well together – an impressive feat that is due to advance planning and clear division of labor amongst organizations. The Coalition for Constitutional Values has effectively coordinated with the Common Purpose Project to counter attacks and define the terms of debate about the nominee. Despite igniting controversy over some of Judge Sotomayor’s past statements, it appears that conservatives are not finding success in rallying opposition (or raising funds) and Senate Republicans appear increasingly resigned to a confirmation vote in August.

On June 19, the White House nominated Joseph Greenaway to the Third Circuit and Beverly Martin to the Eleventh Circuit. The backgrounds of these nominees suggest that while Obama will diversify the judiciary in some ways (Greenaway, is African American; Martin, is a woman). In doing so, he continues the Clinton tradition of naming people already on the bench who have worked as U.S. Attorneys.

This Monday, Senate leadership filed for cloture on the nomination of Harold Koh to serve as Legal Adviser to the State Department. The 65-31 cloture vote revealed bipartisan support for Koh, drawing eight Republican votes (Alexander, Collins, Gregg, Hatch, Lugar, Martinez, Snowe, and Voinovich) with all 57 Democrats who were present. The nomination of Dawn Johnsen to head the Office of Legal Counsel remains held up in the Senate with leadership still working to pull together sufficient votes for cloture (particularly challenging due to the absence of Senators Byrd and Kennedy, both of whom are rumored to be unlikely to return to the Senate again). (Tom Hilbink, Program Officer, Transparency and Integrity Fund) *

OPEN SOCIETY INSTITUTE Updates

Ensuring Transparency, Equity, and Accountability in the Economic Recovery

Among the invited participants at President Obama’s June 17th financial regulatory reform press conference included leaders from the PICO National Network (PICO) and National Training and Information Center/ National People’s Action (NTIC), large grassroots organizing networks that have recently received Seize the Day Initiative and Democracy and Power Fund grants. The organizing networks work in low- and moderate-income congregations and neighborhoods across the nation and are currently engaged in a collaborative campaign to ensure that the needs of ordinary people are addressed as the nation’s financial regulatory system is overhauled. The groups support the President’s initial steps forward but are pushing the White House to prioritize strengthening the Community Reinvestment (CRA) and Home Mortgage Disclosure Acts (HMDA), saying that must be a core part of the financial reform plan.

As has been noted in a prior update, NTIC and PICO will be leading efforts to recruit community members to a series of ten Federal Reserve community meetings in hard hit communities across the nation. The focus of the meetings will be on modernizing the

CRA and HMDA and the first was held in Richmond, California, drawing several hundred participants from a community where ten percent of homes have been foreclosed. (Patricia Jerido, Program Officer, Democracy and Power Fund) *

Taking Senator Dick Durbin's comments about the banks being the most powerful lobby on Capitol Hill (he added "Frankly, they own the place.") at face value, an emerging national advocacy coalition, Americans for Financial Reform, launched on June 16th. Jim Carr of the National Community Reinvestment Coalition, Dr. Rob Johnson, now with the Roosevelt Institute, and George Goehl, NTIC, led the press conference and the new coalition includes a broad array of financial experts and advocates who have joined together to block big banks from winning the debate in Washington on oversight of Wall Street and protection for consumers. Nearly 200 national, state, and local consumer, employee, investor, community, and civil rights organizations have already joined the campaign and OSI staff is closely monitoring the developing coalition and will report more on its activities in future updates. (Bill Vandenberg, Program Director, Democracy and Power Fund) *

This past Friday the Center for Social Inclusion, OMB Watch, Jobs with Justice, and Open the Government.org convened a day long meeting on "Promoting Equity Metrics in the Recovery." The event grew out of the panel discussion held at the May 21st U.S. Programs Board meeting and was made possible by Seize the Day funds. The discussion included transparency advocates and equity groups from around the nation in what was a much needed coming together of two distinct fields. The results of the day's panels and discussions will be used to push both federal and state governments to include equity related data in reporting on the use and impact of economic stimulus programs. In the long-term, the hope is that this meeting will mark the start of increased collaboration between these historically unaligned fields. (Tom Hilbink, Program Officer, Transparency and Integrity Fund)

In May 2009, a Seize the Day Initiative grant was made to enable Transparency and Integrity Fund grantee New America Media (NAM) to develop an Economic Stimulus Package Newsbeat to increase the ethnic media sector's capacity to inform ethnic minority and immigrant audiences about the impact of stimulus funding on their communities. NAM serves 3,000 ethnic media outlets, reaching more than 51 million people. NAM has begun reaching out to its ethnic media partners, beginning with Sacramento's African American paper, *the Observer*, which recently ran a front page story called "Where's Our Stimulus." NAM has also begun to partner with Investigative Reporters and Editors (IRE) to conduct trainings for ethnic media outlets. NAM staff recently reported that California will lose a significant share of stimulus funds as a result of the state's budget crisis: <http://tiny.cc/6g4AX>

NAM has identified several stories that will be reported in coming weeks by staff or ethnic media partners:

- Undocumented immigrants who must pay taxes but are ineligible for stimulus money;
- Homeless people who can't get SSDI stimulus checks without an address;

- Instances where business interests that are included in discussions of stimulus fund distribution, but community groups are not invited; and
 - Social services are being cut even as stimulus money comes into communities.
- (Lori McGlinchey, Senior Program Officer, Transparency and Integrity Fund)

* OSI and Seize the Day Initiative funded organizations are explicitly prohibited from using OSI funding for lobbying on legislation.

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