

# Memo

To: Aryeh Neier

From: Ann Beeson; Leonard Noisette; and Criminal Justice Fund Staff

Date: 17 September 2010

Re: Criminal Justice Fund Docket III Grant Recommendations

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The Criminal Justice Fund recommends 17 grants on Docket III, September 27, 2010, totaling \$3,264,594 in funding.<sup>1</sup> Eleven of these grants are renewals and six support new organizations and/or new work. Two (2) of these grants would advance our goals of reducing mass incarceration; nine (9) support our efforts to eliminate harsh punishment, including five to further our Campaign to Abolish the Death Penalty by 2025; and six (6) advance our interest in eliminating racial disparities and ensuring a fair and equitable justice system in the United States, four to improve indigent defense services, including one grant to enhance the capacity to defenders to address the immigration consequences of criminal charges, and two grants to support our newest effort to address excessive policing practices in New York City.

## Reducing Mass Incarceration

These two recommendations are for renewal grants to long-time grantees, one to support base-building and organizing work in key regions where CJF is working to combat high levels of incarceration, and the second to support a focus on the particular effects on women of current criminal justice practices. The grant to **Women's Prison Association and Home, Inc.** will support much-needed, authoritative national voice and resource on issues impacting women in the criminal justice system, and promote the participation of formerly incarcerated women in public debate about incarceration policies. Funding for **Critical Resistance** will support its efforts to reduce the size of the California prison system and its Community Legal Clinic in New Orleans, which provides expungement support for people with criminal records and engages them in various reform campaigns.

## Eliminating Harsh Punishment

Three of the four grants we propose in this area would address our key priority of targeting practices that excessively punish youth. The **Campaign for Youth Justice (C4YJ)** and **Center for NuLeadership on Urban Solutions (CNUS)** will challenge the practice of prosecuting children as adults, with C4YJ providing technical assistance and strategic support to advocates across the country, and CNUS building a campaign in New York State. The **Youth Justice Coalition** will challenge a number of critical issues affecting youth in California, including

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<sup>1</sup> CJF also recommends an additional \$225,000 in funding to **Demos: A Network for Ideas and Action (Demos)**, toward a \$300,000 project grant renewal over one year (\$225,000 from the Criminal Justice Fund and \$75,000 from the Transparency and Integrity Fund) which will be presented in the Transparency and Integrity Fund's docket.

excessive school disciplinary practices and sentencing juveniles to life without the possibility of parole, by building youth and community led campaigns. The final proposed grant in this area, to **Green for All**, continues our work challenging barriers to employment for individuals with prior criminal justice system involvement, with a particular focus on increasing employment opportunities in the emerging green economy.

#### Eliminating Harsh Punishment: Campaign to Abolish the Death Penalty by 2025

The long term goal of the Campaign to Abolish the Death Penalty by 2025 (Campaign) is evident from its name. The short term goals are to repeal the death penalty laws in low use jurisdictions, defeat attempts to reinstate it in those jurisdictions that do not currently authorize it, and move a critical mass of active jurisdictions in which repeal is not currently viable to some combination of disuse or more infrequent use.

The grants we propose to the **Texas Defender Service** and the **Atlantic Center for Capital Representation** support the Campaign's goals and strategies by targeting direct representation and impact litigation to reduce capital prosecutions, death sentences and executions through exposing and remedying major flaws in the criminal justice system. The grants to the **Capital Litigation Communications Project** and **U.C. Berkeley School of Law Death Penalty Clinic & Lethal Injection Project** support the Campaign's efforts to raise awareness of the failures of the death penalty and flaws in its use, thereby creating the opportunity for serious debate, moratoria on executions and repeal efforts. The grant to the **NAACP Legal Defense and Educational Fund** supports the Campaign's goals by advancing a comprehensive review of the application of the federal death penalty, with a particular focus on the issues of race and racial bias in the implementation of the death penalty.

#### Eliminating Racial Disparities and Securing a Fair System of Justice

##### Indigent Defense

Three indigent defense grants we recommend support our developing strategy of devoting more resources to state based efforts, supplementing the work of key national organizations. Our continued support of the **Orleans Public Defenders** furthers our targeted investment in reform in New Orleans; our recommendation for a new grant to **Texas Criminal Justice Coalition** support the creation of a public defender office in Harris County (Houston) both takes advantage of a unique opportunity to change the landscape of defense services in Texas and furthers CJF's and USP's intention to more strategically invest in this key state as part of our evolving State Strategies Initiative. Support for the **Pennsylvania Indigent Defense Representation Reform Project** will assist leaders there take advantage of exposure of widespread deficiencies to push for meaningful reforms. The last grant recommendation in this area, to the **Immigrant Legal Resource Center**, would provided continued support to build the capacity of defenders to address to immigration consequences of criminal prosecutions, a need made more urgent by the U.S. Supreme Court Ruling in *Kentucky v. Padilla*.

##### Police Accountability

In our second round of grants supporting our new focus on policing, we have shifted to begin building the community-based advocacy capacity we believe to be a critical component of reforms efforts. Coupled with a convening of local advocates, researchers, litigators and other stakeholders planned for this fall, this added capacity will help propel efforts to reform New York

City's stop and frisk practices. The proposed grant to **Make the Road New York** will support the development of a comprehensive campaign consisting of grassroots education and mobilization and policy advocacy designed to address the negative consequences and racially disparate impact of the New York Police Department's stop-and-frisk practices in African-American and Latino communities. The grant to **Spitfire Strategies** will help the field develop and implement well-informed, targeted and effective communication strategies for opposing these practices.

## MEMORANDUM

**TO:** Aryeh Neier  
**FROM:** Ann Beeson; Raquiba LaBrie; and EOF Staff  
**DATE:** October 12, 2010  
**RE:** EQUALITY AND OPPORTUNITY FUND DOCKET III

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The Equality and Opportunity Fund (EOF) embraces US Programs' grantmaking in the areas of racial justice, immigrant rights, LGBTQ rights, and gender justice. It also includes three special initiatives: Immigration Innovation; the Neighborhood Stabilization Initiative (NSI); and the Campaign for Black Male Achievement (CBMA).

Attached please find the EOF grant recommendations for Docket III of 2010.

### **RACIAL JUSTICE AND IMMIGRANT RIGHTS**

The racial justice and immigrant rights grants recommended in the first and second dockets of this year exhausted the bulk of EOF's budget dedicated to these two areas. With remaining funds, staff is recommending one immigrant rights grant to the National Partnership for New Americans (the Partnership) – a consortium of the 10 largest and most effective statewide immigrant rights coalitions in the country. These organizations have been relied on as the “go-to” organizations for grassroots organizing and mobilization in support of comprehensive immigration reform. However, they are not given equal voice with national immigration policy groups in making strategic decisions about priorities for the immigrant rights field. For this reason, the Partnership was formed in 2009 with the goal of ensuring state coalitions' policy ideas and recommendations find greater voice in national policy debates. The recommended grant will fund a planning process for the Partnership to determine the best structure to coordinate the work of state coalitions and to identify priority issues for cross-state collaboration.

### **GENDER JUSTICE AND LGBTQ RIGHTS**

EOF staff has developed three priorities for its gender justice grantmaking. The first two gender justice priorities will be closely aligned with EOF's two intersectional grantmaking priorities – economic security and reducing hate violence. The third priority will focus on protecting the gains of the reproductive rights movement while crafting new policy solutions to the particular problems faced by poor women, women of color, immigrant women, transgender people, and men who face structural inequality because of their gender or gender identity.

#### ***Economic Security***

Included within EOF's definition of economic security are strengthening the social safety net and low-wage workers' rights. In this docket, there is greater emphasis on low-wage workers' rights.

Staff believes it makes sense to link our gender justice grantmaking to the issue of low-wage workers' rights for three principal reasons. First, women of color and immigrant women are disproportionately represented in minimum wage and other low-wage jobs, part-time positions and jobs not covered by the Fair Labor Standards Act. Second, the wage gap persists and is most

stark for women of color. While U.S. women on average continue to be paid 77 cents to every dollar earned by a man, African American women earn 69 cents and Latinas only 60 center for every dollar earned by a man. Third, women are increasingly the primary breadwinners in the household, but continue to bear a disproportionate share of family caretaking responsibilities at home. Low-wage women workers typically lack protections that provide flexibility for family care, putting them at greater risk of sinking deeper into poverty.

All three of the issues identified above present policy challenges that can be resolved through vigorous advocacy. To address these challenges, EOF intends to support advocacy led by and for women who experience the greatest harms due to workplace inequities. This docket marks a first step in crystallizing this strategy.

The recommended grants to **9to5 National Association of Working Women, Family Values at Work: A Multi-State Consortium**, and the **Women's Funding Network** will support efforts to implement workplace policies that enable low-wage workers to achieve a sustainable balance between work and caretaking responsibilities. This includes securing paid sick leave protections, expanding existing family and medical leave act provisions, and providing family-flexible workplace options. They will also support a network of state and local advocates, as well as women's funds, focused on reform of the Temporary Assistance to Needy Families program and creation of quality low-wage work opportunities for women.

### *Anti-Violence Advocacy*

EOF decided to prioritize anti-violence advocacy as a cross-cutting issue because our core constituencies represent the leading categories of victims of hate violence: people of color, immigrants, and LGBTQ people. By contrast, gender-based violence is so pervasive and manifold, it is inclusive of, but not limited to, hate violence. To ensure that our focus on gender-based violence is manageable, EOF will focus primarily on policy reform and improved data collection to confront violence directed at women because of their multiple identities as people of color, immigrants or LGBTQ people, as well as violence and harassment directed at gender non-conforming people.

In this docket, we recommend grants to the **Ms. Foundation** and **Third Wave Foundation**. Earlier this year, the Ms. Foundation published a report titled, *Efforts to Address Gender-Based Violence: A Look at Foundation Funding*. With support from EOF, the Ms. Foundation plans to go beyond measuring the level and types of funding to prevent gender-based violence, to deepen its grantmaking to counter hate violence directed at women who are members of other marginalized groups. Ms. has already laid the foundation for this work with earlier grantmaking focused on violence against women. Similarly, EOF support will enable the Third Wave Foundation to deepen its commitment to countering violence against women and gender non-conforming people. Third Wave is a re-granting intermediary with an explicit focus on supporting advocacy led by and for young women and transgender youth. Its grantees identify hate violence and harassment as a growing concern, but most are too small to qualify for direct support from EOF. By supporting Third Wave, staff believes we can nurture important, innovative advocacy taking place at the grassroots level and ensure the provision of needed technical assistance that will allow some of these groups to eventually "graduate" to direct EOF funding.

An alumna of Third Wave funding, **FIERCE**, is recommended in this docket for its LGBTQ rights and anti-violence advocacy. FIERCE has had particular success in stemming police harassment directed at LGBTQ youth.

### *Protecting the Gains of the Reproductive Rights Movement*

In 2009, a Center for American Progress study found that while today's young people are the most progressive generation yet, a significant plurality (47%) believe that "human life begins at conception and must be protected from that point forward."<sup>1</sup> The increasing "pro-life" sentiments among young people are reflected in recent polls on abortion, including the 2010 Gallup Poll showing new lows in support for legal abortion, the 2009 Gallup Poll, where a majority of Americans called themselves "pro-life" for the first time, and a 2008 Pew Research Center poll that found declining levels of support for abortion.

EOF's third gender justice priority is to support efforts to protect the gains of the reproductive rights movement while crafting new policy solutions to problems faced by poor women, women of color, immigrant women, LGBTQ people, and men who face structural inequality because of their gender or gender identity. **Choice USA** plays a critical role in building support for reproductive rights among young people. It advocates for health and education policies that address the needs of youth and trains young people to be vocal advocates for reproductive rights. The recommended grant to the **Groundswell Fund** also seeks to strengthen advocacy for reproductive rights while drawing attention to the concerns of marginalized women that extend beyond access to an abortion (e.g., banning the shackling of pregnant, incarcerated women and drug policy reform).

### *LGBTQ Anchor Organizations*

EOF recommends renewal grants to two national anchor organizations in the LGBTQ rights field. The first renewal is to the **National Gay and Lesbian Taskforce** for its New Beginnings Initiative, which seeks to secure federal administrative changes to eliminate discrimination based on sexual orientation and gender identity. The second renewal is to the **National Black Justice Coalition** to continue its efforts to bridge the work of mainstream civil rights groups and mainstream LGBTQ organizations.

### *Strengthening Support for Under-funded LGBTQ Advocacy*

EOF has begun to partner with the Arcus Foundation to increase investment in under-funded people of color-led LGBTQ rights groups. In this docket, staff recommends grants to **Asian American Pacific Islanders in Philanthropy (AAPIP)** and **Hispanics in Philanthropy (HIP)**. Both grants seek to: address the isolation LGBTQ people of color experience as members of multiple marginalized groups; foster greater collaboration between mainstream civil rights organizations and LGBTQ advocacy organizations; and increase philanthropic support from within the Asian American and Latino communities respectively.

### *Scaled Back LGBTQ Rights Funding*

EOF recommends a tie-off grant to **Funders for LGBTQ Issues**. For the past two years, EOF has provided project support to Funders for LGBTQ Issues to launch and advance its Racial Equity Campaign. With OSI support, the organization released the LGBTQ Grantmakers Report Card on Racial Equity, a sector-wide study assessing how LGBTQ foundations address racial equity across

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<sup>1</sup> Center for American Progress, "The Political Ideology of the Millennial Generation: A National Study of Political Values Among 18- to 29-Year-Old Adults."  
[http://www.americanprogress.org/issues/2009/05/pdf/political\\_ideology\\_youth.pdf](http://www.americanprogress.org/issues/2009/05/pdf/political_ideology_youth.pdf).

their grantmaking. It also produced a Racial Equity Tool Kit to help LGBTQ and broader, mainline foundations increase the amount of resources they devote to the most marginalized within the LGBTQ community. Through the Racial Equity Campaign's grantmaking initiative, eight community and public foundations received nearly \$1 million in matching funds to build the capacity of LGBTQ people of color and immigrant-led organizations. Now that the Racial Equity Campaign is winding down and becoming institutionalized within the organization's broader mission, EOF has decided to tie off funding for Funders LGBTQ Issues. To provide added flexibility, the recommended grant is for general operating support.

The **Civil Marriage Collaborative Fund (CMC)** re-grants funds to state organizations working to advance the legal recognition of same-sex relationships. CMC grants help these historically under-funded organizations to build capacity and be more effective advocates in state-based efforts to secure marriage equality.

To increase EOF's support for advocacy addressing conditions faced by the most marginalized LGBTQ people and to lessen the percentage of EOF funds devoted to marriage equality, staff recommends a grant of \$180,000 over one year. This amount represents a reduction of \$65,000 from the 2009 grant to CMC. Staff plans to continue to reduce support for CMC but would like to remain engaged in the Fund for the next couple of years. CMC membership helps staff to build relationships with other LGBTQ rights funders and provides staff with the opportunity to inject the concerns of the most marginalized LGBTQ people into marriage equality debates.

## **ECONOMIC SECURITY**

The three economic security grants recommended in this docket reinforce much of the economic security advocacy described in the above Gender Justice section. **Interfaith Worker Justice** is a national network that draws on faith-based values to serve and support workers in low-wage jobs, with particular emphasis on immigrants and people of color. Since its founding in 1996, IWJ has grown to become a grassroots network of more than 40 interfaith groups and 27 worker centers that help thousands of low-wage and immigrant workers develop new and innovative ways to enforce labor laws and improve wages, benefits and working conditions.

EOF recommends funding to the **DataCenter** for its role in the National Domestic Worker Alliance's research survey on domestic workers. This national survey will be critical in gathering unprecedented data and information on the domestic work industry in the U.S. Results from this survey will result in a better understanding of the number of domestic workers in the U.S. and provide credible documentation on their living and working conditions.

Research of the type proposed by the DataCenter has demonstrated success in other shadow economies, such as the day labor sector, where workers do not have access to unions or standard workplace protections. Through its critical research and technical assistance, DataCenter has successfully supported domestic worker organizations in New York and San Francisco to advocate for regulated working conditions, collaborated with New York taxi workers to secure a wage increase and fee reductions, and helped approximately 8,000 migrant farm workers in North Carolina to unionize.

DataCenter worked with **Domestic Workers United**, also recommended for funding in this docket, to public will for passage of the New York State Domestic Workers Bill of Rights, landmark legislation that guarantees basic workplace protections for domestic workers in New York State. With EOF support, Domestic Workers United will engage in non-lobbying advocacy for sound implementation of the Bill of Rights. EOF support will enable it to deploy organizing

staff throughout New York State; hold local compliance forums to educate and train employers; and work with NYS Department of Labor to identify effective enforcement policies.

### **NEIGHBORHOOD STABILIZATION INITIATIVE**

The Neighborhood Stabilization Initiative grants recommended in this docket advance a number of the initiative's goals, including 1) preventing foreclosures by overcoming the bottleneck in loan modifications; 2) facilitating the reuse of foreclosed properties as affordable housing for low-income households and particularly vulnerable populations; 3) expanding access to fair and affordable credit for lower-income borrowers and borrowers of color; 4) protecting the rights of renters in foreclosed properties; and 5) linking neighborhood stabilization to workforce development and broader economic opportunities.

Staff is particularly excited about the recommended grant to **City Life/Vida Urbana**, a Boston-based affordable housing organization. This grant will support the expansion of City Life's successful Bank Tenant Association model, which relies on proactive and defensive strategies to organize owners and renters in foreclosed properties, as well as a unique partnership with a nonprofit lender. The nonprofit lender negotiates purchases of foreclosed properties from banks at real value (often half the mortgage price) then sells the properties back to the original owners at affordable prices. With NSI support, City Life plans to expand this model to East Boston; Lynn and Worcester, Massachusetts; and Providence, Rhode Island.

The recommended grant to **Enterprise Community Partners** will support new research aimed at identifying barriers to mortgage lending in communities hardest hit by the foreclosure crisis nationally, and proposing solutions to expand the availability of sustainable mortgage credit to rebuild these communities. And two renewals – one to the **Local Initiative Support Corporation (LISC)** and the other to the **National Housing Law Project** – will continue important work seeded by NSI. The grant to LISC will strengthen existing workforce development efforts in Detroit, Indianapolis, Los Angeles, and Milwaukee to improve the appearance and viability of neighborhoods with high rates of foreclosure. The grant to the National Housing Law Project will support its ongoing advocacy for the rights of tenants in foreclosed properties and increase transparency in housing recovery efforts.

We look forward to meeting with you on October 18 to discuss this docket and any other issues pertaining to the Equality and Opportunity Fund.



## MEMORANDUM

To: Aryeh Neier  
From: Ann Beeson, Nancy Chang, Sophia Conroy, and Hyon Seo Kwon  
Date: October 8, 2010  
Subject: National Security and Human Rights Campaign Grant Recommendations  
for Docket 3 of 2010

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For the October 18, 2010 docket meeting, the National Security and Human Rights Campaign recommends only two grants, both of which are renewal grants for work centered on the mistreatment of terrorism suspects in the “war on terror.”

A grant to the **Center for Constitutional Rights** will support strategic litigation and public education efforts that challenge extra-legal “war on terror” policies and seek to restore civil liberties and human rights protections to U.S. national security policy. The project will address a range of human rights abuses committed by the U.S. government and its personnel and military contractors. A grant to **New York University** will support a project of the **Bellevue/NYU Program for Survivors of Torture** and the **NYU School of Medicine Center for Health and Human Rights**, *Advocating Against Torture: The Clinician’s Voice*. The Project will leverage the expertise of health care professionals in documenting, and seeking accountability for, the torture and abuse of terrorism suspects.

The total amount for these two grants is \$850,000. Two recommendations and a financial summary are attached.

## MEMORANDUM

To: Aryeh Neier  
From: Ann Beeson and Bill Vandenberg, for the Seize the Day Initiative  
Date: September 17, 2010  
Re: Seize the Day Initiative Docket

We look forward to discussing with you these two write-ups for grants recommended by the Seize the Day Initiative. The recommendations, attached here, support advocacy on the American jobs crisis, high un- and underemployment, and structural inequality in the economy. The write-ups and a docket sheet are attached here.

The U.S. is in its worst jobs crisis since the Great Depression – with unemployment rates of 15.6% for African-American workers, 12.1% for Latino workers, and 8.6% for white workers. These numbers are significantly higher for African-American men and young people of all races and, as evidence that the crisis is much worse than even these statistics indicate, the numbers do not include those who are underemployed or long-term unemployed.

With un- and underemployment stubbornly continuing at these high levels and a jobless (and largely anemic) recovery all that's likely for the foreseeable future, economic anxiety has exploded among Americans over the past 18 months. This anxiety now dominates the policymaking environment in which U.S. Programs' grantees exist, weakening President Obama's leadership and making advocacy on every OSF priority much more complex and less likely to achieve results. This anxiety has also created strategic openings for the conservative coalition, deflated after the 2008 elections, to once again be ascendant as it exploits the crisis for political gain.

The Seize the Day Initiative, ending this year, has narrowed its grantmaking focus from the broad priorities we sought to advance in the weeks after the Obama inauguration. Most Seize the Day grants to date in 2010 have been made as complements to other recommendations from USP core programs, with many grants supporting transparency, equity, and accountability in the economic recovery. Other grants seek to support the continued expansion of strategic advocacy on OSI priority issues from people of color, low-income, and immigrant communities.

For distinct Seize the Day grantmaking in 2010, our two principal goals are to: 1) provide funding for advocacy that strengthens the U.S.'s tattered safety net; and 2) expand federal advocacy around job creation while increasing public participation and advocacy from un- and underemployed people. We do not harbor delusions that today's very different American civil society can replicate successful efforts from prior economic crises – via the activism of unemployed workers' councils, a more robust labor movement, and the welfare rights movement – but we believe that unemployed people ought to have more promising vehicles for their participation than the Tea Party.

In this docket, we bring two recommendations to you totaling \$350,000. The recommendations are for projects related to the jobs crisis. They are:

**Economic Policy Institute:** a long-time OSF grantee, EPI is confronting the jobs crisis through high level research, production of well received and broadly disseminated reports, effective media outreach, advocacy on public jobs creation and federal assistance to state and local governments, and work to confront structural inequality in employment and unemployment through its unique and well conceived Program on Race, Ethnicity, and the Economy.

**PowerPAC Foundation:** a recent Seize the Day grantee for work to advance transparency, equity, and accountability in the economic recovery via its leadership in a California-based state alliance, Power PAC Foundation – founded by Steve Phillips, son in law to Herb and Marion Sandler – is building a promising new jobs advocacy alliance among national racial justice organizations. This alliance, called the New Majority Campaign, links the NAACP, NCLR, LCCR, and others to build a racial justice pole within the DC advocacy community that is closely aligned with the interests of the national labor movement. While an emerging effort at present, the groups have united to sponsor what will likely be the largest public manifestation of frustration about congressional obstructionism on the jobs crisis, a large scale national and non-partisan march to occur in October.

We look forward to discussing these recommendations with you when we meet next week. Please let us know if there is further information we may provide in advance of the docket meeting.

## MEMORANDUM

To: Aryeh Neier  
From: Ann Beeson and Bill Vandenberg, for the Democracy and Power Fund  
Date: September 17, 2010  
Re: Democracy and Power Fund Docket III

We look forward to discussing with you the third 2010 Democracy and Power Fund docket on Monday, September 27. The write-ups and a docket sheet are attached here.

We write as the nation prepares for what promises to be an ugly election this November, one that will likely create a federal and state advocacy environment that is even more hostile to open society values and priorities. While many Democracy and Power Fund grantees are working to inspire non-partisan voter participation from people of color communities, new citizens, and young people, what's clear is that the much discussed "enthusiasm gap" in projected fall voting rates exists within the constituencies from which our grantees seek to catalyze participation. Impressive efforts are being led by D&P national grantees in Arizona, where state politics has indeed inspired urgency for Latino and immigrant voter participation, and among state-based grantees in Texas where the continuing demographic wave of people of color and immigrant population growth has produced some optimism that the state is perhaps, at last, poised to change. Beyond these instances, however, we know from our field research that this political moment and the enthusiasm gap is not simply due to the Great Recession or the ascendant anti-public investment and racialized right-wing. This is, unfortunately, also reflective of what many among our grantees' activist bases believe to be the inertia, lack of courage, and questionable backbone of many leaders, from both chambers of Congress to the White House.

Despite this deep dilemma, the Democracy and Power Fund's multi-issue advocacy and multi-constituency base-building grantees have taken on tremendous challenges in recent months and have played significant roles in many historic advocacy victories. Among these include health care reform, raising federal grant levels for low-income students and reforming student loan lending policies, increasing the accountability of lenders through the new independent federal agency for big bank oversight, and at the state level – in New York – on a first in the nation victory for a Domestic Workers Bill of Rights for the largely immigrant women workforce of nannies and housekeepers. Our grantees are strategic and nimble and are successfully pivoting their advocacy expertise and grassroots power to the fights du jour while keeping a long view of what must happen to achieve lasting structural reforms in our governance, economy, and other systems that have an impact on the daily lives of Americans.

Many advocacy fights continue, however, and our grantees are playing leadership roles in work to combat rising intolerance, extremism, and Islamophobia; in advocacy to expand job creation through public jobs funding and to ensure that federal

“infrastructure” funding includes public transportation and equal opportunity for women and people of color workers and contractors; and in identifying the next steps for the immigrants’ rights movement, including the DREAM Act and in-state college tuition for undocumented youth. In these efforts, D&P works closely with our colleagues from other USP funds, and their grantees, to bring a strong public participation component to our collective advocacy priorities.

We continue our prioritization of co-funding in order to build connective tissue between USP programs and strengthen OSI’s overall advocacy impact. Specifically, eight of the recommendations are co-funded, including additional support for grantees from the Campaign for Black Male Achievement, Equality and Opportunity Fund, Neighborhood Stabilization Initiative, Strategic Opportunities Fund, and Transparency and Integrity Fund. While we regularly co-fund, especially on public participation oriented grants, with the Campaign for Black Male Achievement, Equality and Opportunity Fund, Neighborhood Stabilization Initiative, Strategic Opportunities Fund, and Transparency and Integrity Fund, we are working to expand our partnerships with the National Security and Human Rights Campaign and Criminal Justice Fund. In recent conversations with our colleagues and in the field, it is increasingly clear that on NSHR and CJF advocacy priorities the need for expanded public participation is great and that the multi-issue advocacy and multi-constituency base building fields are not strong on these issues.

In this docket, we bring 23 recommendations to you totaling \$8.29 million. The recommendations include three of OSI’s best funded and best known organizations, the **Center on Budget and Policy Priorities**, **Center for Community Change**, and **Leadership Conference on Civil Rights**. Each of these organizations provides great leadership to open society advancement at the state and federal levels and, in recognition of their work to advance many programmatic priorities, they will move to a USP wide “Anchor Grants” budget line beginning in 2011. Two other recommendations are from our portfolio of large-scale grassroots advocacy networks, the **PICO** national congregation-based community organizing network and **National People’s Action**. Flying largely beneath the radar of higher profile DC-based groups, both are now among the nation’s largest public participation networks – PICO alone has more than one million families in its membership, from 1,000 congregations and 50 denominations in 150 cities nationwide – with diverse memberships and particularly effective leadership. Both are steadily increasing their advocacy impact on OSI priority issues at the local, state, and federal levels and have played notable roles in advancing health care reform, immigration reform, housing justice, and big bank accountability.

We also recommend six new grantees to our portfolio: **State Fiscal Analysis Initiative** projects in Maryland and North Carolina; the historic **Highlander Research and Education Center** for its unique contributions to advocacy in the South via the use of cultural organizing strategies; and three recommendations for our growing “building state-based power” portfolio, the **Center for Participatory Change**, an innovative center for grassroots organizations working in the African-American, Appalachian, Cherokee, and Latino immigrant communities of rural western North Carolina, **Blueprint North**

**Carolina**, a well-regarded statewide civic engagement hub, and **MALDEF**, for its redistricting work in Texas's Latino communities.

Last, but not least, we are recommending four tie-off grants. Two are to organizations in our youth leadership development portfolio, **Campus Progress** and the **Center for Progressive Leadership**, where we've begun to shift priorities slightly (and you will recall our conversation in June regarding Campus Progress). The other two tie-off recommendations are state-based organizations that are doing work in states that are not among our grantmaking priorities, the State Fiscal Analysis Initiative project in Colorado and New York's **Center for Working Families**. We have discussed our recommendations thoroughly with each of the four organizations.

Complete write-ups for all 23 recommendations follow this memo. We know that you have much to read and appreciate your thoughtful review, constructive advice, and encouragement. We look forward to discussing these recommendations with you when we meet next week and please let us know if there is further information we may provide in advance of the docket meeting.

**Special Fund for Poverty Alleviation  
Memo**

To: Aryeh Neier

From: Ann Beeson, Mimi Corcoran and the Special Fund for Poverty Alleviation Staff

Date: 27 September, 2010

Re: Special Fund for Poverty Alleviation September 27, 2010 Docket Grant Recommendations

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The Special Fund for Poverty Alleviation (SFPA) recommends eight (8) grants totaling \$22,250,000.00 for consideration on U.S. Programs docket scheduled for September 27, 2010. All eight of these grants are new grants.

**Social Innovation Fund**

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A key strategy for the Special Fund for Poverty Alleviation Fund has been to partner with the Obama Administration's Social Innovation Fund (SIF) in order to leverage federal and private funds to advance the scale and growth of non-profits aligned with the Special Fund's goals. In SFPA's 2010 budget, \$10 million was designated and approved for this effort. Last month, the White House and the Corporation for National and Community Service announced the SIF winners. Awardees included three out of the four intermediaries pre-selected for SFPA investment: New York City's Center for Economic Opportunity; New Profit Inc.; and the Edna McConnell Clark Foundation.

**Edna McConnell Clark Foundation to scale promising youth development organizations**

*\$2 million for October 1, 2010 – March 30, 2012 (new; project support)*

To co-invest with the Edna McConnell Clark Foundation (EMCF) in growth-ready youth development organizations that work with the most disadvantaged youth in low-income communities, building the capacity and evidence base they need to scale their programs significantly and serve more youth. SFPA's investment will be directed towards subgrantees, such as the Center for Employment Opportunities and Youth Villages, that meet OSI's primary interest to increase employment and education for disconnected youth ages 12-24, specifically adjudicated youth, youth who are homeless or who are in foster care. SFPA's investment will be matched by the Corporation for National and Community Service, the Edna McConnell Clark Foundation, the George Kaiser Foundation, the Duke Endowment, Tipping Point and additional TBD funders.

**New Profit Inc. for their Pathways Fund**

*\$1.5 million for August 1, 2010 – July 31, 2011 (new; project support)*

To identify and co-invest in a portfolio of results-driven organizations that are capable of providing innovative, scalable, and cost effective solutions in the areas of benefits access, workforce preparedness, and college readiness to up to 9,000 of America's most disconnected young adults. SFPA's investment will be directed towards subgrantees, such as Year Up, College Summit, and iMentor, that meet OSI's primary interest areas of employment and education for disconnected/at-risk

youth ages 12-24. New Profit will test the concept of a “youth pathway” to determine what the right mix of supportive services and critical points of intervention keep a young person on a path to success. The evidence created by this work will be an important contribution to the field of youth development for at risk youth. SFPA’s investment will be matched by the Corporation for National and Community Service, Sea Change Capital Partners, Blue Ridge Foundation, and additional TBD funders.

**Mayor’s Fund to Advance New York City for replication of the NYC Center for Economic Opportunity**

*\$2 million for August 1, 2010 – July 31, 2011 (new; project support)*

To support the overall design, implementation and evaluation of an effort, led by the NYC Center for Economic Opportunity and the Mayor’s Fund to Advance New York City, to replicate promising anti-poverty programs in partnership with cities and foundations in eight cities nationwide. OSI’s investment will leverage CEO’s experience with their peers in other cities to replicate these models. As a group, these eight cities (Cleveland, Kansas City, Newark, New York City, Memphis, Savannah, San Antonio, and Tulsa) will undertake projects that emphasize work, skills-building, and asset development. Projects include: 1) a conditional cash transfer (CCT) program to reduce current and future poverty, to build human capital, and to improve health, and family well-being; 2) a skills-focused career advancement program for the working poor and low-income individuals disconnected from the labor market, 3) a place-based employment initiative for high-poverty public housing developments, 4) an education and employment program for disconnected young adults, and 5) an asset-building savings project linked to the Earned Income Tax Credit. OSI’s investments will be directed toward the expansion and replication of successful workforce development programs serving disadvantaged adults and disconnected/at-risk youth ages 12-24. SFPA’s investment will be matched by the Corporation for National and Community Service, the Bloomberg Foundation, and additional TBD funders.

**Benefits Access**

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**Food Research and Action Center (FRAC)**

*\$750,000.00 for October 1, 2010 – September 30, 2012 (new; project support)*

To support FRAC’s multi-state benefits access initiative to drive improvements in states’ food stamp policies and practices and to facilitate the connection between access to food stamps and benefits like WIC, school breakfast and lunch, and summer feeding programs. FRAC will also help states take advantage of new federal/state options to connect enrollment in health (Medicaid and CHIP) and nutrition programs (many of the 15 federally-funded food and nutrition programs under USDA/FNS). This work will benefit hundreds of thousands of people by boosting enrollment among eligible, non-participating populations – specifically, immigrants, children, and the elderly – by increasing benefit levels for individual households and, generally, by reducing hunger and poverty and improving food security, nutrition, health and education. FRAC will conduct intensive technical assistance to spur reform in 8 -12 targeted states. Priority states will be identified based on their low program participation rates (states where <60% of the eligible population is participating in food stamps), as well the capacity, readiness, and leadership present to effect change in those states. Possible states include: California, Colorado, Georgia, Illinois, Louisiana, Maryland, Michigan, Mississippi, New Jersey, New Mexico, New York, North Carolina, Ohio, Texas, and Wisconsin. SFPA’s investment will be matched on at least a 1:1 basis by the Walmart, Annie E. Casey, and General Mills foundations, MAZON: A Jewish Response to Hunger, and an anonymous donor.



## **Employment**

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### **National Coalition to End Childhood Lead Poisoning, Inc. for the Green and Healthy Homes Initiative, GHHI (in partnership with the U.S. Department for Housing and Urban Development)**

*\$3 million for October 1, 2010 – December 31, 2012 (new: project support)*

To invest in the Green and Healthy Homes Initiative, led by the National Coalition to End Childhood Lead Poisoning, in partnership with the White House, HUD, the Department of Energy and the Council on Environmental Quality, which will directly employ 1400 un- and underemployed neighborhood residents from 14 pilot cities, many of them formerly incarcerated, in full-time jobs that pay a living wage and provide benefits. GHHI will demonstrate how to blend funding for weatherization, energy efficiency and lead abatement into a single model that delivers higher quality green jobs, healthier and more sustainable housing, and better health outcomes for children living in poverty. GHHI will launch this model in 12 cities and two Native American communities (Atlanta, Baltimore, Chicago, Cleveland, Denver, Detroit, Flint, New Haven, Oakland, Philadelphia, Providence, San Antonio, Spirit Lake Tribe and Cowlitz Indian Tribe). GHHI will simultaneously certify these 1400 workers under a new standard for green housing rehabilitation preparing them to compete for good jobs beyond the scope of the demonstration. GHHI will assess 3,500 low-income homes occupied by families with young children or pregnant women with a Comprehensive Health and Housing screening. Through GHHI training, workforce development, and intervention work, GHHI will generate a minimum of 7,000 Green and Healthy Homes related jobs nationally. SFPA's investment will be matched on more than a 1:1 basis by more than a dozen national and local philanthropies and the Federal government.

### **Abt Associates for the Innovative Strategies for Increasing Self-Sufficiency (ISIS) Project (in partnership with the U.S. Department of Health and Human Services)**

*\$8 million\* for October 1, 2010 – December 31, 2012 (new: project support)*

*(\*\$2.5 million in 2010; \$5.5 million in 2011)*

To identify 4 to 6 career pathway models serving low-literacy, low-skilled participants and test the effectiveness of these models using random assignment evaluation. SFPA will invest in efforts such as the Arkansas Career Pathways Initiative; the Instituto Progreso Latino for the Carreras en Salud program, in Chicago; VIDA and Project ARRIBA, in Texas; and the replication of Washington State's I-BEST model in Maryland and Wisconsin. SFPA will also co-invest in a pooled fund to support benefits access initiatives alongside these career pathways to test the impact income supplements have on participants' employment outcomes. Selected programs will become part of a national effort to increase employment and self-sufficiency among low-income populations. Once tested, the U.S. Department of Health and Human Services (HHS) is interested in scaling and sustaining these programs in additional cities around the country and adjusting policy and regulations to support such programs. SFPA's investment leverages \$17 million in HHS evaluation funding to conduct rigorous, randomized control trials of programs, as well as other potential programmatic funding from foundations including Ford, Casey, Joyce and Gates.

## **Education**

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### **Jobs for the Future (JFF) for the Back on Track/GED to College Pathway Initiative**

*\$3 million for October 1, 2010 – December 31, 2012 (new; project support)*

To support JFF's work to establish a more effective and efficient Back on Track/GED to College pathway for vulnerable 18-26 year olds. JFF will work with groups, such as YouthBuild USA and the Civic Justice Corps (SFPA grantees), to begin to scale key components of its GED to College pathway in lead programs in the youth-serving sector, school districts, and community colleges. First, JFF will demonstrate the scalability of the Back on Track/GED College pathway by developing and replicating exemplar pathways in three, key sectors: districts/states; national youth-serving organizations; and community college systems. Second, JFF will work with partners to develop metrics and data accountability systems, a public policy agenda and a financing plan to sustain these models. JFF anticipates impacting 9,000 dropouts, over the next three years, through select youth development organizations, supporting them to earn a high school credential and enter a postsecondary education or training program that allows them to persist to a credential with value in the labor market. SFPA's investment will be matched on at least a 1:1 basis by the following foundations: Bill and Melinda Gates Foundation, Walmart Foundation, Charles Stewart Mott Foundation, the Texas Education Agency, and the Lumina Foundation.

### **Advocacy and Capacity Building**

#### **Aspen Institute for the Center for Family Economic Security**

*\$2 million for October 1, 2010 – December 31, 2012 (new; project support)*

To support the Aspen Institute Center for Family Economic Security as it pursues an innovative dual-generation approach with the goal of breaking the cycle of multi-generational poverty. The Center will advance research on the key factors leading to poverty; promote best and next practice and policy for improving the conditions of vulnerable families via a dual generation approach; and support a Fellows program and Innovation Fund to invest in what is working. With the sharp increase in the number of children living in poverty, especially children living in single-parent families (of which the vast majority are women-headed), there is a powerful opportunity to focus on a dual-generation strategy investing in vulnerable women and children, while at the same time addressing male headed households and the impact of extended families. SFPA's investment will be matched more than a 3:1 basis by the Kellogg and Gates foundations, by the Charlotte Perret Family Trust and the Scott and Patrice Brickman Family Foundation.

## MEMORANDUM

To: Aryeh Neier  
From: Ann Beeson & Erlin Ibreck  
Date: November 4, 2010  
Re: Strategic Opportunities Fund  
Catch up Docket November 2010 Recommendations

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We look forward to discussing with you the Strategic Opportunities Fund (SOF) docket recommendations later this month. The seven write ups and docket sheet are attached. Below is a summary of how these grants connect to SOF's priorities.

### **Research and Development (R & D)**

In its primary role of providing discrete R & D capability that prioritizes strategy development in select areas, SOF is currently serving as a learning laboratory for the role that arts and culture play in advancing social change. In this docket we are recommending three grants; one of which is for renewed support for **Sweet Home New Orleans/Renew Our Music Fund (SHNO)**. SHNO operates as an accessible clearinghouse of resources for New Orleans' rich, historic, and neighborhood-based music community, as well as a repository of critical data documenting the conditions of livelihood for thousands of individual artists. As SOF seeks to support arts and culture organizations that advocate for change in the Gulf Coast region, SHNO is of particular interest given its position as an intermediary with an artist population that represents and comprises the cultural fabric of the city of New Orleans.

Drawing on the tradition of storytelling in African American communities, the **Renaissance Project** places value on the life experiences of these community members as stakeholders and recognizes that their stories can provide both a window into past and present conditions as well as an organizing tool that provides the foundation for longer and deeper engagement in civic and community life. A grant to the **Renaissance Project** will support the engagement of young people and women through storytelling and community dialogue to document and deepen the collective understanding of race relations in New Orleans. The proposed project will serve to inform our evolving understanding of the complex set of realities related to history, identity, and justice for African Americans in New Orleans and the broader Gulf Coast region as U.S. Programs expands its work in Louisiana. The Campaign for Black Male Achievement will co-fund this project.

On the national front, **First Peoples Fund** and **Seventh Generation Fund** support the preservation and advancement of American Indian Native art and cultural values and practices as a means to begin reclaiming and redefining Native society at large. Through its fellowship programs, networks and collaborative approach, First Peoples Fund has a solid track record of establishing and maintaining strong ties within the Native communities in which it works as well as providing effective training and support to Native artists, helping them achieve career stability, economic success, and influential positioning in their community. The Seventh Generation Fund (SGF) works at the intersection of social justice advocacy, philanthropy, and grassroots Native community development. As a leading Indigenous organization focused on Native empowerment and community sustainability, SGF has successfully leveraged millions of dollars in financial support from mainstream philanthropy and individual donors for re-granting back into its partner communities across the country. Like our other art and culture grants, we expect these two grants will help to raise awareness of the power and potential for art as an activism tool to advance a

broad spectrum of social justice concerns and issues of specific interest and relevance to U.S. Programs' priorities, including racial justice for historically marginalized communities.

### **Gulf Coast Region**

The Strategic Opportunities Fund has continued to shape discrete and targeted grantmaking that advances U.S. Programs engagement in Louisiana and the Gulf Coast region. The recent BP oil disaster presented new challenges to advocacy and grassroots organizations in the Gulf South particularly for those on the front lines. A grant to the **Gulf Coast Fund** will facilitate targeted re-granting and technical assistance for a cohort of leading grassroots organizations in Texas, Louisiana, Mississippi, and Alabama that have provided critical support to marginalized communities in the aftermath of the BP oil drilling disaster; scale up the Fund's media and communications strategies; and convene regional leaders, alongside DC-based advocacy organizations OMB Watch and the Project on Government Oversight, to develop plans for a Gulf Coast Citizens Advisory Council (modeled on the council started after the Exxon Valdez oil disaster).

Together with the Transparency and Integrity Fund (TIF) we recommend renewed funding for the **New Orleans Coalition on Open Governance** (NOCOG). NOCOG is an initiative that brings together six community-based organizations to build a more transparent and accountable city governance structure. In its first year of operation, NOCOG and its member organizations advocated on open governance issues in a number of different ways and in 2010-11 the Coalition will launch a multi-year campaign to bring an open and participatory budget process to the city, working in tandem with OSF's criminal justice grantees. This campaign will mark a historic endeavor by advocates and civic organizations in the City of New Orleans and signals a growing active and engaged citizenry that is demanding a more transparent and accountable government.

### **Special Initiatives**

On occasion, SOF will incorporate Special Initiatives that advance multiple agendas and that are likely to have a significant impact on U.S. Programs' core issues. These initiatives may emerge from R & D and rapid response projects and are usually one time or time-limited grants.

The U.S. Programs' Technical Assistance Initiative (TAI) grew out of a U.S. Programs Board discussion with advisors and staff about the long term economic challenges facing the nonprofit sector and U.S. Programs in particular. The **Nonprofit Finance Fund** (NFF) was subsequently selected to develop the initiative which will assist nonprofit organizations struggling through the difficult and changed economic environment to develop the expertise to respond to current challenges creatively and effectively. The provision of re-granted funds will help in this endeavor.

We look forward to discussing these recommendations with you when we meet and please let us know if there is further information we may provide in advance of the docket meeting.

## MEMORANDUM

**TO:** Aryeh Neier

**FROM:** Ann Beeson, Bill Vandenberg, Laleh Ispahani, and Raquiba LaBrie

**DATE:** July 19, 2010

**RE:** Seize the Day Initiative – July 26 Docket

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The Seize the Day Initiative makes grants to advance the following goals:

- Address the most challenging issues;
- Ensure transparency and equity in the development and implementation of economic recovery plans;
- Increase public participation in policy reform efforts by those most affected; and
- Integrate recent innovations in organizing and technology into more organizations and movements.

Attached please find four Seize the Day grant recommendations to be considered with the July 26 dockets. The recommendations total \$1,250,000. A recommendation for one other Seize the Day co-funded grant to the National Immigration Law Center appears on the Equality and Opportunity Fund July 26 docket.

The following are brief descriptions of the three recommended Seize the Day grants included in this docket.

The recommended grant to the **Equity in Government Accountability Performance (E-GAP)** project will support a newly formed partnership among OSI grantees the Center for Social Inclusion, OMB Watch, Good Jobs First and the Transportation Equity Network. E-GAP is a collaborative effort to build national strategies and tools to promote transparency and equity in government spending through the development of online tools and the provision of advocacy support to state and local groups. The project was born out of a discussion of transparency and equity in the economic recovery at the May 2009 U.S. Programs Board meeting.

The recommended grant to **Good Jobs First** will support its coordination of the States for a Transparent and Accountable Recovery coalition. Good Jobs First will coordinate efforts by state alliances to push for better reporting of data on how American Recovery and Reinvestment Act dollars are spent. It will also provide technical assistance and research support to groups working on these issues.

The recommended grant to **Legal Momentum** will enable it to strengthen its advocacy for federal reforms to make the Temporary Assistance for Needy Families program more

responsive to the realities of poor people's lives. This grant is part of a collection of Seize the Day grants devoted to strengthening the country's social safety net.

Finally, the grant to **New America Media** will expand the capacity of the ethnic media sector to report on the impact of the economic crisis and recovery efforts on their communities. This work expands on New America Media's Stimulus Watch Project, which was created with a Seize the Day grant.

We thank you for your consideration of these recommendations and look forward to your questions and discussion.

## MEMORANDUM

**To:** Aryeh Neier  
**From:** Ann Beeson, Laleh Ispahani and the Transparency and Integrity Fund  
**Date:** November 5, 2010  
**Re:** Transparency and Integrity Fund's November Catch Up Docket

We look forward to meeting with you later this month to discuss the catch-up docket of the Transparency and Integrity Fund (TIF or the Fund). We respectfully seek approval of eight grants in this docket.

As reflected in its 2010-2012 strategic plan, TIF's grant making and program strategies seek to promote government transparency and accountability, the integrity of the judicial and electoral systems and public engagement, by supporting:

- Media and government 'watchdog' groups, and the development and use of emerging technology tools and practices that increase public involvement and access to information;
- Efforts to ensure broad and equal access to the ballot and the integrity of elections, as well as efforts to ensure a fair, impartial and diverse judiciary; and,
- Creative responses to the challenges and opportunities facing journalism.

### *Transparency & Integrity Fund Grants*

#### *Access to Information*

TIF supports groups working on the collection and dissemination of information that empowers citizens as well as watchdog groups that monitor the regulation of public information and government practices.

A renewal grant to **OMB Watch** would advance the Fund's goal of providing stable, general support to key organizations working on transparency and government accountability issues. Over the past three years, OMB Watch has been one of a handful of organizations leading the push for transparency reforms at the federal level. OMB Watch exercised singular leadership and made substantial contributions to the 'Right to Know' blueprint presented to the Obama transition team in late 2008; pressured the White House to develop a meaningful Open Government Directive; and is working influence the metrics the government collects and uses to assess the success of its current and future benefits-related spending. In 2011, OMB Watch will begin its first leadership transition since its founding 28 years ago, when Executive Director Gary Bass leaves the organization to head the Bauman Foundation.

A new grant to the **Texas Tribune** would advance the Fund's goal of increasing public access to targeted data in usable form and in real time; and supporting the use of data and technology to increase the transparency and accountability of government. The Texas

Tribune is a non-partisan public media organization whose mission is to promote civic engagement and discourse on public policy, politics, government, and other matters of statewide interest. This grant would enable the Tribune to build a searchable, online record of legislative proceedings using transcribed video recordings of the Texas legislature. Searchable transcripts of video recordings of the proceedings of the Texas legislature would enable the public to participate in the government at a much more meaningful level than is now possible. In addition, the Tribune will report on the activities of the Texas legislature, providing context that will complement the raw data available to the public.

### *Fair & Equal Access to the Ballot*

This portfolio's goals are to tackle both systematic and structural problems bedeviling the nation's electoral system. They include expanding access to the ballot for low-income and historically marginalized groups; modernization of the nation's outdated voter registrations systems; and election protection and defense of campaign finance reforms. With the recent escalation of the assault on campaign finance regulation, we recommend broadening our work in this area to include support for disclosure and corporate governance reforms, and for involving new voices in these policy debates.

In this docket, TIF recommends two JEHT Emergency fund grants, one to Common Cause Education Fund and one to Democracy 21.

The renewal grant to **Common Cause** would support collaboration by Common Cause and U.S. PIRG on a campaign aimed at increasing corporate accountability for political giving. Aimed at reducing corporate spending in elections after *Citizens United*, the campaign will engage opinion leaders and the public in a national conversation on corporate accountability for all election-related spending, and support state and federal reforms as well as direct shareholder resolutions that require disclosure and approval of all election-related giving. It forms part of a larger funding strategy, including prior grants to the Committee for Economic Development, the Center for Political Accountability, and Corporate Disclosure.org to pressure corporations to withdraw from spending in elections.

A renewal general support grant to **Democracy 21** would support its leadership on campaign finance issues ensure the integrity and fairness of government actions. The organization promotes campaign finance, ethics, lobbying disclosure, and related reform measures to accomplish these goals.

### *Journalism*

This portfolio's goals are to strengthen accountability journalism on critical open society issues at the state and local level; revitalize, expand and bring greater diversity to the public media sector; and, increase and improve the production, distribution and reach of international reporting for U.S. audiences.



A renewal grant to the **Center for Public Integrity**, which is serving as fiscal sponsor for the **Investigative News Network** (the Network), would advance TIF's goal of supporting promising noncommercial models that are developing innovative ways to fill some of the gaps created by the decline in newspapers and other commercial media outlets. In addition to supporting individual journalism outlets, TIF has identified the need to support the rapidly evolving noncommercial journalism sector as a whole, to take advantage of opportunities to create shared services or economies of scale. Network members work together to maximize the quality, audience, and sustainability of public interest watchdog journalism at the state and local levels. The Network may serve as a blueprint for how state watchdog coverage can continue in an era of shrinking news investments, and thus begin to help fill an urgent and growing gap in state capitol coverage.

A renewal grant to the **Wisconsin Center for Investigative Journalism**, which aims to increase the quality and availability of public interest and investigative news reporting across Wisconsin, would advance the Fund's goal of identifying and supporting promising models to ensure equitable access to original reporting on public affairs at the local and state levels. Launched in 2009, the Center is based at the University of Wisconsin-Madison School of Journalism and Mass Communication. It works in close partnership with Wisconsin Public Radio and Wisconsin Public Television to produce high quality professional journalism in the public interest, with a focus on the economy, the justice system, education, and government integrity.

### *Judiciary*

This portfolio's goals are to sustain funding to core judicial independence organizations; continue to develop programmatic work on judicial diversity and the need to reform the criminal court system; support state-based judicial independence efforts that are integrated into TIF-wide state-based strategies; support innovative and effective efforts to shape discussions concerning the future of the Constitution and the courts, and support the development of effective models for grassroots education and organizing related to federal judicial nominations

A new grant we are recommending would support the creation of the **National Center for Access to Justice** at Cardozo Law School, an organization committed to advocacy, research, and public education on issues of access to justice in the nation's civil and criminal courts. In its first year, NCAJ will focus its efforts on the creation of a Justice Index that will measure, compare, and rank state court systems on such issues as access to counsel in criminal and civil courts, access to translators for non-English proficient people, relative time to disposition of various types of cases, and judicial diversity. NCAJ's partners in developing the Justice Index will include OSI-grantees the National Center for State Courts and the Justice at Stake Campaign. This grant would be co-funded by this Fund and the Criminal Justice Fund.

### *State Strategies*

Renewal funding for the **New Orleans Coalition on Open Governance** would advance the goals of this fund, the Strategic Opportunities Fund and the Criminal Justice Fund. NOCOG brings together community-based organizations to build a more transparent and accountable city governance structure. In 2010-11, NOCOG will launch a multi-year campaign to develop an open and participatory budget process in New Orleans, focusing on the budget's public-safety related allocations. NOCOG will work with OSF's criminal justice grantees on this project. The Coalition will also develop a model citizen participation project to showcase the potential of the city's recently created community engagement system. Remaining funds will support a leadership training program on issues of open government and provide capacity-building technical assistance for the people and groups involved in NOCOG.

The grants to the Texas Tribune and the Wisconsin Center for Investigative Journalism, described above, both contribute to our efforts at the state level.

**We look forward to discussing these recommendations with you later this month.**

**Special Fund for Poverty Alleviation  
Memo**

To: Aryeh Neier

From: Ann Beeson, Mimi Corcoran and the Special Fund for Poverty Alleviation Staff

Date: 12 November, 2010

Re: Special Fund for Poverty Alleviation November 12, 2010 Docket Grant Recommendations

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The Special Fund for Poverty Alleviation (SFPA) recommends six grants totaling \$11,600,000.00 for consideration on U.S. Programs docket scheduled for November 12, 2010. All six of these grants represent new investments from the Fund.

**Benefits Access**

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**The Urban Institute in partnership with the U.S. Department for Housing and Urban Development (HUD) and three local public/assisted housing sites**

*\$3 million for December 1, 2010 – November 30, 2012 (new; project support)*

To demonstrate, in three communities, how to use housing as a platform to leverage a continuum of community services as a means to create viable, thriving communities responsive to residents' needs. SFPA will partner with The Urban Institute, HUD and the three selected sites which are poised to augment their current public housing or HOPE VI resident services efforts by building more robust benefits access and workforce development programming for individuals living in public and/or assisted housing as a means to model what HUD is hoping to accomplish through its upcoming CHOICE Neighborhoods demonstration. Selected sites include two sites in Chicago, IL, and one site in Portland, OR. The Special Fund's investment will leverage at a minimum a 1:1 match from each of the participating housing authorities' federal and local resources, and additional philanthropic funding, and with the target of sequential leverage of (large-scale) implementation funding from HUD, under CHOICE Neighborhoods and HOPE VI, to be awarded in the Spring of 2011. Further, this investment will complement the Neighborhood Stabilization Initiative's investment in the What Work's Collaborative - a partnership of several of the nation's leading foundations, urban policy research institutions and the U.S. Department of Housing and Urban Development that supports timely research and analysis to help inform the implementation of an evidence-based housing and urban policy agenda. Partnership with NSI and the What Works Collaborative provides an ideal vehicle to reinforce how lessons learned from on-the-ground practice informs policy development at the federal level.

**The Center on Budget and Policy Priorities to Coordinate and Simplify Public Benefits Programs**

*\$400,000.00 for December 1, 2010 – December 31, 2012 (new; project support)*

To help states coordinate and streamline eligibility determination processes across a range of public benefit programs. SFPA will partner with the Center on Budget and Policy Priorities to

provide technical assistance to states and to generate activity in states to modernize their systems and adopt best practices to increase enrollment in underutilized programs and simplify participation for eligible individuals. The project goals are to: 1) to increase the number of low-income people that receive the full array of supports for which they are eligible; 2) limit gaps in enrollment and unnecessary re-applications which will help to reduce the “churning” individuals face; and 3) improve the efficiency and performance of program delivery systems. With the advent of health care reform and the Exchanges, this investment presents a real opportunity for states as they are in the midst of rethinking their eligibility and delivery systems. States have the option to “auto-enroll” individuals or conduct “fast-track” eligibility determination jointly for Medicaid and food stamps (SNAP). SFPA’s investment will be matched by the Ford and Joyce foundations on at least a 1:1 basis.

## **Education**

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### **DTI Associates, Inc. – A Kratos Company, for the *Policy to Performance: Transitioning Adults to Opportunity Initiative* (in partnership with the U.S. Department of Education, Office of Vocational and Adult Education)**

*Up to \$3 million for December 15, 2010 – December 31, 2012 (new; project support)*

To invest in adult literacy and career pathway efforts in up to three of eight states participating in the U.S. Department of Education, Office of Vocational and Adult Education’s (OVAE) *Policy to Performance* initiative. (The eight participating states include: Alabama, California, Louisiana, Massachusetts, New York, Texas, Virginia, and Wisconsin.) SFPA’s partnership with OVAE will address the low-literacy levels of individuals entering sector-based career pathways, specifically targeting education and job readiness interventions for incarcerated individuals pre-release. The Special Fund, working with DTI Associates, Inc. (on behalf of OVAE), will provide technical assistance to states and local program operators to strengthen the connection between adult basic education, post secondary education, and employment for target populations, and to develop policies and systems that will enhance college and career readiness for low-literacy individuals and prisoners reentering society. Efforts will serve to better align current Adult Basic Education programs and funding to better serve low-literacy and re-entry populations, and to connect lessons from implementation to broader policy initiatives underway in these eight states. State workgroups include state directors of education, policymakers, and community-based providers. SFPA’s investment will help launch these local demonstrations and will be matched on at least a 1:1 basis by OVAE and, potentially, the three selected states and their local funder community.

### **National Youth Employment Coalition for the Postsecondary Success Initiative**

*\$1 million for December 1, 2010 – December 31, 2012 (new; project support)*

To build the capacity of community-based organizations to reconnect low income youth and young adults to a path leading to postsecondary attainment and employment at a living wage through the National Youth Employment Coalition’s Postsecondary Success Initiative (PSI). SFPA’s investment will expand PSI to three, additional sites: Our Piece of the Pie (Hartford, CT); California Family Life Center (Hemmet, CA) and CASES (New York, NY). NYEC’s role is to convene the PSI network, work with sites to deepen their collection, analysis and use of data, identify effective practices, support a peer-to-peer practice network, work with sites to map a range of potential repurposed resources to grow and sustain postsecondary education partnerships and use this knowledge to inform broader policy development focused on postsecondary

educational attainment for disconnected youth. The proposed investment furthers the Special Fund's goals to increase opportunities for disconnected youth to earn credentials with labor market value to improve their life chances and long-term employment outcomes. SFPA's investment will be matched by funding from the Bill and Melinda Gates and Nellie Mae Education foundations.

## **Michigan**

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Michigan was given a \$15 million challenge grant. The Board has already approved the Mo' Bucks Double Coupon initiative (\$3 million), being led by the Fair Food Network as well as the grant to the Mott Foundation for the Earn and Learn Initiative (\$7.5 million). Below, the Special Fund recommends a grant to the United Way of Southeastern Michigan (\$4.5 million) to support a third Michigan project designed to engage community based organizations, the Michigan Community College Association, Planned Parenthood of Michigan and the Michigan Prisoner Re-Entry Initiative, in partnership with the Michigan Departments of Human Services and Corrections, and United Ways across the state to connect low-income families to public benefits. In total, SFPA's investments in Michigan are designed to connect low-income, un/underemployed individuals to education, employment and the social safety net.

### **United Way of Southeastern Michigan (UWSEM) for the Michigan Benefits Access Initiative (MBAI)**

*Up to \$4 million for December 1, 2010 – December 31, 2012 (new; project support)*

To support an innovative and comprehensive approach to assisting Michigan citizens in accessing benefits, working under the umbrella of the Michigan Benefits Access Initiative (MBAI) – a partnership among Michigan's Department of Human Services and Department of Corrections, the Michigan Community College Association, Planned Parenthood of Michigan, and several United Way organizations and funders across the state. MBAI will provide citizens in need with bundled online applications for the spectrum of benefits for which they may be eligible. MBAI will leverage staff and volunteers from nonprofit partners to provide assistance to citizens and families applying for benefits online, with a specific focus on reaching individuals returning from prison. The United Way of Southeastern Michigan, serving as the project lead, will demonstrate innovative benefits access delivery channels, such as working through networks of child care providers, afterschool programs and health centers, including Planned Parenthood. The Michigan Association of United Ways will help to spread best practice statewide, through Michigan's network of United Ways, while working in partnership with state agencies to streamline eligibility determination using web-based technology to increase the number of eligible Michigan households that receive the benefits. Community-based benefits access counselors will help individuals and families access benefits and tax credits totaling approximately \$183,000,000 in 4 years. SFPA's investment will be matched on at least a 1:1 basis by the Kellogg, Kresge and Ford foundations.

## **Advocacy**

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### **Georgetown Center on Poverty, Inequality and Public Policy**

*\$200,000.00 for December 1, 2010 – November 30, 2012 (new; project support)*

To partner with the Georgetown Center on Poverty, Inequality and Public Policy to promote discussion among public officials, outside experts and constituencies about substantive and political realities regarding poverty alleviation policies. The Center will hold six small convenings, over a two-year period, of approximately 25 people each, as well as two (2) day-long conferences of approximately 75 to 100 people. For the small convenings, the Center will primarily focus on disconnected and disadvantaged youth. For the first day-long conference, the session will cover directions for federal antipoverty policies and programs in light of the serious fiscal situation. The second day long-conference will cover directions for workforce development policy. The objective of these meetings is to advance policy development based on the lessons learned from the Special Fund's direct service investments. The Center will also commission papers to frame the convening discussion and, as useful, publish these papers and subsequent papers based on the convening discussions. Through its focus on the Special Fund's target populations, specifically disconnected and disadvantaged youth, the Center will move the Special Fund towards achieving its goals of broadening educational opportunities and expanding access to employment for target populations, and the Center will function as a crucial component of the Special Fund's communications platform. SFPA's investment will be matched on at least a 1:1 basis by the Annie E. Casey Foundation and the Atlantic Philanthropies, among other sources.

## MEMORANDUM

To: Aryeh Neier  
From: Ann Beeson & Erlin Ibreck  
Date: October 12, 2010  
Re: Strategic Opportunities  
October 18, 2010 Docket Recommendations

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We look forward to discussing with you the Strategic Opportunities Fund (SOF) docket recommendations on Monday, October 18. The write ups and docket sheet are attached and below is a short summary of how these grants connect to SOF's priorities.

### **Research and Development (R & D)**

A primary role of SOF is to provide a discrete R & D capability that will prioritize strategy development in select areas that OSI determines are ripe for new ideas and approaches and that are not already part of our core interest areas or programs. In this regard SOF is currently serving as a learning laboratory for the role that arts and culture play in advancing social change. In 2010 our primary approach has been to engage in exploratory grantmaking to gain a deeper understanding of the most promising models that might ultimately inform the ongoing work of U.S. Programs. In this current docket we are recommending three grants; one of which is a first time grantees in our portfolio. **Junebug Productions** - has played a critical role as an anchor organization in the Civil Rights struggle, the development of African American theater, and the creation of art that contributes to social change. Many stakeholders in the arts and organizing fields have described Junebug and its founder Mr. John O'Neal as "national treasures" and their work has informed and led to the creation of other organizations like Highlander and Appalshop. This grant will be co-funded with the Campaign for Black Male Achievement.

Renewed funding is recommended for **Ashe Cultural Center (Efforts of Grace Inc.)** and **SilenceIsViolence** which are New Orleans based grantees. New Orleans remains a place where U.S. Programs continues to deepen its investments in ways that will help inform a Louisiana state based strategy. Ashe Cultural Arts Center (where the USP board gathered for a cultural event at the December 2009 board meeting and is a core SOF grantee) has served as a community hub of artistic collaboration, local advocacy and dialogue, economic development, and as an overall centralizing and stabilizing community force in post-Katrina upheaval, distress, and displacement. A general support grant is recommended to help stabilize the organization as it prepares for a leadership transition. SilenceIsViolence is a particularly compelling model for the use of art and culture as a vehicle for engaging youth to create safe neighborhoods and schools. Renewed support will help build the capacity of this project and solidify its staffing.

In addition to funding compelling arts and culture programs our goal is to help leverage other resources and to that end SOF together with Ann Beeson and colleague funds are helping to raise the profile of this work within philanthropy.

### **Special Initiatives**

On occasion, SOF will incorporate Special Initiatives that advance a multiple agenda and that are likely to have a significant impact on U.S. Programs' core issues. These initiatives may emerge from R & D and rapid response projects and are usually one time or time limited grants.

Support for the **Transform New Orleans Initiative** is a one time grant that will be housed and administered by the Greater New Orleans Foundation (GNOF). The initiative was developed by U.S. Programs and partners MoveOn and ColorofChange to coincide with the fifth anniversary of Hurricane Katrina and the failure of the levees. This fundraising campaign was a strategy to highlight the inspiring work of many groups that we support and that are working to rebuild a better New Orleans; to remind the nation and philanthropy that the rebuilding process is not over; and to uplift the homegrown solutions to rebuilding challenges that offer models for advocates around the nation and the world. GNOF will manage and distribute the funds.

The **Mississippi Economic Policy Center** is a State Fiscal Analysis Initiative.

The recommendation to support the **National Congress of American Indians Fund (NCAIF)** is a renewal grant to support NCAIF in building upon their census work as they develop and implement a strategy for expanding national, culturally relevant datasets that can inform policymaking and the allocation of federal resources in tribal communities. The initial grant was part of a discrete census initiative in 2009 where SOF worked closely with the Democracy and Power Fund (D & P) to increase the accuracy of the 2010 Census among hard-to-count constituencies that targeted specific states and priority communities for US Programs. Similarly we seek renewed funding for the **Southern Coalition for Social Justice (SCSJ)**, also a grantee through the census initiative, focusing census count outreach on low-income, racial minority, immigrant, and other traditionally hard-to-count populations in targeted Southern states, including Louisiana and Florida. This grant is to be co-funded with D & P which is likely to incorporate SCSJ into its portfolio of grantees as it expands its work in North Carolina.

The final recommendation comes from OSI-DC for renewed support of the **Washington HIV/AIDS Partnership**. This is the fifth year of the DC Community Grants Initiative which receives an annual allocation of \$200,000 from SOF. The DC office staff advisory committee makes these grants in consultation with SOF.

We look forward to discussing these recommendations with you when we meet next week and please let us know if there is further information we may provide in advance of the docket meeting.



## MEMORANDUM

To: Aryeh Neier  
From: Ann Beeson and Redistricting Working Group (Cristóbal Alex, Erlin Ibreck, Laleh Ispahani, Raquiba LaBrie, and Bill Vandenberg)  
Re: Catch-up Docket, Redistricting Grants

We look forward to discussing with you the Redistricting Working Group's recommendations later this month. The write-ups and a docket sheet are attached here.

We write as the nation prepares for mid-term elections which will factor heavily into the upcoming redistricting cycle. In most states, redistricting falls to the legislature, which will draw new boundaries based on the 2010 Census. How those lines are drawn-- from Congress to school boards--will have a profound impact on the work of our grantees and on policy reform at the local, state and federal level for the next decade.

Because redistricting runs on a compressed timeline, our window of opportunity to influence such a crucial element of our democracy's foundation is fleeting.<sup>1</sup> As such, we have decided to use this November catch-up docket to move much-needed funding into the field, including approved 2011 grantmaking monies, at the earliest possible time.

### I. Importance of Redistricting to U.S. Programs Priorities

Recognizing the impact redistricting has on every U.S. Programs priority issue, in April the Democracy and Power Fund, Equality and Opportunity Fund, Strategic Opportunities Fund and Transparency and Integrity Fund embarked on a collaborative effort to develop a redistricting strategy. The overarching goal of the cross-fund effort is to ensure a fair, open and transparent redistricting cycle that includes broad community participation and protects the rights of minorities to advance their interests.

That overarching goal reflects redistricting's influence on U.S. Programs priority issues. In most cases, state legislative incumbents in the majority party draft the maps behind closed doors resulting in an opaque process lacking in both accountability and transparency. Map drawing also frequently results in the dilution of minority votes.

For example, in 2003, Texas redrew its congressional district boundaries and dismantled a Latino-majority congressional district. In order to shore up the re-election chances of the incumbent, Texas cut more than 100,000 Latinos out of the district and reduced the Latino citizen voting age population from 57% to 45%. Similarly, the Department of Justice has objected to every Louisiana state legislative redistricting plan since the 1965 Voting Rights Act because the plans would dilute African American voting strength.

We can expect similar efforts in the coming months to curtail the power of communities of color. Indeed, given the Supreme Court's receptivity to rolling back the Voting Rights Act and other civil rights laws, we can expect more attempts to dilute minority votes.

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<sup>1</sup> Census data is released to the states on April 1, 2011 and redistricting is completed by the end of the 2011 state legislative terms.

Coupled with rising right-wing and racialized populism, the threat posed to marginalized communities is a serious and growing concern.

In terms of criminal justice, the 2010 Census will count more than 2 million incarcerated people in the wrong place. The laws of most states say that a prison cell is not a residence, but the Census Bureau assigns incarcerated people to the prison location, not their home addresses. When state and local governments use this data to draw legislative districts, they enhance the weight of a vote cast in districts that contain prisons and dilute those cast in every other district and skew the disbursement of federal and state funds.

But, while redistricting can be viewed as a potential threat to an open society, it is also an opportunity to advance a more open society. Redistricting has led to the creation of Congressional and state legislative seats that allow for fair representation and ensure an accurate representation of America's diverse populations. Fair and open redistricting has led to concrete improvements in infrastructure of once-ignored neighborhoods, greater rates of political participation, and changes in race relations in many local jurisdictions.

## II. Strategy and Recommendations

In this docket we bring you 12 recommendations totaling \$2,243,000.<sup>2</sup> The recommendations fall into one or more of the three strategies settled on by the Redistricting Working Group: (1) empower community-led organizations to participate in Congressional, state and local redistricting processes; (2) defend and support the rights of minority voters through legislative, administrative and judicial proceedings; and (3) support reform efforts to count prisoners at their home addresses instead of prisons.

### 1. Community Empowerment

In prior redistricting cycles, the technology necessary for map drawing was exceedingly complex and expensive. With advances in technology, communities can now advocate for themselves in the redistricting cycle by using software that allows them to draw maps. This stream of grants would provide communities with the tools, information and support to advocate before decision-making bodies charged with redistricting; demand public hearings; create alternative maps for submission to those bodies, and gather public comments. These actions should increase public understanding of redistricting and its ramifications, heighten public demand for a more transparent approach as well as better redistricting plans, and lay a basis for possible litigation.

The grants proposed to **Advancement Project, Common Cause, Fair Redistricting Collaborative, League of Women Voters** and **State Voices** fall into this category.

### 2. Voting Rights Act Defense and Litigation

A central issue at stake in redistricting is the protection of minority voting rights. The 2003 Texas example offered above resulted in a major ruling by the U.S. Supreme Court.

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<sup>2</sup> \$550,000 of this total comes from converted 2010 funds, \$250,000 from 2010 grantmaking funds, and the remaining \$1,443,000 comes from our individual Funds 2011 grantmaking budgets. Beyond U.S. Programs, we have actively engaged in developing strategies with funder partners, including Ford Foundation, Irvine Foundation, and Atlantic Philanthropies.

The uncertain state of the law relevant to redistricting, the erosion of the legal safeguards, and the hostility of federal courts to voting rights claims coupled with the high-stakes nature of allocating formal political power, means that litigation over redistricting plans is highly likely. Indeed, at the time of this writing there are three challenges to the Voting Rights Act bubbling up through the courts.

In order to protect the hard won gains of communities of color, both in terms of majority-minority districts and voting rights laws, we are recommending support for several legal organizations with redistricting litigation experience. These groups, **Campaign Legal Center, Latino Justice, Lawyers Committee for Civil Rights Under Law, Mexican American Legal Defense and Educational Fund, NAACP Legal Defense and Educational Fund** and **National Voting Rights Advocacy Initiative** will need to be involved in the redistricting process from the outset in order to ensure that community groups and legislators properly and thoroughly develop the legislative record in a manner that increases the opportunity for any subsequent litigation to be successful.

### 3. Prison Gerrymandering

The incarceration of prisoners from urban centers to rural and less populated regions creates a clear imbalance of political power between the rural communities (which tend to be white) and the communities from which prisoners actually originate (which tend to be disproportionately minority). **The National Coalition on Black Civic Participation**, recommended here, will build state-based strategies to change how prisoners are counted for the purposes of redistricting. Already, New York, Maryland and Delaware have passed legislation to count prisoners as residents of their home addresses.

In addition to advancing the overall goal of the redistricting effort, these grants also advance multiple U.S. Programs priorities, including increasing public participation, ensuring fair elections, and strengthening minority voting rights.

### III. Conclusion

Providing support so that all communities can participate in redistricting will not only allow for marginalized communities to raise their voices--critical to ensuring equal access to our democracy--but this participation can also encourage citizens to register, vote, and remain politically engaged. Beyond helping lead to the adoption of redistricting plans that provide communities a meaningful opportunity to elect candidates who represent their interests, it may also lead to getting street lamps in the Colonias of the Rio Grande Valley, to securing safe schools in Baltimore and Community Resource Centers in New Orleans. That heightened engagement and increased power is what will eventually lead to major federal reform across all of our priority areas, from immigration to criminal justice.

Complete write-ups for all 12 recommendations follow this Memo. We know that you have much to read and appreciate your thoughtful review and constructive advice. We look forward to discussing these recommendations with you later this month. Please let us know if there is further information we may provide in advance of the docket meeting.

## MEMORANDUM

To: Aryeh Neier  
From: Ann Beeson, Nancy Chang, Sophia Conroy, and Hyon Seo Kwon  
Date: November 5, 2010  
Subject: National Security and Human Rights Campaign Grant Recommendations  
for Docket IV of 2010

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For the last docket of 2010, the National Security and Human Rights Campaign recommends twelve grants.

A renewed grant to the **Rights Working Group Project of the Tides Center** will advance the Campaign priorities of combating racial and religious profiling of Arab, Middle Eastern, Muslim, and South Asian (AMEMSA) communities and individuals in the name of national security, and building the capacity of AMEMSA organizations to fight abusive national security policies that are disproportionately directed at them. This grant will be co-funded by the Equality and Opportunity Fund and the Criminal Justice Fund, and will advance their priorities of combating racial disparities and ethnic profiling in law and immigration enforcement. The Rights Working Group's Racial Profiling: Face the Truth Campaign will educate policymakers, the media, and the public on the importance of ending racial, ethnic, and religious profiling by federal, state, and local law enforcement agencies, and will mobilize affected communities and their allies to push for policy reforms.

A renewed grant to the **September 11th Families for Peaceful Tomorrows Project of the Tides Center** will support the 9/11 Voices for Restoring Rule of Law Campaign as it engages the family members of those killed in the 9/11 tragedy in the promotion of American resilience, religious tolerance, and the need to close Guantanamo in a manner consistent with the rule of law.

To advance the Campaign priorities of strengthening the capacity of watchdog organizations to document government abuses, reducing excessive government secrecy in national security policy, and holding government officials and private actors accountable for past abuses and violations of the law, the Campaign recommends renewed support for the **Government Accountability Project's** Campaign Against Torture, Illegal Surveillance, Excessive Secrecy, and Political Discrimination, and the **National Whistleblower Center's** Protecting National Security Whistleblowers Project, as they continue to protect and advance the rights of national security whistleblowers. These grants will also advance the Transparency and Integrity Fund priority of expanding government transparency.

To further the Campaign priorities of supporting new voices and persuasive messengers in the movement for a progressive national security policy, the Campaign recommends renewed support to the **PEN American Center** as it harnesses and amplifies the voices of writers and public intellectuals who are challenging post-9/11 threats to freedom of

expression and human rights in the U.S. with a focus on accountability for torture and curbing of government surveillance.

Renewed funding to the **Electronic Frontier Foundation** and the **American Library Association** will allow these organizations to promote privacy against government surveillance. The grant to the **Electronic Frontier Foundation** will advance digital privacy and access to government documents under the Freedom of Information Act. It will be co-funded with the Transparency & Integrity Fund, and will support its priority of supporting key watchdog organizations dedicated to increasing government transparency. The American Library Association will continue its Privacy for All public education campaign on privacy rights and expand the campaign to include a new focus on youth and immigrant communities.

In addition, the Campaign is recommending three grants to support new projects designed to counter the rise of anti-Muslim bigotry that has found expression in the fierce opposition to the building of the Park51 Islamic community center in Lower Manhattan and mosques being planned in other parts of the nation, and in the passage on November 2 by a wide margin of an Oklahoma ballot initiative that bars state courts from considering international or Sharia law. These grants will advance the Campaign priority of combating racial and religious profiling of AMEMSA individuals and communities in the name of national security. A grant to the **Islamic Society of North America** will support the Multi-Religious Campaign Against Anti-Muslim Bigotry, a high profile, multi-religious campaign through which faith leaders and religious groups will call for an end to anti-Muslim bigotry, and will engage with policymakers, the press, the public, and religious communities and congregations across the nation to promote religious tolerance. This grant is being co-funded by the Seize the Day Fund and the OSI-DC office. A multi-disciplinary team at the **Center for American Progress** will expose, through investigative research and by publishing an ongoing stream of articles and a major report that is scheduled for release in the first quarter of 2011, the structures underlying the Islamophobia movement, and will engage the progressive community in developing strategies for combating anti-Muslim bigotry. A seed grant to the **Common Cause Education Fund** will support New York Neighbors for American Values, a vibrant coalition of more than 130 groups that formed in August 2010 to provide a mainstream voice in support of the Park51 project in Lower Manhattan. The grant will allow the coalition to capitalize on the momentum it has gathered and continue to fight for religious freedom, diversity, and equality.

Finally, the Campaign will provide renewed support to two outstanding organizations that were grantees of the JEHT Foundation at the time it shut its doors and that received OSI JEHT Emergency Funds in 2009. The **American Society for International Law** will pursue its Outreach, Education, and Policy Dialogue on Human Rights and National Security Project, which aims to expand knowledge and understanding of international law relating to human rights and national security among legal practitioners, judges, policymakers, the media, secondary school students, and the general public. The **New York University School of Law's Center for Human Rights and Global Justice** will pursue its Gender, National Security, and Counter-Terrorism Project to develop equality-

enhancing and rights-protective counterterrorism strategies through new partnerships between human rights advocates, women's rights defenders, and counterterrorism experts. Both grants will be funded through a combination of 2010 OSI JEHT Emergency Funds and NSHR Campaign funds.

The total amount for these twelve grants is \$2,305,650. Grant recommendations and a financial summary are attached.

## MEMORANDUM

**To:** Aryeh Neier  
**From:** Ann Beeson, Laleh Ispahani and the Transparency and Integrity Fund  
**Date:** September 27, 2010  
**Re:** Transparency and Integrity Fund's September 27, 2010 Docket

We look forward to meeting with you on September 27, 2010, to discuss the third 2010 docket of the Transparency and Integrity Fund (TIF or the Fund). We respectfully seek approval of 20 grants in this docket.

As reflected in its 2010-2012 strategic plan, TIF's grant making and program strategies seek to promote government transparency and accountability, the integrity of the judicial and electoral systems and public engagement, by supporting:

- Media and government 'watchdog' groups, and the development and use of emerging technology tools and practices that increase public involvement and access to information;
- Efforts to ensure broad and equal access to the ballot and the integrity of elections, as well as efforts to ensure a fair, impartial and diverse judiciary; and,
- Creative responses to the challenges and opportunities facing journalism.

### *Transparency & Integrity Fund Grants*

#### *Access to Information*

TIF supports groups working on the collection and dissemination of information that empowers citizens as well as watchdog groups that monitor the regulation of public information and government practices.

In this docket we present renewal recommendations for three organizations working on right-to-know advocacy at the federal level. **Citizens for Responsibility and Ethics in Washington** or CREW engages in investigations and litigation to draw public attention to corruption and the need to enforce government ethics rules. CREW's work is furthering government compliance with the Freedom of Information Act and other information policies and practices. The **Collaboration on Government Secrecy**, a program at American University, provides guidance to government agencies and officials on information policy while also convening policy makers, advocates, and academics to examine current right to know policy in the federal government. The **National Institute for Money in State Politics** (NIMSP) collects, codes, analyzes, and disseminates donation and spending data for every state political race - executive, legislative, and judicial. Its data is critical to advocacy efforts that involve drawing connections between money and politics (including efforts to limit the damage from the recent line of cases and Federal Election Commission regulations allowing unlimited independent corporate expenditures in elections.) One organization that relies on NIMSP's data is Maplight.org.

A renewal grant to **MapLight.org** will enable it to expand its work to Wisconsin and provide transparency tools to journalists, nonprofits, and the public to track the influence of money on the Wisconsin state legislature. (Note: CREW and NIMSP are also recommended for separate, project grants that are described in the electoral reform section below.)

### *Fair & Equal Access to the Ballot*

This portfolio's goals are to tackle both systematic and structural problems bedeviling the nation's electoral system. They include expanding access to the ballot for low-income and historically marginalized groups; modernization of the nation's outdated voter registrations systems; election protection and defense of campaign finance reforms. Now that the assault on campaign regulation has escalated, we recommend broadening our work in this area to include support for disclosure and corporate governance reforms, and for involving new voices into this debate.

In this docket, TIF and the Criminal Justice Fund recommend renewing a grant to **Demos** for its work to end prison-based gerrymandering. We also recommend renewing support to Demos for its advocacy (and litigation where necessary) with federal and state governments to expand and fully implement the National Voter Registration Act, which is intended to ease the voter registration process for low-income individuals. This work remains important until the nation's voter registration systems are entirely overhauled. To transform our registration systems, we recommend renewal grants to the **Rockefeller Family Fund** to continue leading a collaborative working toward national level reform of our nation's antiquated voter registration systems; and to the **Pew Center on the States** to continue working toward corollary reforms at the state level.

We enclose a separate memo that articulates our strategy to counter the effects of the *Citizens United* decision and stem the steadily increasing flow of money into politics. In this docket, we recommend a project grant to **Citizens for Responsibility and Ethics in Washington** for work to track 'hidden' spending in a few high-profile Congressional races this fall, and expose who is behind the campaigns. Through this work, CREW aims to leverage public opinion – which is deeply set against the likely outcomes of *Citizens United* – to pressure corporations into thinking twice about concealed political giving and make politicians wary about being supported in ways their constituents do not approve. As part of the grant, CREW would gather data on corporations' independent expenditures on behalf of federal officeholders in the 2010 elections. A project grant to the **National Institute on Money in State Politics** would allow the Institute to gather corollary data on the independent expenditures made to support candidates for state offices. NIMSP will use this data to reveal how entities' political activities affect the outcome of the elections and how they may correlate with their political donations to candidates, ballot measures and political parties, and with their lobbyist networks within and across states. NIMSP will compare 2006 and 2008 elections activities (before the *Citizens United* decision) with 2010 activities (after the decision). We also recommend a new grant to **CorporateDisclosure.Org** (CDO), a recently established charity dedicated to challenging corporations' ability to anonymously impact political and legislative



outcomes by funneling money through opaque trade associations and other front groups. CDO will conduct research and education campaigns, employing investigators and researchers to uncover information not widely available, and focus efforts particularly on following the corporate money trail through trade associations and electioneering groups, like the U.S. Chamber of Commerce, to its ultimate destination in a campaign coffer or as a lobbying expenditure.

Additionally, we recommend a grant to Democracy & Power Fund grantee the Northwest Federation of Community Organization's **Main Street Alliance** (MSA) project to bring a new constituency – small business - into the campaign finance field. MSA would use the lens of its issue priorities - clean energy, health care, responsible taxes and adequate public revenues- to bring the impact of money in politics into focus and develop a small business constituency primed to participate in grassroots activities in this arena.

Finally, we recommend a grant to the **Lawyers Committee for Civil Rights Under Law** to organize and implement an Election Protection program for the 2010 mid-term elections so that voters are protected and assisted in exercising their right to vote in this fall's elections.

### *Journalism*

This portfolio's goals are to strengthen accountability journalism on critical open society issues at the state and local level; revitalize, expand and bring greater diversity to the public media sector; and, increase and improve the production, distribution and reach of international reporting for U.S. audiences.

TIF is recommending five grants in this area. A general support grant to **New America Media** would build core organizational capacity in the country's first and largest national collaboration and advocate of ethnic news organizations. The recommended renewal grant to the **New Orleans Lens** will enable this emerging reporting initiative to continue to provide news, information, and access to data related to Gulf Coast issues of public interest. A grant to the **Media Development Loan Fund** (MDLF) will enable MDLF to develop a pilot project in the United States to help assess what it can contribute to and gain from working with U.S.-based projects. TIF and OSI-Baltimore are jointly recommending a new grant to **NewsTrust** to create and test a local application of its news literacy and citizen engagement model in Baltimore.

In addition to supporting individual journalism outlets, TIF has identified the need to support the rapidly evolving noncommercial journalism sector as a whole, to take advantage of opportunities to create shared services, including high quality legal assistance. The **Online Media Law Project**, based at Harvard University's Berkman Center for Internet and Society, works to ensure that individuals and organizations involved in online journalism have access to legal resources and education. A recommended grant to the **National Freedom of Information Coalition** bridges TIF's interest in responding to the challenges and opportunities facing the field of journalism,

with the Fund's goal of supporting efforts to increase public access to information necessary for timely government oversight, especially at the state and local level.

### *Judiciary*

This portfolio's goals are to sustain funding to core judicial independence organizations; continue to develop programmatic work on judicial diversity and the need to reform the criminal court system; support state-based judicial independence efforts that are integrated into TIF-wide state-based strategies; support innovative and effective efforts to shape discussions concerning the future of the Constitution and the courts, and support the development of effective models for grassroots education and organizing related to federal judicial nominations

We recommend renewal support for four long-time grantees in this portfolio. The **American Judicature Society** (AJS), the **Lawyers Committee for Civil Rights Under Law** (LCCRUL), and the **Committee for Economic Development** (CED). All three are active members of the Justice at Stake coalition and have played significant roles in that coalition's newly completed strategic planning process. AJS seeks support to engage in work to defend, advance, and improve judicial merit selection systems that, following a line of decisions striking down judicial campaign regulation, are becoming the most viable option for reducing the influence of money in the judiciary. CED will work with AJS and others, bringing business leaders into the debate over money in judicial elections and engaging the private sector in reform efforts in key states. LCCRUL will take a lead role in the Justice at Stake coalition's work on improving judicial diversity, overseeing a campaign to identify lawyers who might make strong candidates for the state and federal bench and provide those lawyers with networking, mentoring, and training opportunities that would help them on a path to the judiciary.

### *State Strategies*

Finally, we recommend two renewal grants for work at the state level. The first provides general support to the **Wisconsin Democracy Campaign**, an organization working on reform of judicial ethics, election regulations, and government accountability mechanisms. The second, part of the larger grant referenced earlier to **Demos**, will support that organization's Public Works Project, continuing its efforts to create a sustainable and widespread understanding of, and support for, the essential role of government in U.S. Programs' target states. This work aims to reverse the anti-government, pro-privatization attitude that pervades many discussions of the most pressing problems facing these communities and states. By casting government as a barrier to progress and touting the private sector as the solution, these attitudes can impede reformers' efforts on crime, inequality, government corruption, and environmental degradation. Demos will work with OSI funded state transparency and equity alliances and other groups around the country on specific issues in which the role of government is an issue.

**We look forward to discussing these recommendations with you on September 27, 2010.**

## MEMORANDUM

To: Aryeh Neier  
From: Transparency and Integrity Fund  
Date: September 27, 2010  
Re: Expansion of Campaign Finance Work

### I. INTRODUCTION

This memorandum sets forth the context, strategies and recommendations for the Transparency and Integrity Fund's response to the recently altered campaign finance landscape. It draws on our independent research, OSI's funding history, conversations with key funders and advocates, and many conferences and writings.

In a rare critique by a sitting President of his Supreme Court, President Obama said in his State of the Union address in January the Supreme Court, in a recent decision, had "reversed a century of law to open the floodgates for special interests - including foreign corporations - to spend without limit in our elections." Evidencing his continued exasperation at the decision, the President said more recently in his weekly address to the nation:

As the political season heats up, Americans are already being inundated with the usual phone calls, mailings, and TV ads from campaigns all across the country. But this summer, they're also seeing a flood of attack ads run by shadowy groups with harmless-sounding names. We don't know who's behind these ads and we don't know who's paying for them. The reason this is happening is because of a decision by the Supreme Court in the *Citizens United* case – a decision that now allows big corporations to spend unlimited amounts of money to influence our elections. They can buy millions of dollars worth of TV ads – and worst of all, they don't even have to reveal who is actually paying for them. You don't know if it's a foreign-controlled corporation. You don't know if it's BP. You don't know if it's a big insurance company or a Wall Street Bank. A group can hide behind a phony name like "Citizens for a Better Future," even if a more accurate name would be "Corporations for Weaker Oversight."

*Citizens United v Federal Election Commission*, 558 [U.S. 50](#) (2010), was a [landmark](#) Supreme Court decision holding that corporate funding of independent political broadcasts in candidate elections cannot be limited under the [First Amendment](#). The 5–4 decision resulted from a dispute over whether the non-profit corporation [Citizens United](#) could air via video on demand a film critical of [Hillary Clinton](#), and whether the group could advertise the film in broadcast ads featuring Clinton's image, in apparent violation of the 2002 [Bipartisan Campaign Reform Act](#) (or "McCain–Feingold"). The Court struck down a provision of McCain–Feingold prohibiting all corporations, both for-profit and not-for-profit, and unions, from broadcasting "electioneering communications" (defined

in McCain–Feingold as a broadcast, cable, or satellite communication that mentioned a candidate within 60 days of a general election or thirty days of a primary). The decision overruled [\*Austin v. Michigan Chamber of Commerce\*](#) (1990) and partially overruled [\*McConnell v. Federal Election Commission\*](#) (2003). (In 2007, the Court had weakened McCain-Feingold, but without overruling *McConnell*). Significantly, the Court upheld requirements for disclaimer and disclosure by sponsors of advertisements.

Justice Stevens wrote a 90-page dissent holding that the Court's ruling “threatens to undermine the integrity of elected institutions across the Nation. The path it has taken to reach its outcome will, I fear, do damage to this institution.” In declaring that provision of McCain-Feingold facially unconstitutional, the dissenters wrote, the Court had ruled on a question no litigant had raised, and so they “changed the case to give themselves an opportunity to change the law.” The dissent concluded: “At bottom, the Court's opinion is thus a rejection of the common sense of the American people, who have recognized a need to prevent corporations from undermining self government since the founding, and who have fought against the distinctive corrupting potential of corporate electioneering since the days of Theodore Roosevelt. It is a strange time to repudiate that common sense. While American democracy is imperfect, few outside the majority of this Court would have thought its flaws included a dearth of corporate money in politics.”

Following the decision, advocacy groups, academics and others across the country began to voice deep concerns about the future of democracy in the United States. Overturning 100 years of precedent, the Court had held that corporations must be recognized as people with rights of free speech under the First Amendment, and having recognized these rights, invalidated regulations barring corporations from spending money in support of or against candidates for elected office. Combined with other recent high court decisions and Federal Election Commission rulings, corporations are no longer restricted in the amount of money they can raise from individuals and corporations *and* they are no longer banned from using their general treasuries for such contributions (previously they were required to donate via a political action committee). These commentators warned that the ruling reorders our democracy by giving even greater powers to corporations and dwarfing the contributions and voices of actual people, and would lead to elected officials spending even more time, as the *New York Times* recently editorialized, as “crass mendicants” to corporate interests rather than with their citizen-constituents.

The decision directly affects laws in 24 states, 23 of which have already overturned their bans on the use of corporate funds to advocate for or against candidates (Montana is the only hold-out.) In addition, trade associations - significant channels for company political money that are *not* required to disclose the identities of contributing corporations - have begun taking significant advantage of the decision. The U.S. Chamber of Commerce is spending \$75 million on an aggressive election campaign aimed at blunting the impact of the health care law, and former Senator Norm Coleman has formed the American Action Network, an "action tank" that has raised \$75 million to launch an ad campaign in several states in which center-right Republican members are facing tough races this fall. Another such group, American Crossroads, formed by former RNC Chairman Ed Gillespie and former Bush strategist Karl Rove, has pledged to spend more

than \$50 million to help Republicans win seats in the midterms. At the vanguard of political entities taking advantage of the new campaign finance landscape in the wake of *Citizens United*, American Crossroads spent \$454,340 on independent expenditures in a single week last month - expenditures that weren't legal just a few months ago - supporting the Senate bid of former George W. Bush cabinet member Rob Portman in Ohio. Unions are also taking advantage of this new freedom with at least two influential unions spending close to \$100 million on the 2010 elections. Corporate coffers are, however, vastly larger than union war chests.

Congress tried to quickly limit some of this harm – as it affects federal elections - with an unsuccessful attempt to pass the DISCLOSE Act last session. This Act had sought to require corporate political advertisers to reveal who is funding their activities, and special interests to appear in their ads and take responsibility for them as corporate CEOs do. Its failure leaves American voters in the worst possible situation – expanded special interest influence in elections without these disclosure safeguards.

Increased corporate influence on elections threatens many aspects of OSI's mission. Corporate interests pour staggering amounts of money into our political system to defeat progressive policy reforms, with recent examples the Employee Free Choice Act, financial regulation reform and healthcare reform. TIF's approach to this problem stems from its concern for the integrity of elections generally, as manifested by the investments we make through our Election Reform portfolio, but also specifically with respect to judicial elections, a long time concern of its Judiciary portfolio.

## **II. TIF STRATEGY**

To mitigate some of the harm to American voters that current laws permit, TIF seeks not to engage in major, broad-based funding of campaign finance reform, but rather to fund discrete, strategic and opportunistic work. This work tackles issues that have left this 15 year movement in a rut, including a lack of diverse voices and the engagement of grassroots constituencies. Not all the work will require new funding, and we are not the sole funders of much of the work proposed. As discussed in detail below, we plan to support:

- Disclosure reforms in judicial elections, as special interests increasingly turn to the courts to advance goals they cannot legislatively win; and exposure of concealed corporate political activity generally, and using specific cases from this fall's elections to build a public context for the need for reform;
- Corporate governance reform by persuading corporate leaders to end or curtail direct and indirect political spending, supporting shareholder actions to change corporate transparency policies, and helping expose national business associations' political activities to their state and local counterparts;
- Diversification of the field by engaging new and unusual state level voices and allies, in discussions of the impact of corporate political spending on their issues and goals; and

- Offensive and defensive legal strategies, given the broad-scale and orchestrated attack on campaign finance laws at the federal, state and municipal levels.

TIF plans to spend roughly \$500,000 in each of 2010, 2011 and 2012 on this work, representing about one-quarter of our total Election Reform portfolio spending in those years. In addition to the joint grant on Docket II to the Committee for Economic Development and Center for Political Accountability, we are now recommending new project grants to existing grantees Citizens for Responsibility and Ethics in Washington and National Institute on Money in State Politics, and new grants to Democracy & Power Fund grantee the Main Street Alliance, and to a new entity called CorporateDisclosure.Org. These recommendations are discussed below in more detail. To provide a full sense of the field's activities, we also discuss other strategies being pursued below.

#### I. *Advance Disclosure & Educate and Mobilize the Public*

The *Citizens United* Court upheld requirements for disclaimer and disclosure by sponsors of advertisements. This, therefore, is an area in which progress can and must be made, especially with respect to disclosure reform and the strengthened reporting regulations. Ten weeks out from the midterm elections, the apocalyptic warnings are receding and the realities of the decision are becoming more apparent. With increased attention in the post-*Citizens United* world, it may in fact prove more difficult for prominent companies to engage in political campaigning, but a rise in a culture of obscured financing looms. We want to support groups to seize on the opportunity in the coming elections to educate the public - including shareholders - as to what's at stake when corporations engage in concealed political giving. As a colleague jokingly put it, "if the public sees how the sausage is made, they'll throw up." Education will also encourage informed debate and decisions and foster accountability for political spending. (As TIF is doing with respect to all its transparency work, it will ensure that information disclosed is used by advocates.)

##### a. Build Public Will for Federal & State Disclosure Policy Reform

Some of our grantees are engaged in non-lobbying activities related to the DISCLOSE Act. No additional funds will go to them or others for this work.

As to state level disclosure reform, the need for strict disclosure rules in judicial elections [is particularly acute](#). Special interests are increasingly turning to the courts to advance goals they can't win legislatively, and have come to view the judiciary as something to be gamed, like Congress or the state house. An Ohio union official [said it succinctly](#): "We figured out a long time ago that it's easier to elect seven judges than to elect one hundred and thirty-two legislators." With special interests [spending ever-increasing dollars](#) to capture state judiciaries, robust disclosure rules are needed to protect fair and impartial courts in the 39 states that elect judges, specifically, reforms that require disclosure of who is paying for judicial campaign ads.

With existing funding, TIF grantees Justice at Stake and the Brennan Center are advocating for state level judicial campaign finance reforms that will help voters understand when a group like “For the Sake of the Kids” is really “For the Sake of the Coal Company.” They are also urging courts not to wait for legislatures to do so. Judges themselves can pass a number of rules that would increase disclosure and promote fair courts after the campaigning is over, when the victorious candidates take their seats on the bench.

b. Secure Better Reporting Regulations

TIF will support advocacy of strengthened FEC and state regulations on the content of ‘independent expenditure’ reporting. (The speed of such disclosure does not need reform: the FEC already requires quick electronic reporting of large independent expenditures.) Common Cause and grantee Campaign Legal Center, groups working on state disclosure reform generally, may address this ‘content’ issue as part of their general work on reform of independent expenditure disclosure. And grantee National Institute of Money in State Politics (NIMSP) has published several reports on state independent expenditure laws, including a recent report criticizing all states but five for sub-par disclosure requirements. No group, however, has made this issue an important or exclusive focus of its work.

A project grant to NIMSP to monitor the level of corporate independent expenditures will reveal how entities’ political activities affect the outcome of the elections and how they may correlate with their political donations to candidates, ballot measures and political parties, and with their lobbyist networks within and across states. NIMSP will collect and make available all independent corporate spending on political activities in the 2006, 2008 and 2010 state elections. NIMSP will compare 2006 and 2008 elections activities (before the *Citizens United* decision) with 2010 activities (after the decision). NIMSP will then publish state-specific reports for those states in which it identifies significant information of public interest and other materials for policymakers and agencies to improve state disclosure laws and reporting requirements for future elections.

c. Track, Disclose and Publicize Spending

TIF will also support groups assuring that expenditures now permitted by *Citizens United* are identified, investigated and disclosed. This work includes an aggressive campaign by grantee Citizens for Responsibility and Ethics in Washington (CREW) seeking to expose the special interests behind political advertising in federal races this fall. CREW will track spending in select high-profile Congressional races, pursue those corporations who refuse to reveal their giving - including large and private corporate donors, and publicly lift the veil on their giving. The work will leverage public opinion – which is deeply set against the likely outcomes of *Citizens United* – to pressure corporations into thinking twice about concealed political giving and make politicians wary about being supported in ways their constituents do not approve. Finally, CREW intends to use its analysis on this election cycle to demonstrate the need for reform. A grant to CREW could also serve as a backstop for companies trying to evade the disclosure being pursued by grantees the

Committee for Economic Development and the Center for Political Accountability.

To further help build public will for reform, we will support a new group, CorporateDisclosure.Org, a recently established charity dedicated to challenging corporations' ability to anonymously impact political and legislative outcomes by funneling money through opaque trade associations, electioneering and other front groups. CDO will uncover the sources of funding on both ends of the money trail to encourage informed decisions and foster accountability for political spending – both direct spending and that which is routed through trade associations or other “front” groups, with an initial focus on the U.S. Chamber of Commerce. CDO will also highlight the significant loopholes in current political expenditure disclosure requirements, particularly with respect to how corporations can “launder” political payments through lobbyists, trade associations and electioneering groups.

Existing grantees Sunlight, MapLight and the Center for Responsive Politics (CRP) are also engaged in disclosure work. Sunlight is engaging the public online in various ways; MapLight will add independent expenditure data from CRP to its existing ‘money/votes’ database identifying patterns of corporate campaign spending and votes in Congress; and CRP is focusing on providing reporters the best available data on independent expenditures in the midterm elections.

## II. *Strengthen Corporate Accountability & Governance*

TIF believes a key strategy includes persuading corporate leaders to end or curtail political spending; supporting shareholder actions to change corporate transparency policies, exposing national business associations' activities to their state and local counterparts. The breadth of the decision has left few avenues open for reform. One of the most effective and feasible efforts involves convincing corporations to voluntarily lessen their political spending – or create an atmosphere in which corporations fear negative repercussions from the public against their increased engagement in political activities. The Center for Political Accountability (CPA) and the Committee for Economic Development (CED) are the best organizations to accomplish these ends, as other funders have also recognized including Carnegie and the Piper Fund.

On Docket II, TIF made a joint grant to CPA and CED to bolster shorter term corporate governance work around the mid-term elections by appealing to corporations to refrain from political giving and by encouraging those corporations that do give to do it transparently and with shareholder approval. This coordinated campaign seeks to change corporate community attitudes and behaviors about political giving. The two organizations have a successful track record of doing similar work using both insider and outsider strategies: CED builds a community of reform-minded corporate directors to persuade their peers that companies should not engage in the political process, or at least adhere to a set of best practices if they do so, while the Center for Political Accountability files shareholder resolutions with partners if companies do not disclose their political spending or otherwise live up to best practices concerning their political activity.



Campaign finance expert Fred Wertheimer of Democracy 21 told us that CED's involvement made "a fundamental difference" in the 2002 passage of the Bipartisan Campaign Finance Reform Act. Its involvement marked the first time the business community got involved in campaign finance issues and sent a powerful message about the current system being harmful to business interests. CED did so by educating and mobilizing business leaders around the need for campaign finance reform and changed the perception, especially in the media, of the business community as supportive of the status quo campaign finance system. Polls conducted by CED and others have consistently shown that a strong majority of business leaders favor campaign finance reform and limits on corporate spending on elections. In 2005, a CED-sponsored poll (conducted by Zogby, International) found that 78% of business leaders supported campaign finance reform, and 53% strongly supported additional contribution limits for federal campaigns. CED remained involved in these issues and in 2006 actively urged Congress to regulate political committees involved in federal elections so they would finance their activities solely with regulated (hard money) contributions. In all its endeavors, CED is supported by a vast number and broad cross-section of corporations. CED's current work in this area will involve strong participation of CED trustee Landon H. Rowland, Director and Chairman Emeritus of the Janus Capital Group.

The recent Target fiasco reveals that it may be harder in this era of greater scrutiny for corporations to give without regard to their shareholders (unless they do so anonymously, which the strategies address). Gay rights activists and loyal Target shoppers became furious with the company after it [contributed \\$150,000 to MN Forward](#), a political group that has endorsed and is paying for ads for the anti-gay Republican gubernatorial candidate Tom Emmer. Although Target said the company was supporting Emmer because of [economics and business issues](#), and that the company fully maintained its policies in support of gay rights, when threatened by consumer boycotts, the company withdrew its support, issued a public apology for the donation, and promised the company would review future donations.

### III. *Engage Broader Base of Groups in Campaign Finance Reform*<sup>1</sup>

Our research revealed that campaign finance reform has suffered from a historically siloed and short-sighted approach to change. Grassroots and grassroots groups and networks have not been included in the discussion. As Fred Wertheimer put it, "This coalition has been talking to itself for a long time". In outlining a Democracy and Power Fund for U.S. Programs, an internal, October 2007 memo reached the same conclusion, attributing the work's failure to an "overly narrow" approach – pursuit of a single reform goal, one involving spending and contribution limits – adding that it undermined bolder

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<sup>1</sup> TIF is also supporting work on another long-term, vital response to the decision: modernization of the nation's antiquated voter registration systems. This work is a key part of TIF's electoral reform portfolio, and is one response to the expanded role special interests can now play in elections given *Citizens United*. One way to counter a new flood of corporate funds is to flood the system with voters, and modernization would do just that - it would add 65 million eligible voters to the rolls, *permanently*. TIF grantees Brennan Center and Pew Center on the States and a set of groups convened by the Rockefeller Family Fund are working toward this goal.

approaches to reform. In their view, as a result, OSI grantees therefore found “few state-level organizations with agendas expansive enough, and funding flexible enough, to serve as effective allies.” (The authors also note that the approach was short-sighted, cutting resources off after the groups successfully defended McCain-Feingold, leaving groups unable to monitor and defend the law’s implementation with the FEC, the results of which have been evident in the string of harmful legal and regulatory decisions since.)

TIF is one of few funders seeking to change this approach. The Piper Fund is on board, and is about to make planning grants to the Center for Community Change, State Voices Network, and IAF Southeast to determine how these groups might integrate campaign finance into their existing work. Piper is also requesting proposals from groups with existing issue campaigns already underway including PICO, National People’s Action, and Northwest Federation’s Main Street Alliance project (largely as a result of our grant recommendation to this organization, described below).

In addition, MoveOn.org has launched what it calls its most ambitious campaign ever: a ‘people-powered campaign’ called “Fighting Washington Corruption”. With wide input, MoveOn collaboratively designed and drafted a pledge in response to *Citizens United*. It calls for overturning the Court’s decision by Constitutional amendment; passing the Fair Elections Now Act in Congress, which incentivizes candidates to collect small donations by offering competitive public matching funds; and enacting tough new laws cracking down on the revolving door between government officials and lobbyists. A diverse coalition of advocacy groups *has* signed on as co-sponsors. MoveOn’s main goal is to get as many signatures as possible, and as candidates campaign this fall, have MoveOn members present the signatures and ask the candidates to sign on too, lending MoveOn support to candidates who agree to sign the pledge.

TIF proposes its first recommendation in this area to Democracy & Power Fund grantee the Northwest Federation of Community Organizations project the Main Street Alliance (MSA). Small businesses are a critical constituency and a key voice in debates across the public policy spectrum. Representing more than 10,000 businesses in twelve states, MSA is a thoughtful and increasingly strong counterweight to the national lobby groups, including various chambers of commerce that claim to represent small businesses but that take uniformly regressive positions on the role of government. MSA will seek to break the monopoly held by national lobby groups and reshape key policy debates by combating the corrosive influence of corporate money in politics with a powerful small business voice. Its issue agenda includes clean energy, responsible taxes and adequate public revenues: the ascendance of big business and corporate interests at the expense of small business and community interests defines the landscape on all these issues. (We see this recommendation as complementary to TIF’s grant to engage and mobilize business leaders and networks of leaders to become public advocates for reform and against corporate political spending through the grants described above to the Committee on Economic Development and Center for Political Accountability.)

Over the last 15 years, the movement has learned a difficult lesson that offering a single, narrow policy option as point of entry for grassroots and grass tops groups is not an

effective long-term base-building strategy but rather they must be able to integrate the problem of corporate money in politics into their existing issue work. Having multiple organizing networks, among others, sound the alarm about the role of corporations in politics and in shaping public policy will benefit the reform movement. It will raise awareness among their constituencies about the impact of corporate political spending on their issues and goals, making it much more likely that their members and allies will understand the need for policy change that can support their priorities. In a few years, some of these groups are likely to become active participants and leaders in the reform work.

#### IV. *Support Offensive & Defensive Legal Strategies*

##### a. Develop a New Jurisprudence

Grantee the Brennan Center is leading an effort to develop an intellectual movement that re-enlists scholars and constituencies to build a new constitutional jurisprudence, specifically to develop and advance a new paradigm of the First Amendment in election law, to push back against the Supreme Courts majority's extreme views.

##### b. Change Views of the Constitution & Supreme Court

Grantee the Constitutional Accountability Center (CAC) sees *Citizens United* as a unique opportunity to transform the debate about the Constitution and Court. CAC is working to ease the confirmation process for judicial nominees, including those to the Court, and to help generate an awakened and mobilized public to at least influence the Court to retreat from the more far-reaching implications of its *Citizens United* decision, and ultimately to reverse itself. CAC uses media to highlight the Court's pro-corporate activism.

Other TIF grantees who have long worked on judicial selection from independence and impartiality perspectives more generally - including the Leadership Conference on Civil Rights, the American Constitution Society and the National Senior Citizens Law Center - are also paying serious attention to the changed campaign finance landscape, responding by organizing public events, publishing influential reports and issue briefs, and authoring articles and opinion-editorials.

##### c. Defend Existing Regulations

Challenges to campaign regulations are a part of a systematic, long-term litigation offensive mounted by deep-pocketed interests who are opposed to any type of regulation of political spending. Emboldened by the conservative majority in the Supreme Court, national party committees, trade associations, ideological groups, so-called "527" organizations and other opponents of campaign finance regulation have brought an unprecedented number of cases in the past three years to challenge campaign finance laws at the federal, state and municipal levels. *Citizens United* may constitute their greatest success thus far, but the decision is by no means the endpoint of their efforts. Instead, as their counsel have openly conceded, this anti-reform effort aims to

dismantle contribution limits, public finance programs, the remaining limitations on corporate and union political activity and most accompanying disclosure requirements. A great number of the challenges in recent years have been filed by two well funded organizations that reveal little to nothing about their sources of their funding, The James Madison Center for Free Speech and the Center for Competitive Politics.

As a result, defensive administrative work and litigation is now needed more than ever, including at the state level. To meet these needs, TIF recommends continuing support to the Campaign Legal Center (CLC) to continue this work, and to continue funding the Justice at Stake litigation working group comprised of CLC, the Brennan Center, and the National Center for State Courts who work on state judicial election reform.

#### V. Amend the Constitution

Some groups have coalesced to overturn *Citizens United* and the earlier cases on which it was based, in the only possible way – to amend the Constitution. While we acknowledge that an amendment campaign may pressure Congress and the Court to adopt proposed reforms, we do not recommend grantmaking in this area because one amendment may mean future amendments, a fraught prospect in our view, and because amending the Constitution is extremely difficult.

#### IV. CONCLUSION

Given the sole protection the Court has left on the table- disclosure - we believe it is essential to focus on making transparent independent giving in political campaigns. Given our long-time concern that the judiciary remain independent and impartial, we support special scrutiny on spending in judicial elections. We believe that reform will not be achieved absent a much broader movement than existed in past efforts in the area, with grassroots and grassroots involvement, and including the voice of small business. We also believe that large corporations should be involved in making the case for accountability and governance reform on the grounds that political spending is not in their interests, as they have successfully done in past debates. By using transparency strategies to fuel public interest and engagement, our grantees will help build the will – of both citizenry and corporations - for national campaign finance and disclosure reform. Finally, we believe we must defend the reform gains made, but also develop new thinking around the First Amendment and the proper role of the Court. These strategies are prudent in and of themselves but also have the benefit of feasibility in a way that Constitutional amendment and legislative reform strategies do not. Finally, as an operational matter, TIF will continue integrating a range of strategies and convening funders and grantees. Working together, we'll ensure that the field works strategically and efficiently, and as we do, inch closer to success.

## Campaign for a New Drug Policy

# Memo

To: Aryeh Neier

From: Ann Beeson; Leonard Noisette; and Campaign for a New Drug Policy Staff

Date: 5 November 2010

Re: Campaign for a New Drug Policy Docket IV Grant Recommendations

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In this final docket for the year, the Campaign for a New Drug Policy recommends two grants for funding, totaling \$1,050,073.<sup>1</sup> These grants work towards the campaign's principle that dependence on drugs is a public health issue that should be addressed through evidence-based harm reduction practices and by ensuring easy access to addiction treatment.

The proposed grant to **Community Catalyst, Inc.** would support efforts to ensure the inclusion of a meaningful substance use disorder treatment benefit in the state and local rules and regulations of health care reform. Funding will enable Community Catalyst to conduct an education and mobilization campaign that aims to engage mainstream health care consumers and advocates in creating a broad power base calling for the health care reform rules and regulations to ensure accessible high quality addiction treatment. It will mobilize consumers on addiction treatment coverage issues, develop a post reform strategy for addiction treatment, pilot state campaign models and develop and disseminate tools to support its national network, all in an effort to increase access to high quality addiction treatment for those in need, and to create a larger advocacy base to help reduce the stigma of an addiction diagnosis.

A grant to the **Beth Israel Medical Center (Beth Israel)** would help identify barriers to coordination between addiction treatment and needle exchange providers. Funding will enable Beth Israel to delineate the barriers to coordination between needle exchange programs (NEPs) and addiction treatment services, with the goal of finding public health-based means to improve care and services to the drug dependant population. The project will oversee and coordinate research in five to seven primary sites; New York, Baltimore, New Mexico or Los Angeles, Chicago, Boston, Denver, and San Francisco; and three secondary sites, Boston, Providence and Honolulu. The work will increase coordination between harm reduction and treatment advocates in an effort to improve the public and private health benefits of substance use disorder interventions.

We look forward to discussing these grant recommendations with you.

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<sup>1</sup> If these two grants recommended for funding by the Campaign for a New Drug Policy and totaling \$1,050,073 are approved, \$918,073 will be drawn from the National Drug Treatment Initiative budget and \$132,000 will be drawn from the IHRD North American Drug Policy budget.

## MEMORANDUM

**TO:** Aryeh Neier  
**FROM:** Ann Beeson; Raquiba LaBrie; and EOF Staff  
**DATE:** November 5, 2010  
**RE:** EQUALITY AND OPPORTUNITY FUND CATCH-UP DOCKET

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The Equality and Opportunity Fund (EOF) embraces US Programs' grantmaking in the areas of racial justice, immigrant rights, LGBTQ rights, and gender justice. It also includes three special initiatives: Immigration Innovation; the Neighborhood Stabilization Initiative (NSI); and the Campaign for Black Male Achievement (CBMA).

Attached please find the EOF grant recommendations for the catch-up docket.

### **RACIAL JUSTICE AND IMMIGRANT RIGHTS**

U.S. Programs as a whole has become increasingly preoccupied with the hate, xenophobia and intolerance that pervade many of the fields we support. Within EOF, staff seeks to increase support for strategies that can allay the nativist and restrictionist anxiety that leads to development of flawed policies such as Arizona's SB 1070 or California's ban on affirmative action in higher education. In this docket, we recommend a grant to **Welcoming America**, a relatively new organization that offers a possible antidote to the country's increasingly toxic political environment.

Welcoming America's main conceit is that native-born Americans are less likely to be prejudiced against immigrants and *vice versa* when the two groups have greater exposure to, and direct interaction with, one another. The organization relies on rotary club meetings, church socials, and university gatherings to provide substantive education about immigration and facilitate the exchange of stories by U.S. and foreign-born Americans about their experiences with immigration.

Although Welcoming America focuses on immigration, we believe aspects of its work are transferable to other contexts. EOF has immediate plans to introduce Welcoming America to grantees of the National Security and Human Rights Campaign working to combat rising anti-Muslim sentiment.

### **GENDER JUSTICE AND LGBTQ RIGHTS**

Two grants recommended in this docket advance EOF's interest in promoting LGBTQ rights and racial justice, as well as our interest in investing in anti-violence advocacy to bridge the concerns of various marginalized groups. If approved, the grants to the **Gay-Straight Alliance Network** and the **Alliance for Educational Justice** will support a joint effort to address potential blind spots of advocates operating on parallel but separate tracks to address violence in schools. The Gay-Straight Alliance Network represents LGBTQ rights groups concerned with bullying of LGBTQ youth in schools. The Alliance for Educational Justice represents racial justice groups concerned with the criminalization of youth of color through use of zero-tolerance disciplinary

policies. Together these organizations will convene a joint meeting of field leaders and develop a joint report that articulates an integrated policy agenda for groups working on racial justice and LGBTQ rights in education.

EOF also supports efforts to promote economic security to advance a shared fate agenda and to address the needs of individuals who belong to multiple marginalized groups. The recommended grant to **Queers for Economic Justice (QEJ)** will support its work on behalf of LGBTQ poor and homeless people who are disproportionately people of color. QEJ's innovative work has led to the creation of a New York City policy enabling transgender residents to determine in which shelter system (male or female) they will reside and a commitment from the city's Human Resources Administration to implement best-practice guidelines when working with gender-non-conforming clients. QEJ's success in reforming New York City's shelter system is a model for LGBTQ rights organizations around the country.

### **NEIGHBORHOOD STABILIZATION INITIATIVE**

The Neighborhood Stabilization Initiative has begun to build important relationships with senior officials in the Obama administration working on housing policy. In October, NSI staff was invited to join an intimate roundtable with senior U.S. Department of Justice staff and selected field experts, convened by Thomas Perez, Assistant Attorney General for the Civil Rights Division, to discuss potential strategies and policies that the Administration could pursue to address the disparate impacts of the foreclosure crisis on communities of color. In particular, the Civil Rights Division was interested in generating ideas on how fair lending cases pursued by DOJ, as well as any litigation that may arise out of the much publicized investigations by state attorneys general into so-called "robo-signing" practices in the mortgage industry,<sup>1</sup> could more effectively be channeled towards legal remedies that help stem deepening racial wealth disparities driven by the crisis. During the meeting, NSI staff was able to highlight the work of several of its grantees, including the innovative partnership between **City Life/Vida Urbana** and Boston Community Capital (approved in EOF's previous docket) to keep borrowers in the homes post-foreclosure with affordable loan terms, and the important work of the **National Fair Housing Alliance** (recommended in this docket) to address the stubborn legacy of damaged credit scores, which threaten to lock-in" unequal access to credit and wealth building opportunities for years to come. Assistant Attorney General Perez called the "Boston model" "brilliant," and agreed to consider credit repair as a central feature of its enforcement strategies going forward.

The recommended grant to **The Urban Institute** will strengthen NSI's connection to another federal agency, the U.S. Department of Housing and Urban Development. The Urban Institute requests support for the What Works Collaborative, a group of the nation's leading urban policy research institutions and funders interested in supporting research and demonstration projects that address some of the most vexing question in housing policy, including: How should federal housing policy respond to changing demographics (e.g., immigration patterns and aging of the population)? How can HUD and other relevant players create products and institutions to provide fair and affordable credit to historically underserved populations in light of tightening credit markets and backlash against community reinvestment policies? The Urban Institute grant will also support an evaluation of the federal Homes Affordable Modification Program and the National Foreclosure Mitigation Counseling program.

The recommended grant to the **Green and Healthy Homes Initiative (GHHI)** builds on an earlier grant by the Special Fund for Poverty Alleviation to the same organization. The Special

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<sup>1</sup> See, e.g., Joe Nocera, *The States Take on Foreclosures*, N.Y. TIMES, Oct. 29, 2010.

Fund obtained approval in the October docket to support GHHI's implementation of a workforce development program that will generate 1,400 green jobs for hard-to-employ residents of low-income communities. In the course of its consultation with the Special Fund regarding that grant, NSI identified points of overlap between its focus on stabilizing communities hardest hit by the foreclosure crisis and GHHI's focus on developing green and healthy housing interventions in low income communities.

GHHI now proposes to expand its scope to include foreclosure prevention, which will create several important opportunities. First, the merger of issues will ensure that low-income residents of distressed properties who approach public health or foreclosure prevention agencies can simultaneously address mortgage or credit issues while taking steps to improve the safety and energy efficiency of their homes. Second, this grant will lay the foundation for a more aggressive approach to loan modifications for people in distressed properties. GHHI will help homeowners leverage the quantifiable benefits they obtain from interventions such as weatherization, energy efficiency and lead abatement, all of which lower utility costs and increase property value, to make a stronger case for loan modifications.

**Special Grant to Disability Rights Advocates**

**Disability Rights Advocates (DRA)**, a leading public interest legal organization that works to defend the civil rights of the disabled, approached EOF with a request for funding to scale up its work nationally. Staff managed to secure funds from the Strategic Opportunities Fund for a special one-time grant to DRA to challenge the structural barriers disabled people face on a daily basis across the U.S.

We look forward to meeting with you to discuss this docket and any other issues pertaining to the Equality and Opportunity Fund.