

Seize the Day Initiative Weekly Update September 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: Drug Policy Reform

There is disappointing news about attempts to eliminate sentence disparities between crack and powder cocaine convictions. The September 16 Congressional Quarterly headline “GOP Senators Lean Away From Durbin’s Bill on Cocaine Sentences” intimates that forward movement in the Senate for bipartisan legislation to equalize the federal sentences for crack and powder cocaine offenses has been stymied. Although Judiciary Committee Members Orrin Hatch and Tom Coburn were initially leaning towards a 1:1 agreement with Senator Dick Durbin, they now appear to be retreating, citing uneasiness that the Durbin approach (and the Administration’s approach) may go too far. Grassroots activists are hard at work in Utah, Alabama and Oklahoma to exert pressure on key senators, with the Utah **ACLU** successfully lining up support from Salt Lake City’s police chief to sign a letter supporting equalization. (Nkechi Taifa, Senior Policy Analyst, OSPC)

Advancing the Hardest Issues: Health Care Reform

Health care advocates believe that the present situation for a health care reform bill (at least at the time of this writing on Monday, 9/21, at 7pm) looks promising. There are two scenarios which are still in play: 1) a reconciliation bill coupled with insurance regulation; or 2) a bill that emerges from the work of the five committees and conference. The second scenario took on new life with Senator Olympia Snowe’s proposal of a series of amendments in Finance, several of which are said by advocates to improve Senator Max Baucus’s plan.

The Senate Finance Committee is marking up Chairman Baucus’s, bill, said by advocates from all sides of the debate to be deeply flawed, particularly with regard to affordability and employer responsibility. The plan would require all Americans to buy insurance but it fails to provide the financial assistance that working class families need in order to do that. As expected, Senator Baucus’s proposal does not include a public insurance option, instead it authorizes the creation of co-ops. At present, the **Center for Community Change (CCC)***, **Health Care for America Now (HCAN)**, and labor advocates are working to support a block of senators who are insisting that the Finance bill be improved before being voted out of committee. Field partners from around the country have generated hundreds of “grasstops” calls in the last ten days to a select group of members on the Senate Finance committee, Senators Bingaman, Cantwell, Kerry, Menendez,

Rockefeller, and Schumer, and Stabenow, to urge them to issue public statements and develop an amendment strategy to fix the bill.

This follows a series of steps taken by the President to reinvigorate the health care reform debate and to catalyze new energy from the grassroots. These steps include:

- Calls with faith-based field plus Organizing for America and HCAN field (with over 300,000 people on – or listening online – to each call);
- A well received speech before both chambers of Congress;
- Holding large attendance town halls around the country; and
- An unprecedented appearance on all of the major Sunday talk shows.

In Maine, efforts are underway to ensure that Olympia Snowe supports a bill that includes some form of a public plan that improves affordability and includes a real employer mandate. As part of these efforts, the Center for Community Change recruited organizers from 26 organizations across the nation to spend one week each in Maine supplementing the work of **Maine People's Alliance**, the state's lead HCAN field partner. A centerpiece of that effort was building small business support and contact between small business owners and Senator Snowe.

Last, but not least, advocates are facing complex circumstances around immigrant inclusion in health care. CCC is working closely with the **National Immigration Law Center***, **National Immigration Forum***, and the **National Council of La Raza*** to educate Hill staff, coordinate legislative advocacy, and comment on amendment content and strategy. The groups are working to ensure that all lawfully residing immigrants have full and equal access to subsidies on the proposed insurance exchange, that mixed status families are not penalized by counting income for family members that will be excluded from obtaining coverage, and that undocumented families will not be prohibited from buying insurance, albeit without subsidies. (Bill Vandenberg, Program Director, Democracy and Power Fund)

OPEN SOCIETY INSTITUTE Updates

Advancing the Hardest Issues: Criminal Justice Reform

On September 9, the Department of Justice's funding arm, the Office of Justice Programs, hosted a meeting to brief foundations working in the area of criminal justice and juvenile justice. Over 50 foundations, including OSI, attended. Attorney General Eric Holder addressed the group and identified his top priorities as: Children Exposed to Violence; Indigent Defense Reform; Reentry, including the Second Chance Act and Justice Reinvestment; Racial Disparities in Prosecution and Sentencing, including the Crack/Powder Disparity; and Violence Against Women. Foundation representatives and top DOJ staff spent much of the day discussing the public/private partnership possibilities that exist to address these areas. On September 25, CJP Program Director Leonard Noisette will join other funders at a meeting requested by the Office of Vice President Biden to discuss public/private opportunities for the administration and foundations

working in the area of adult criminal justice, particularly reentry. In addition to the Vice President's staff, there will be representatives from the President's Domestic Policy Council, and Office of Social Innovation. During the annual meeting of the **Congressional Black Caucus**, to be held September 23-26, there are a number of sessions on criminal justice issues, including a forum entitled Ending Cocaine Disparity, Racial Profiling, and the Criminalization of African Americans and Latinos, which will have three panels of speakers moderated by Nkechi Taifa, Senior Policy Analyst with OSI-DC. (Lenny Noisette, Program Director, Criminal Justice Fund)

Expanding Public Participation: Voter Registration Modernization

On August 31, Seize the Day Fund (SDF) and Transparency and Integrity Fund (TIF) grantee/project coordinator the **Rockefeller Family Fund**, working with partners including the **Lawyers Committee for Civil Rights Under the Law**, the **Brennan Center for Justice**, **American Association of Retired Persons**, **Leadership Conference on Civil Rights**, **League of Women Voters**, and the **National Military Family Association**, launched the Committee to Modernize Voter Registration (the Committee). The Committee is co-chaired by Marc Elias, former General Counsel to Kerry-Edwards 2004, and Trevor Potter, former General Counsel for the 2000 and 2008 McCain Presidential Campaigns, and its launch demonstrated the growing bipartisan support for this transformative reform. The launch received significant press attention in *Roll Call*, the *New York Times*, the *Washington Times*, the *Weekly Standard*, the *Washington Post*, and other publications. The combination of grassroots oriented and D.C.-based groups supported by SDF, TIF, and other U.S. Programs funds, along with the groups' bipartisan political allies working towards this reform, are creating the infrastructure and will for an overhaul of the registration processes. (Laleh Ispahani, Program Director, Transparency and Integrity Fund)

Advancing the Hardest Issues: Transparency and Equity in the Stimulus

SDF grantees the **Coalition for an Accountable Recovery (CAR)** and **States for a Transparent and Accountable Recovery (STAR)** have continued to work at both federal and state levels to assure the timeliness and accuracy of, as well as public access to, recovery-related data. CAR coalition members continue to meet with Earl Devaney, head of the Recovery, Accountability, and Transparency Board, to encourage the Board to withhold release of data until data submitted by the states is checked and cleaned-up. CAR and STAR assert that unchecked and poorly organized data could lead to misinformation and mischaracterization of important stimulus spending, setting back recovery efforts and further eroding public support of the program. Devaney had been resistant to withholding data for the twenty days allowed by the statute, but has been convinced to do so by CAR members. Thus, the first release of data on recovery spending will come at the end of October in optimal form.

STAR coalition members have been working at the state level to ensure that spending is transparent, with clear and open decision making as to allocation. A recent conference call highlighted model transparency and equity efforts in Minnesota and Michigan. Minnesota STAR member Hire Minnesota has been educating Native American,

Southeast Asian, Somali, and African-American communities about the stimulus and recovery spending as it relates to transportation projects, specifically educating and engaging local communities to demand timely and clear data on stimulus-funded transportation projects and advocating for compliance with legislatively mandated diversity targets in Department of Transportation hiring.

Building on a relationship formed at U.S. Programs' spring board meeting, **OMB Watch** and the **Center for Social Inclusion**, among others, are working collaboratively on an approach to combine advocacy, alliance-building, and communications with a new data collection and analysis tool that links government spending with needs and performance data. The tool will focus on disadvantaged children, their families, and their communities. This project serves low-income children and their families by focusing government and public attention on the impact of programs intended to benefit those hard hit by economic disaster, and will engage experts and advocates in 2-3 topical working groups (e.g., transportation, education, broadband) to identify needs and performance benchmarks, as well as data collection demands. (Laleh Ispahani)

* 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 and edited by Jeronimo Saldaña, Bill Vandenberg, and Ann Beeson and legally reviewed by Kay Murray.