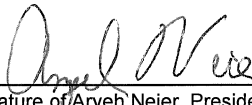


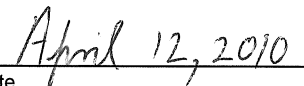
**U.S. PROGRAMS
TRANSPARENCY AND INTEGRITY FUND
Summary of Recommended Grants
April 12, 2010 Docket**

U.S. Programs, Transparency and Integrity Fund (T1: 21093)

Organization	Requested	Recommended	Term
<i>Information Access, Design and Regulation</i>			
Fund for Constitutional Government	\$100,000 / 1 year	\$75,000 ¹	1 year
Government Accountability Project	\$500,000 / 2 years	\$425,000	2 years
MAPLight.org	\$133,000 / 1 year	\$100,000 ²	1 year
National Institute on Money in State Politics	\$145,000 / 1 year	\$145,000 ³	1 year
Union of Concerned Scientists	\$250,000 / 1 year	\$150,000	1 year
<i>Independent and Diverse Judiciary</i>			
Center for Political Accountability	\$100,000 / 1 year	\$100,000 ⁴	1 year
Communications Consortium Media Center	\$75,000 / 1 year	\$75,000	1 year
Justice at Stake Campaign	\$1,900,000 / 2 years	\$800,000 ⁵	1 year
National Center for State Courts	\$247,183 / 15 mo.	\$200,000	15 months
National Congress of American Indians Fund	\$250,000 / 2 years	\$250,000	2 years
National Council of Jewish Women	\$150,000 / 1 year	\$150,000	1 year
<i>Core Grantees</i>			
William J. Brennan Center for Justice	\$750,000 / 1 year	\$750,000	1 year
<i>Seize the Day Fund</i>			
Good Jobs First	\$140,000 / 1 year	\$140,000 ⁶	1 year
TOTAL RECOMMENDED:		\$3,360,000	



Approval Signature of Aryeh Neier, President, Open Society Institute



Date

¹ To be split between the Transparency and Integrity Fund, T1: 21093 (\$50,000), and the National Security and Human Rights Fund T1: 21095 (\$25,000).

² To be charged to the JEHT Emergency Fund, T1: 59995 (\$100,000).

³ To be charged to the JEHT Emergency Fund, T1: 59995 (\$145,000).

⁴ To be charged to the JEHT Emergency Fund, T1: 59995 (\$100,000).

⁵ To be split between the Transparency and Integrity Fund, T1: 21093 (\$625,000), and the JEHT Emergency Fund T1: 59995 (\$175,000).

⁶ To be charged to the Seize the Day Fund, T1: 21079

MEMORANDUM

To: Aryeh Neier
From: Ann Beeson, Laleh Ispahani and the Transparency and Integrity Fund
Date: April 5, 2010
Re: Transparency and Integrity Fund's April 12 Docket

We look forward to meeting with you on Monday, April 12, 2010, to discuss the first 2010 docket of the Transparency and Integrity Fund (TIF or the Fund). We respectfully seek approval of 13 grants in this docket (9 TIF recommendations, 3 JEHT Emergency Fund recommendations, and one Seize the Day Fund recommendation).

As reflected in its three year strategic plan (completed mid-2009), TIF's grant making and program strategies seek to promote government transparency and accountability, and access to information that promotes 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.

The grants recommended in this docket, and described in more detail below, include renewal support for key TIF grantees, such as the Government Accountability Project, the Justice at Stake Campaign and the Brennan Center for Justice. Our recommendations also include continued support for organizations working to build grassroots-level capacity to advocate for greater diversity - in all its forms - of the federal judiciary. Finally, we propose a handful of recommendations to help grantees we shared with the JEHT Foundation, and one Seize the Day Fund recommendation.

Transparency & Integrity Fund Grants

Information Access, Design and Regulation

The Fund supports groups working on the collection and dissemination of information as well as watchdog groups that increase access to the currently fast growing body of government information and monitor the regulation of public information.

This docket includes recommendations for support of three watchdog groups: the **Fund for Constitutional Government (OpenTheGovernment.org)**, which plays a vital role in ensuring collaboration between the many groups working on federal government transparency and oversight; the **Government Accountability Project**, which works to support and defend whistleblowers; and the **Union of Concerned Scientists**, which is

working to ensure that the White House Office of Management and Budget's Open Government Directive fulfills its promise of meaningful transparency. This last grant has been conveyed to the Union as a final grant because we are in the process of deciding whether or not to continue to focus on science agencies.

Independent and Diverse Judiciary

This portfolio's goals are to support efforts to ensure a fair, impartial and diverse judiciary, emphasizing support for innovative approaches to grassroots organizing aimed at increasing the diversity of the federal judiciary in all its forms.

To these ends, TIF recommends five judiciary-related renewal grants that support judicial independence and nominations work in this docket. The **Justice at Stake Campaign** (JAS) is a key TIF grantee that currently works with more than 50 partner organizations to promote a better understanding of the role of the courts in our democracy and to advance reforms that protect the fairness and impartiality of the state and federal judiciaries. JAS is mid-way through leading and organizing a long-term field-wide strategic planning process that is in significant part designed to attract new funders (and with which TIF staff have been deeply engaged). The grant also comes at a time of tremendous forward movement for the field, with significant advances in the adoption of judicial public finance schemes in three states and great progress toward this reform in another two states. The **National Center for State Courts**, a key member of JAS given its active and substantive participation and deep ties to state court judges and administrators, is also recommended for a grant on this docket.

TIF also presents three recommendations aimed at supporting public education of select constituencies about the impact of the federal judiciary, and communications training and technical assistance to groups in the Coalition for Constitutional Values working on federal judicial nominations – all of which is structured to build sustainable capacity at the local level. The groups we propose grants for are the **National Congress of American Indians Fund**, the **National Council of Jewish Women** and the **Communications Consortium Media Center**.

Core Grantees

The **Brennan Center for Justice** is being recommended for general support as a core TIF grantee at a level of \$1 million a year.¹ Its work on national security, criminal justice reform, judicial independence and electoral reform is considered a vital contribution to those fields. Previously, Brennan received project support from numerous USP funds and campaigns, most of it from TIF. The decision to locate the Brennan grant in a single

¹ The Transparency & Integrity Fund is committed to providing \$1.5 million over 2 years, while the Criminal Justice Fund is contributing \$300,000 over 2 years and the National Security and Human Rights Campaign is contributing \$200,000 over two years. Due to related budget constraints, TIF could only commit \$750,000 in the 2009 fiscal year, and is now recommending an add-on grant of \$750,000 to bring the total funding to \$2 million over 2 years.

fund – and to now give it general support - is the result of a USP process to streamline its grant making.

JEHT Fund Grants:

This docket also includes three recommendations to current TIF grantees affected by the JEHT Foundation’s closure. These grantees advance our goals of access to and dissemination of information, arguably advocates’ most critical asset; diminishing the role of money in politics; and ensuring a fair and impartial judiciary. They are the **National Institute on Money in State Politics**, which engages in data collection, analysis, and dissemination of campaign finance data; the **Center for Political Accountability**, which addresses the role of corporate money in judicial elections by taking on corporate practice and management; and **MAPLight.org**, which is developing online research tools that illuminate the influence of special interest money on legislation. The **Justice at Stake** campaign is also recommended for a JEHT grant.

Seize the Day Fund Grant:

This docket includes a grant recommendation by the Seize the Day Fund, which is to support a convening of OSI grantees working in eight states to make the American Recovery and Reinvestment Act more equitable, accountable, and transparent. This grant would support **Good Jobs First** and its partners (including Equality & Opportunity Fund grantees including the **Center for Social Inclusion**) in organizing a three day conference on transparency and equity in Recovery Act spending at the state and local levels. Participants would include member organizations of OSI-funded state transparency and equity alliances.

Name of Organization: Fund for Constitutional Government
(OpenTheGovernment.org)

Tax Status: 501(c)(3) public charity

Purpose of Grant: To provide core support to the Open the Government.org coalition

FPOS Grant Description: OTG plays a vital role in ensuring collaboration between the many groups working on federal government transparency and oversight. Many TIF and NSHR grantees are active members of OTG including OMB Watch, Project on Government Oversight, the Federation of American Scientists, National Security Archive, and the Electronic Frontier Foundation. In 2010, OTG will coordinate efforts to shape the implementation of the Open Government Directive, to ensure preservation of electronic records, to promote a culture of openness at the department and agency level, and to press for reform of state secrets policy.

Previous OSI Support: \$270,000
\$100,000 from Seize the Day (2009)
\$100,000 from Strategic Opportunities Fund (2006)
\$70,000 from Network Information Program (1998, 2001)

Organization Budget: \$285,038 (OpenTheGovernment.org)

Project Budget: Not applicable

Major Sources of Support:

Carnegie Corporation	\$150,000
CS Fund	\$30,000
HKH Foundation	\$50,000
Member in-kind donations	\$13,600

Amount Requested: \$100,000 over one year

Amount Recommended: \$75,000 over one year

Term: March 1, 2010 – February 28, 2011

Description of Organization

The Fund for Constitutional Government (FCG) was established in 1974 and has served as the parent organization for many successful projects and organizations working on

government openness and transparency. FCG is the fiscal agent for OpenTheGovernment.org

Description of Program for Which Funding Is Sought

OpenTheGovernment.org (OTG) is a coalition of 75 organizations and individuals including journalists, consumer and good government groups, environmentalists, library and labor groups, and others who share the goals of making the federal government more transparent, strengthening public trust in government, and supporting democratic principles. The coalition includes progressives, libertarians, and conservatives.

OTG has a clearly defined role in the open government and transparency community: to coordinate and convene the many organizations working to advance open government principles, reduce government secrecy, and fight for the public's right to know. OTG targets key issues of shared concern within the transparency and watchdog communities. Those issues include:

- Promoting Congressional transparency;
- Promoting digital access to government information;
- Making FOIA work better by undoing exemptions and ensuring better oversight of implementation;
- Curtailing use of the state secrets privilege; and,
- Limiting security restrictions on information and ensuring that mandatory declassification of documents older than 25 years proceeds as expeditiously as possible.

OTG pursues these goals through a variety of strategies, including coordinated policy work, public engagement, policymaker education, media and communications, and research.

Rationale for Recommendation

The Transparency and Integrity Fund and the National Security and Human Rights Campaign jointly recommend a grant of \$75,000 over one year. This grant would advance TIF's goals of supporting coordinated work by key national watchdog organizations striving to increase government transparency and accountability. It would also advance the NSHR Campaign's priority of reducing excessive government secrecy in national security policy.

OTG serves a unique purpose in the transparency and open government field as convenor and coordinator of the field's many entities. Its members include many significant TIF and NSHR Campaign grantees, including OMB Watch, the Project on Government Oversight, the National Security Archive Fund, Sunlight Foundation, the Center for American Progress, the Federation of American Scientists, and the Electronic Frontier Foundation. By providing these actors a means of working together on shared endeavors, the constituent members attest that they are able to better collaborate, divide labor, support one another's efforts, and, ultimately, achieve much needed reforms. Group after

group has spoken with OSI staff in unequivocal terms about the value-added OTG brings to the field.

OTG's importance is best evidenced by the impact of the *21st Century Right to Know Agenda*, a detailed report presented to President-elect Obama's transition team in the fall of 2008. That document was the result of more than a year of OTG coordinated debate and deliberation by a broad range of groups interested in government transparency. That document served as the foundation of the President's day one announcement of the Open Government Directive, and the *Agenda's* recommendations are now becoming federal policy due to the continued, coordinated efforts of OTG. The group has also played an important role addressing recent developments in secrecy policy as it pertains to national security. Given this track record we believe this modest recommended investment in OTG will pay substantial dividends in the year ahead.

Name of Organization: Government Accountability Project (GAP)

Tax Status: 501(c)(3) public charity

Purpose of Grant: To provide general support

FPOS Grant Description: The Government Accountability Project’s mission is to ensure government and corporate accountability by advancing occupational free speech, litigating whistleblower cases, publicizing whistleblower concerns, and developing policy, legal, and legislative reforms to protect whistleblowers.

Previous OSI Support: \$900,000
\$500,000 Transparency and Integrity Fund (2008)
\$150,000 Nat. Security and Human Rights Fund (2009)
\$250,000 Strategic Opportunities Fund (2006-2007)

Organization Budget: 2,016,000

Project Budget: Not applicable

Major Sources of Support:

Anonymous donors	\$600,000
Ford Foundation	\$150,000
Nathan Cummings Foundation	\$135,000

Amount Requested: \$500,000 over two years

Amount Recommended: \$425,000 over two years

Term: March 1, 2010 – March 1, 2012

Description of Organization

Founded in 1977, the Government Accountability Project (GAP) is a leading defender of government and corporate whistleblowers. GAP’s mission is to ensure government and corporate accountability by advancing occupational free speech, litigating whistleblower cases, publicizing whistleblower concerns, and developing policy, legal, and legislative reforms to protect whistleblowers.

GAP provides legal representation and expert advice to public and corporate employees seeking to raise concerns about fraud, waste, and abuse within their agencies or companies; organizes national campaigns to publicize charges brought by whistleblowers and push for accountability for wrongdoing; drafts model and actual legislation on transparency and whistleblower protections that apply to federal, state, and local governments; helps government agencies, corporations, and international NGOs develop

and implement whistleblower policies; and serves as experts on occupational free speech issues. GAP staff members regularly publish articles in academic and non-academic publications, teach continuing legal education courses for lawyers, and annually conduct accredited legal clinics for law students on whistleblower protection.

GAP's major program initiatives focus on both government and corporate accountability related to worker health and safety, nuclear oversight, environmental oversight, food and drug safety, international anti-corruption reform, and national security. GAP is located in Washington D.C. and has a staff of 24 people, 12 of whom are attorneys.

Description of Program for Which Funding Is Sought

This recommendation is for general support.

Rationale for Recommendation

We recommend a general support grant of \$425,000 over two years. This recommendation advances the Transparency & Integrity Fund's objective of providing general support to core watchdog organizations advocating for government transparency and access to information. This grant would also advance the National Security and Human Rights Campaign's priorities of strengthening the capacity of watchdog organizations to document government abuses and reduce excessive government secrecy in national security policy.

From detainee abuse at Abu Ghraib prison to the dangers of the drug Vioxx, some of the most significant revelations of corporate and government wrongdoing have come from insiders who come forward at enormous personal and professional cost. Although whistleblowers' actions often save lives and bring to light threats to public health, safety, and the environment, these individuals are vulnerable to retaliatory investigations, harassment, intimidation, demotion, and dismissal. With GAP's assistance, whistleblower disclosures have exposed, for example, health dangers and environmental threats at over 25 nuclear power and nuclear weapons facilities across the country, the CIA's use of Eastern European "black sites" in its program of extraordinary rendition of terror suspects, the involvement of telecommunications companies in an extra-legal National Security Administration program of warrantless domestic surveillance, and threats to public health from ineffective regulation of the food, medical device, and pharmaceutical industries.

Since its inception, GAP has represented 2,000 clients, and has informally assisted an additional 5,000 people. GAP currently averages 60 to 80 clients per year across a broad range of national concerns. For example:

- GAP represents three U.S. military veterans who, while working as private contractors in Iraq, raised concerns with the FBI about illegal arms dealing and were illegally rendered, detained, and interrogated by the U.S. military.
- GAP represents a civilian civil engineer with the U.S. Army Corps of Engineers, who informed the Office of Special Counsel (OSC) of the installation of defective

- GAP represents several Federal Air Marshals and Federal Aviation Administration employees who are challenging and exposing practices that undermine both agencies' missions and threaten public safety and national security.
- The GAP client who exposed the link between Vioxx and sudden cardiac death is now raising concerns within the FDA about the diabetes drug Avandia, and is advocating for extensive review of the drug's potential link to heart failure.

GAP's work to defend and empower whistleblowers has long been a critical check on government and corporate abuses of power. GAP's effective communications campaigns bring public attention to the problems exposed by whistleblowers and help turn scandals into reform. GAP works to help reform institutions so that they will solve their problems fairly and effectively rather than attack those who disclose them. GAP recently launched a national campaign to educate the legal bar, corporate and government employees, and the public more broadly about the need for strong whistleblower protections.

GAP was successful in helping to embed unprecedented whistleblower provisions in the American Recovery and Reinvestment Act (ARRA), a milestone for free speech rights of government contracting employees. Employees who reasonably believe they have witnessed a gross mismanagement of stimulus funds, violations of law, specific threats to public health, or abuses of authority have a right to blow the whistle and receive protection against any form of retaliation.

Although not directly relevant to the work of U.S. Programs, GAP's international program is of overall interest to OSI. This work is focused on multilateral development banks, the United Nations, and international public health issues. For example, GAP played a major role in the release of documents that revealed misconduct by former World Bank President Paul Wolfowitz, resulting in his resignation. As a consequence of GAP's role in Wolfowitz's resignation, the new World Bank President consulted with GAP on the provisions needed for an effective whistleblower protection policy, which has now been approved, although GAP is still advocating for its improvement. GAP is working with a prominent HIV/AIDS researcher who came forward with evidence that World Bank funds have been used for several years to purchase defective HIV test kits for use by the Indian government, despite repeated appeals to the National AIDS Control Organization and the Department of Institutional Integrity, the World Bank's anti-corruption unit.

GAP's President, Louis Clark, assumed the directorship of GAP in 1978, having first served as legal counsel for the organization. Over the past 30 years, Clark has built an impressive staff of veteran attorneys and advocates who have pioneered the public policies and case law for whistleblower protection in the United States and internationally. GAP works in coalition with several current and former OSI grantees,

including the Union of Concerned Scientists, OMB-Watch, Consumers Union, Project on Government Oversight, and Federation of American Scientists.

GAP has had an extraordinary impact on the fight to expose corruption and to hold the federal government and corporations accountable to the highest standards of justice, transparency, and scientific integrity. There is an extraordinary demand for GAP's services, and the organization has the capacity to take only a small percentage of the cases that come to its attention. OSI's support would enable GAP to serve a greater number of whistleblowers. GAP serves a vital role in protecting and expanding the rights of those who bring critical information forward for public discussion and debate.

Name of Organization: MAPLight.org

Tax Status: 501(c)(3) public charity

Purpose of Grant: To provide general support

FPOS Grant Description: This grant would support MAPLight.org in developing online research tools that illuminate the influence of special interest money on legislation and provide key information necessary to hold legislators accountable at the local, state and national levels. It would also replace lost funding due to the closure of the JEHT Foundation for a current Transparency and Integrity Fund grantee.

Previous OSI Support: \$235,000
\$235,000 from Transparency and Integrity Fund (2009)

Organization Budget: \$782,000

Project Budget: Not applicable

Major Sources of Support:

Sunlight Foundation	\$180,000
Rockefeller Brothers Fund	\$120,000
John and Dora Haynes Foundation	\$100,000

Amount Requested: \$133,000 over one year

Amount Recommended: \$100,000 over one year
JEHT Emergency Fund (T1: 59995)

Term: January 1, 2010 – December 31, 2010

Description of Organization

MAPLight.org (Maplight) is a nonpartisan, 501(c)(3) organization based in Berkeley, California that uses technology to increase government transparency. Maplight creates combinations of data sets, develops data visualization tools and trains journalists and others on how to use them to illuminate the connection between campaign donations and legislative votes. The three data sets it combines are:

- Bill texts and legislative voting records
- Supporting and opposing interests for each bill
- Campaign contribution data (from OSI grantees the Center for Responsive Politics and the National Institute on Money in State Politics)

By completing the technically difficult process of combining this data and displaying it using innovative charts and graphs, key information is made visible, such as contributions by interests supporting and opposing each bill; average donations to legislators voting yes and no on each bill coded by interest group category; and, a timeline of contributions and votes for each bill that graphically identifies when legislators receive large contributions relative to their legislative votes.

Maplight is applying its method to an increasing number of state legislatures in addition to its ongoing focus on Congress. It began with the California legislature in 2006, expanded to include the U.S. Congress in 2009 and is currently implementing plans to cover select state legislatures and municipalities. For instance, in 2009, Maplight launched “MAPLight.org Los Angeles,” which reveals the amount and timing of campaign contributions to Los Angeles politicians, providing citizens with key campaign finance data coded by industry, interest group, company and individual contrasted with their representative’s legislative votes. After consulting with reform groups in the state, Maplight recently began working in Wisconsin in partnership with other OSI grantees.

Maplight is part of, and helping to build, a cohort of technically savvy watchdogs that includes individuals and organizations. To spur adoption of its online tools, Maplight conducts trainings and solicits feedback from users. It updates its tools in response to changing conditions and is a resource for reform groups and reporters seeking information and analysis.

Maplight’s data sources include the Federal Election Commission; GovTrack.us; and, OSI grantees the Center for Responsive Politics (OpenSecrets.org) and the National Institute on Money in State Politics. Maplight obtains data concerning lawmaker support and opposition to legislation from testimony at public hearings, proprietary news databases and public statements on the websites of trade associations and other groups.

Description of Program for Which Funding Is Sought

The recommended grant would provide general support to Maplight.

Rationale for Recommendation

The Transparency and Integrity Fund (TIF or the Fund) recommends a one-time grant of \$100,000 over one year through the JEHT Emergency Fund. When the JEHT Foundation closed, Maplight was still owed \$133,000 under an existing grant and lost a significant funder. The recommended grant would fill a funding gap, support a current OSI grantee and advance the Fund’s goals of increasing government transparency, integrity and accountability through innovative uses of technology including a focus on the role of money in electoral politics.

The public needs timely, in-depth information about lawmakers, votes, and special interest influence to hold legislators accountable and make reform efforts more effective, particularly in the wake of *Citizens United*, and Maplight is helping provide it. Gathering

this information has been difficult, slow and expensive for state groups and individual journalists who must painstakingly research, assemble, and analyze hundreds of thousands of pieces of data on votes and contributions to put together a big-picture view of the money-vote connections behind a single bill. At a time when news organizations are cutting costs, journalists have less time to devote to gathering information and citizens are swimming in misinformation, Maplight's tools and trainings support critical high-quality research in a fraction of the time it would take to otherwise assemble these facts from disparate sources. Add in the ability of corporations to now make independent expenditures from their corporate treasuries to support or oppose candidates and the amount of money that change is likely to unleash, and these efforts to improve transparency and accountability around campaign contributions and legislative votes becomes even more important.

Maplight receives project support from the Fund for its work with other TIF grantees in Wisconsin. This general support grant would complement Maplight's ongoing projects and strengthen a valuable partner in difficult economic times. Maplight's plan to expand its model to an increasing number of states fits well with TIF and other USP funds' strategy to support place-based work.

Since it was established in May 2007, Maplight has developed a reputation as an accurate and nonpartisan source of information for journalists. Its research has been cited by the Washington Post, the New York Times, CNN, the San Francisco Chronicle, the Guardian, the Los Angeles Times, Forbes, the Economist, the Associated Press, and hundreds of other news outlets across the country. Maplight is exploring collaborations with several of OSI's journalism grantees, including the new Investigative News Network, the Wisconsin Center for Investigative Journalism, the Center for Public Integrity and the Center for Investigative Reporting.

Daniel Newman is co-founder and executive director of Maplight. Newman co-founded the Berkeley Fair Elections Coalition and has served as a consultant to various political and nonprofit groups, including the Center for Voting and Democracy and the Mental Health Association of San Francisco. He is the author of three books on speech recognition software and the founder of Say I Can, a speech recognition firm.

Name of Organization: National Institute on Money in State Politics

Tax Status: 501(c)(3) public charity

Purpose of Grant: To provide general support.

FPOS Grant Description: This recommended grant would provide support to NIMSP for its work related to data collection, analysis, and dissemination of campaign finance data. NIMSP is the only organization in the nation that collects all campaign contribution data for every state-level election in the country, including judicial elections. NIMSP's work will be particularly significant following the Supreme Court's decision in *Citizens United* that left disclosure and transparency as the only remaining bulwark against the growing influence of money in politics.

Previous OSI Support: \$2,270,000
 \$290,000 from JEHT Emergency (2009)
 \$400,000 from Transparency and Integrity (2009)
 \$785,000 from Judicial Independence (2005-09)
 \$370,000 from Law and Society (2002-04)
 \$325,000 from Governance and Public Policy (2002-03)
 \$100,000 from U.S. Justice Fund (2005-06)

Organization Budget: \$1,587,000

Project Budget: Not applicable

Major Sources of Support:

Ford Foundation	\$250,000
Sunlight Foundation	\$250,000
Pew Charitable Trusts	\$200,000

Amount Requested: \$145,000 over one year

Amount Recommended: \$145,000 over one year
 JEHT Emergency Fund (T1: 59995)

Term: January 1, 2010 – December 31, 2010

Description of Organization

The National Institute on Money in State Politics (the Institute) is a nonprofit organization dedicated to data collection, analysis, and dissemination of state-level

campaign finance data, independent expenditures, and lobbying spending. Working in close collaboration with state reform groups such as the Wisconsin Democracy Campaign and national colleagues such as the Center for Responsive Politics and the Sunlight Foundation, the Institute has developed the country's first and only free public-access archive of records on expenditures related to state elections. Based in Helena, Montana, the Institute works proactively to make its data and research available to journalists, public interest lawyers, public officials, academics, and citizens' groups across the nation.

The Institute works with state officials and watchdogs in all fifty states of the U.S. to gather, code, and analyze campaign finance information in every state-wide election. This includes gubernatorial, legislative, and judicial elections. It engages in an arduous process of collating data in open source databases that allow for comprehensive searches of donors as far back as 1988. In 2007 and 2008, the Institute began to gather lists of registered lobbyists in every state, allowing for better connections between the statehouse work of lobbyists and donations from lobbyists and their clients. In 2009, the Institute launched the Legislative Committee Analysis tool, to better analyze donations to key legislative committee members from the industries impacted by legislative decisions made by those committees. Most recently, the Institute has begun to collect data on independent political expenditures.

The Institute's data serves as the backbone of many watchdog efforts. Groups such as the Sunlight Foundation and Maplight.org depend upon the Institute's data (and collaboration) to connect the dots between money and political action. Thousands of journalists turn to the Institute's databases each year in the process of investigating political news stories. Recently, the Institute has been collaborating with the Coalition for an Accountable Recovery to better track stimulus spending decisions at the state level.

Description of Program for Which Funding Is Sought

The recommendation is for general support.

Rationale for Recommendation

The Transparency & Integrity Fund recommends a grant of \$145,000 over one year from the JEHT Emergency Fund. This grant would advance TIF's goals of supporting work that: 1) guarantees access to targeted data of high quality, in usable form and in real time; 2) collects, aggregates, and disseminates open source data to the widest possible audience; and 3) provides data useful for advocacy at the state and local level.

When the JEHT Foundation announced its sudden closing in December 2008, the Institute was awaiting payment on two grants totaling \$290,000, more than 15% of its organizational budget. Without this funding, the Institute would have been unable to engage in a highly valuable strategic planning process, evaluating ways to expand its donor base by increasing the number of individual donors supporting its work and expanding earned revenue through targeted research services. Thanks to a grant from the

JEHT Emergency Fund, the Institute was able to complete the process and has now begun executing its plans. The revenue expansion process is just now starting to bear fruit, with NIMSP inking contracts with three entities (an advocacy group, a national union, and a foundation) whereby NIMSP will provide data analysis that these organizations will use to support advocacy efforts. This alternative revenue stream is all the more important since the Institute went to an open source data model a few years ago, thereby losing revenues generated through selling access to its full database. JEHT was also supporting the Institute's ongoing work to better disseminate its data and increase awareness of its resources through collaborations with allies in the transparency, government reform, and journalism communities. With a second JEHT Emergency Fund grant, NIMSP would have the resources and time necessary to complete these processes and find new sources of revenue and foundation support to continue its growth without interruption.

These activities are of great value to the goals of transparency and government integrity. The Institute has long been a key grantee within U.S. Programs, advancing many goals of a variety of funds. OSI funding made possible its now invaluable collection, analysis, and dissemination of state judicial election contribution data. The Institute is playing a major role in tracking economic stimulus spending, serving as a watchdog to spot political corruption in the allocation of much needed dollars. And, following the Supreme Court's decision in *Citizen's United*, NIMSP's work collecting and disseminating campaign expenditure information will only be more important in allowing the public to understand corporate involvement in elections at the state level.

Name of Organization: Union of Concerned Scientists

Tax Status: 501(c)(3) public charity

Purpose of Grant: To support the Scientific Integrity Program

FPOS Grant Description: To support the Scientific Integrity Program’s work to ensure that the Open Government Directive, issued by the White House Office of Management and Budget, fulfills its promise for meaningfully increasing transparency, with a particular focus on executive branch science agencies. The program will also work to ensure that the current administration codifies reforms to make it more difficult for future administrations to misuse scientific information when formulating policy.

Previous OSI Support: \$900,000
\$500,000 Transparency and Integrity Fund (2008)
\$400,000 Strategic Opportunities Fund (2006)

Organization Budget: \$19,408,000

Project Budget: \$1,626,000

Major Sources of Support: William and Flora Hewlett Foundation \$225,000
The Gunther Family \$50,000

Amount Requested: \$250,000 for one year

Amount Recommended: \$150,000 for one year

Term: May 1, 2010 – April 30, 2011

Description of Organization

The Union of Concerned Scientists (UCS) was founded in 1969 by faculty members and students at the Massachusetts Institute of Technology who were concerned about the misuse of science and technology in society. Today, UCS is an independent nonprofit alliance of tens of thousands of concerned citizens and scientists that combines scientific and policy analysis, public outreach and coalition building. UCS’s board of directors and professional staff are nationally respected and include prominent scientists, skilled policy experts, business leaders and community leaders. UCS works closely with other science-based, environmental, public health and security groups, in Washington and in states across the country. Their technical and policy analysis is used widely by these organizations, as well as by policymakers and the media. UCS currently operates six programs: Nuclear Weapons and Global Security; Global Warming; Clean Energy; Clean

Vehicles; Nuclear Power; Food and Agriculture; Invasive Species; and Scientific Integrity.

Description of Project for Which Funding Is Sought

In 2004, UCS launched the Scientific Integrity Program to address the scientific community's concern about the Bush administration's unprecedented abuse of science. Over the past six years, UCS has led a major effort to put the issue of political interference in science squarely on the public policy agenda. UCS has sounded the alarm when science was distorted, suppressed or otherwise misused at the expense of the public good. They have organized the highest levels of the scientific community, ultimately building a nationwide network of more than 15,000 scientists. UCS has educated Congress and cultivated scientific integrity champions. They have worked with investigative reporters and congressional committees to both expose instances of political interference in science and hold officials accountable for their actions. UCS has developed solutions that have been widely praised and incorporated into the reform agendas of candidates, high-ranking officials and nonprofits on the left and on the right.

In February 2008, with support from OSI, UCS released *Federal Science and the Public Good: Securing the Integrity of Science in Policymaking*. In this report, UCS examined the consequences of executive orders, signing statements and agency structural changes that reduced transparency in government and sidelined science from the policymaking process. This report set a course for the profound reform the executive branch and Congress must undertake to repair the systemic damage and improve transparency and openness within the federal government. In the months following the election, UCS worked closely with the Obama transition team to make scientific integrity a central theme of the administration's first hundred days.

UCS seeks funding to ensure that the current administration implements a long-lasting framework of reforms that strengthens the use of independent science in federal decision making and codifies reforms to make it more difficult for future administrations to misuse scientific information when formulating policy. In 2010, UCS will also work to ensure that the promise to the Open Government Directive, issued by the White House Office of Management and Budget in January 2009, fulfills its promise for meaningfully increasing transparency, with a particular focus on the executive branch science agencies. To accomplish this work, UCS will build on its deep knowledge of the science agencies and its six years of experience advocating for transparency, regulatory reform and scientific integrity.

The Open Government Directive (OGD) instructs government agencies and departments to take specific actions to increase "transparency, participation and collaboration" in government, with the aim of creating "an unprecedented and sustained level of openness and accountability in every agency." The OGD establishes deadlines for action and imposes guidelines for publishing government information and improving the quality of that information. The OGD also orders each agency to establish an "Open Government Plan" that details how it will incorporate transparency, opportunities for public participation and inter-agency collaboration into its core mission objectives.

UCS has already been meeting regularly with the White House and the interagency working group that has been tasked with creating minimum criteria for agency open government plans. UCS will work to ensure that a minimum suite of reforms—such as improved media policies, increased access to agency visitor logs, and better disclosure of the scientific basis of policy decisions—is included in agency open government plans and the criteria by which the plans are judged. UCS will monitor the implementation of proposed OGD reforms, using systemic breakdowns as an opportunity to demonstrate how situations could be handled better.

UCS will work to ensure that senior science agency officials and middle managers understand the OGD and educate them on what they need to do to make information meaningfully available. UCS has found that the strong rhetoric at the top levels has yet to filter down to those who are being asked to implement the OGD. UCS will help federal agencies develop standards that ensure that transparency reforms are absorbed into executive branch culture. Agencies regularly collect valuable information, but need guidance and pressure to share valuable portions of their intranets on the Internet. UCS has already begun to help federal agencies assess what information should be made public, and to determine how to make publicly available data more accessible.

UCS recognizes that federal employees who expose misuse of science are critical to protecting public health, safety, and fiscal accountability. In addition to its OGD focus, UCS will continue to work with the Government Accountability Project (also in this docket) to lead a coalition of organizations to educate policymakers and build support for strong whistleblower protections.

Rationale for Recommendation

We recommend a final project support grant of \$150,000 over one year. This recommendation advances the Transparency & Integrity Fund's objective of supporting efforts to promote the affirmative provision of data by the government.

Following the January 2009 Open Government Directive, President Obama released a memorandum directing the White House science advisor to develop a strategy aimed at preventing political interference in science. UCS provided extensive background information to transition officials on what a scientific integrity directive might look like. The memorandum highlighted a series of objectives that reflected UCS recommendations, including ensuring that agencies make available to the public the scientific data and analyses behind policy decisions and that agencies develop procedures—including appropriate whistleblower protections—to ensure the integrity of science-based policy decisions.

Unfortunately, meaningful change has been slow to come. More than a year later, no detailed plan has been released, and the White House needs both private and public pressure to ensure that a detailed and effective strategy is released soon. Much remains to be done to repair the damage to federal science wrought by the previous administration.

Restoring scientific integrity to federal policymaking will take more than just strong leadership at the top. UCS can help create the political space that allows the current administration to take bold action to create norms of disclosure and transparency that ensure accountability, and codify reform to make it more difficult for future administrations to misuse scientific information.

The White House Open Government Directive holds much promise for meaningfully increasing transparency within the executive branch, but change must be more than simply improving access to data sets. Fortunately, UCS is already at the table, meeting regularly with the White House and the interagency working group that has been tasked with creating minimum criteria for agency open government plans. UCS has developed strong relationships with—and has unparalleled access to—many key staffers and appointees within the administration in positions to influence how the executive branch uses science. But the demands on this administration are significant, and scientific integrity is beginning to fall by the wayside as the administration pursues other goals. UCS must serve not only as a resource but also as a catalyst for public pressure so that change becomes both necessary and meaningful.

While UCS is seen by some as the organization that approaches transparency from the perspective of scientists and scientific information, the reforms that UCS promotes will have universal effects for our health, safety and environment. Support from OSI would enable UCS to continue to bring visibility to the importance of transparency, document the benefits of increased openness and the pitfalls of secrecy and develop public pressure for reform.

The next year offers historic opportunities for progress on scientific integrity with a new administration poised to deliver its promises. But the administration is not likely to act unless UCS and its allies create public pressure and give the administration the space and tools it needs to be effective.

UCS is coordinating its current work on the Open Government Directive with core TIF watchdog grantees including the Project on Government Oversight and OMB-Watch. UCS is also working closely with the Government Accountability Project to build support for strong whistleblower protections for government scientists.

The Transparency and Integrity Fund discontinued support for organizations inherited from the “politicization of science” portfolio in order to free up funding for new work. However, in order to help UCS take full advantage of a receptive administration and finally solidify and codify scientific integrity and transparency reform, we believe that UCS merits a final one-year grant of \$150,000.

Name of Organization: Center for Political Accountability

Tax Status: 501(c)(3) public charity

Purpose of Grant: To provide general support

Previous OSI Support: \$995,000
\$175,000 from JEHT Emergency Fund (2009)
\$200,000 from Transparency and Integrity Fund (2008)
\$100,000 from Progressive Infrastructure (2007)
\$320,000 from Independence of Judiciary (2006-2005)
\$200,000 from Strategic Opportunities Fund (2004)

Organization Budget: \$901,700

Project Budget: Not applicable

Major Sources of Support: Anonymous \$150,000
Individual contribution \$25,000

Amount Requested: \$100,000 over one year

Amount Recommended: \$100,000 over one year
JEHT Emergency Fund (T1: 59995)

Term: May 1, 2010 – April 30, 2011

Description of Organization

The Center for Political Accountability is a non-partisan organization that seeks to bring transparency and accountability to the political contribution policies and practices of U.S. companies. Founded in 2003, the Center has pioneered a unique method for reforming the political financing system: presenting to companies a corporate governance case for accounting for their political spending, both direct and indirect. It works with shareholders, mutual funds, and others to persuade companies to disclose their political contributions, explain the business purpose of the contributions, and introduce oversight policies. By the end of 2009, CPA had persuaded over half the companies in the S&P 100 to voluntarily disclose political spending.

Description of Program for Which Funding Is Sought

This recommendation is for general support.

Rationale for Recommendation

The Transparency and Integrity Fund (TIF or the Fund) recommends a one-time grant of \$100,000 over one year through the JEHT Emergency Fund. When the JEHT Foundation closed, CPA lost a significant and ongoing funder. The recommended grant would fill a funding gap, support a current OSI grantee working in an under-funded arena and advance the Fund's goals of supporting fair and impartial courts by reducing the influence of money in judicial elections.

In the metastatic growth of money in judicial elections, the largest contributions have come from corporations giving directly to candidates and through business organizations such as the U.S. Chamber of Commerce. Current law does not require companies to report or account for their political spending, nor does it require trade associations and groups with 501(c)(4) status to report funds they spend on political activity. As a result, hundreds of millions of corporate dollars flow into the political process, often without transparency, internal or external controls, or public knowledge. This secret flow of money is expected to grow as a result of the Supreme Court's recent decision in *Citizens United*, *lifting limits on independent expenditures by corporations*. In its majority opinion, the Court specifically pointed to disclosure as the remaining Constitutional means of monitoring corporate political spending.

CPA's approach focuses on changing the behavior of corporate donors rather than pushing for legal limits on donations, thus addressing the issue of money in politics from a unique and promising direction, complementing the work of other organizations who seek greater government accountability. The Center will expand its operations this year and pursue innovative initiatives, including the creation of a corporate political activity database. The electronic database will enable users to view company trade association memberships, policy conflicts posed by the memberships, political spending histories (including contributions to 527 groups and state-level donations), and disclosure policies and practices, as well as state and federal campaign finance compliance actions taken against companies. An association with the Wharton School of Business will reinforce the Center's credibility and access to leaders of S&P 500 companies. The collaboration will also help bring corporate political transparency into the mainstream.

As corporations are primarily responsible for the rise of special interest money in elections, CPA is increasingly valuable as a partner on judicial and government reform issues. CPA is a member of the Justice at Stake Campaign (JAS) and brings a valuable set of strategies and connections to the coalition and its work on judicial independence.

Bruce F. Freed, co-director of the Center for Political Accountability, has 30 years of experience in politics, strategic public affairs, and journalism. He served for a decade as chief investigator for the Senate Banking Committee, staff director of a House subcommittee, and senior aide and strategist to members of the House leadership.

Name of Organization: Communications Consortium Media Center

Tax Status: 501(c)(3) public charity

Purpose of Grant: To support CCMC’s communications training and technical assistance project in support of the Coalition for Constitutional Values

FPOS Grant Description: This renewal recommendation would provide communications support to grassroots coalitions working with the Coalition for Constitutional Values. Over the past few years CCMC has traveled to states around the country to train local activists engaged in designing local media strategies on nominations. CCMC has also provided communications support to smaller Coalition members (such as grantees the National Coalition for Disability Rights and the National Congress of American Indians), assisting them in drafting op-eds, and placing media in print and radio outlets. They would continue this work in coordination with the Coalition and other OSI-funded partners.

Previous OSI Support: \$1,374,000
 \$150,000 from Transparency and Integrity (2009)
 \$200,000 from Progressive Infrastructure (2007)
 \$275,000 from Independence of Judiciary (2005)
 \$200,000 from Strategic Opportunities (2003)
 \$475,000 from Reproductive Rights (1998, 2000 – 2002)
 \$74,000 from Media Grants (1999)

Organization Budget: \$4,080,000

Project Budget: \$147,000

Major Sources of Support:

William and Flora Hewlett Foundation	\$900,000
Ford Foundation	\$850,000
United Nations Population Fund	\$500,000

Amount Requested: \$75,000 over one year

Amount Recommended: \$75,000 over one year

Term: July 1, 2009 – June 30, 2010

Description of Organization

The Communications Consortium Media Center (CCMC) is a public interest organization dedicated to helping nonprofit organizations use media and communications technologies for public education and policy change. Working both domestically and globally, CCMC has developed and implemented successful communications campaigns on a range of issues, including child care and early education, juvenile justice, gender equality, reproductive rights, voting and citizenship, and immigration. Based in Washington, DC, CCMC also provides technical assistance to nonprofits help them expand their media coverage.

Description of Program for Which Funding Is Sought

CCMC seeks renewal funding to continue its provision of technical assistance and training to state and local grassroots coalitions affiliated with the Coalition for Constitutional Values (the Coalition). CCMC was formed in 1988 after its founding partners came together to coordinate media efforts in the campaign to oppose Robert Bork's nomination to the Supreme Court. While CCMC has greatly expanded its scope of activities, it continues to engage on federal judicial nominations as an active member of the Coalition for Constitutional Values. In the last few years, CCMC has worked closely with OSI grantees the Infinity Project, the National Council of Jewish Women, and the Leadership Conference for Civil and Human Rights (the Leadership Conference) to coordinate trainings in eleven locations around the country. These trainings have three purposes: 1) to substantially upgrade the communications and messaging skills of grassroots activists involved in the nominations and confirmation of federal judges; 2) to help integrate session participants into the nationwide grassroots network that has been supported by the Coalition; and 3) to use the sessions as an opportunity to organize in-state coalition strategy sessions and build local infrastructure around concerns related to the federal courts.

CCMC wishes to continue these efforts in the coming year. Working in close collaboration with the Coalition (particularly the grassroots operations and communications committees) and the National Council of Jewish Women (also in this docket), CCMC will: 1) conduct two to four media trainings for grassroots coalitions in key states; 2) maintain its media contacts database (particularly important in a rapidly-changing journalism landscape) and conduct outreach to print, radio, and blog media members; and, 3) in the event of a Supreme Court vacancy this summer, support state and local grassroots coalitions in their communications about the nomination.

Rationale for Recommendation

The Transparency & Integrity Fund recommends a grant of \$75,000 over one year. This grant would advance the Fund's goal of supporting the development of effective models for grassroots education and organizing related to federal judicial nominations.

As the Coalition for Constitutional Values readies itself in anticipation of an almost certain Supreme Court vacancy this summer, CCMC will play a key supporting role in the coalition. In the last few years, OSI has evaluated its grantmaking strategy on judicial

nominations and adjusted its strategy to involve: 1) a new set of messages that focus on law and the Constitution, and 2) a long-term effort to support and engage constituencies at the state and local level. This grant would advance both of these efforts.

CCMC was an early adopter of OSI's new strategy on messaging. While many groups were initially reluctant to drop messages that focused on specific cases or issues (i.e., "Save *Roe*") in favor of "traditional, civics class" messages that advocate for judges who respect the rule of law and the Constitution, CCMC understood the need for a new approach. CCMC's understanding was based in significant part on polling the organization has done on other issues (such as reproductive freedom) that demonstrates that tried and true methods may need to be abandoned if advocates seek to attract support beyond a narrow base. As a result, CCMC is a valuable partner in our new strategy.

An increased emphasis on building a grassroots base that is as engaged as the conservative base on this issue requires additional resources. CCMC will play an important role in working with local advocates, giving them the knowledge, skills, and confidence necessary to play a constructive and meaningful role in nominations battles. CCMC is working in close collaboration with the national coalition's grassroots committee to design and implement these strategies. Reports from local activists who have participated in CCMC's trainings are uniformly positive and enthusiastic. It is because of CCMC's work that grassroots coalitions feel better prepared and more empowered to take public positions on the importance of federal judicial nominations.

Name of Organization: Justice at Stake Campaign

Tax Status: 501(c)(3) public charity

Purpose of Grant: To provide general support

FPOS Grant Description: JAS currently works with more than 50 partner organizations – 14 of which are current OSI grantees – to promote a better understanding of the role of the courts in our democratic system, and to advance reforms that protect the fairness and impartiality of the state and federal judiciaries. JAS is OSI’s primary judicial independence grantee countering attacks on the institution from special interest groups and partisans.

Previous OSI Support: \$5,974,945
\$1,500,000 from Transparency and Integrity (2008)
\$750,000 from Progressive Infrastructure (2007)
\$2,314,945 from U.S. Justice Fund (2004-2006)
\$1,410,000 from Law & Society (2001-2003)

Organization Budget: \$1,347,657

Project Budget: Not applicable

Major Sources of Support:

Joyce Foundation	\$90,000
Moriah Fund	\$20,000

Amount Requested: \$1,900,000 over two years

Amount Recommended: \$800,000 over one year
\$625,000 from Transparency and Integrity Fund (T1: 21093)
\$175,000 from JEHT Emergency Fund (T1: 59995)

Term: July 1, 2010 – June 30, 2011

Description of Organization

The Justice at Stake Campaign (JAS) is a national, nonpartisan campaign organization located in Washington, DC. JAS was created by OSI in 2000 to provide the infrastructure for a broad-based, long-term campaign to counter partisan and special-interest pressure on the fairness, impartiality and independence of our courts. It currently works with 51 partner organizations (14 of which are current OSI grantees) to promote a better understanding of the role of the courts in our democratic system, and to advance reforms that protect the fairness and impartiality of the state and federal judiciaries.

JAS serves as the hub for a field of organizations working to protect and promote a fair and impartial judiciary—an institution under attack from special interest groups and partisans. In this environment, JAS coordinates the activities of national and state allies; enables the sharing of information and expertise between judicial reform groups; develops campaign strategies; and orchestrates legal and communications efforts. JAS coordinates the activities of major national organizations that anchor the judicial independence field (*e.g.*, the American Bar Association, League of Women Voters, and the Brennan Center), helping them to work more effectively together and maximize their respective strengths. It provides state groups with access to the resources of national groups and allows for national groups to draw directly on the knowledge of state groups in the field.

In the last few years, JAS has coordinated a wide range of legal, governmental, business, and social justice organizations in advocacy efforts around two landmark Supreme Court cases: *Caperton v. Massey* and *Citizens United*. JAS recruited organizations to file and sign-on to amicus briefs in both cases. These briefs were prominently cited in the Supreme Court’s opinions in both cases. Following oral argument and decision in the cases, JAS and its partners were widely quoted in the media and advocated for reforms necessitated by both decisions. In 2008 JAS provided strategic advice to groups in Missouri and Kansas advocating the adoption of judicial merit selection systems. Both efforts were successful, marking the first time in decades that a jurisdiction has adopted such a process. Also in 2009, JAS worked closely with OSI grantee the Wisconsin Democracy Campaign on its successful effort to create a judicial public financing system in that state.

In 2010, JAS is overseeing a field-wide strategic planning effort that will set five year goals for the field. This process will result in clear targets for the various entities in the coalition working on issues that include: merit selection, public financing, recusal reform (made necessary by *Caperton*), judicial diversity, federal court reform and access to justice. The planning effort is aimed not only at increasing JAS’ impact on the issues at the core of the field’s mission, but also at attracting new funders to the field. OSI staff is working closely with JAS during this year-long process.

Description of Program for Which Funding Is Sought

This recommendation is for general support.

Rationale for Recommendation

We recommend a grant of \$800,000 over one year. JAS advances the priorities of the Transparency and Integrity Fund by confronting threats to the fairness and impartiality of our judicial system. The grant advances the Fund’s specific goals of providing grant support to core national judicial independence organizations and working closely with core grantees and to develop a strategic five-year plan for the field. JAS is OSI’s primary judicial independence grantee, providing the infrastructure that enables a sizeable field of

judicial independence groups, created and nurtured by OSI over the past decade, to collaborate effectively.

The impartiality of judicial candidates suffers when they are forced to seek donations from special interests to fund their campaigns. From 2000 to 2009, candidates raised over \$206 million for state Supreme Court races. Since 2000, nineteen states have broken records for spending in judicial elections.

The Chamber of Commerce, often in conjunction with the Federalist Society, has sought to challenge any judicial selection system that infringes on the flow of money in judicial campaigns. These inflows are only expected to intensify as a result of the Supreme Court's decision in *Citizens United* freeing corporations and unions to spend treasury funds to support or oppose candidates for office. As a result of JAS' communications efforts, media discussions of the decision have prominently featured the very likely negative impact of the decision on judicial elections (for example, *Bill Moyers Journal* made this the focus of a February broadcast). JAS is also providing valuable advice and information to advocates in West Virginia, Washington (state), and Maryland to assist in efforts to institute merit selection or public financing systems in those states.

The organization has been ably led by executive director Bert Brandenburg since 2005. He previously served as the Justice Department's Director of Public Affairs and chief spokesperson under Attorney General Janet Reno. Brandenburg has assembled a team with deep experience in judicial politics and campaign planning. JAS's work has recently been praised (or discussed) in the *New York Times*, *Washington Post*, *Wall Street Journal*, the *National Law Journal*, *Christian Science Monitor*, *Time*, *Business Week* and *The Economist*.

OSI staff has been working closely with JAS in coordinating its strategic planning effort. While JAS and its coalition partners have won many important victories in the past decade (in addition to significantly raising the profile of an often overlooked issue), this planning process will further focus and coordinate a field that includes a wide range of organizations with distinct advocacy styles. Additionally, JAS and OSI staff are redoubling efforts to attract new funders to the field at a time when philanthropic giving is down significantly. With a clearer five year plan, we hope these efforts will bear fruit.

Name of Organization: National Center for State Courts

Tax Status: 501(c)(3) public charity

Purpose of Grant: To support the state courts and their allies with tools to maintain fair and impartial courts

FPOS Grant Description: The National Center for State Courts (NCSC) has long been a core member of the Justice at Stake coalition, bringing to that group a deep connection to state court judges and administrators. NCSC coordinates the Conference of Chief Justices, which filed an invaluable amicus brief in the *Caperton* case in 2009. This grant would provide a single year of renewal funding to NCSC to support its ongoing work: 1) providing litigation assistance to states where judicial canons are under attack; 2) coordinating judicial campaign oversight committees in states with big money judicial elections; 3) helping state judiciaries better defend themselves against attack; and 4) coordinating state court officials' participation in Justice at Stake activities.

Previous OSI Support: \$1,667,832
 \$177,000 from Transparency and Integrity Fund (2008)
 \$350,000 from Progressive Infrastructure (2007)
 \$45,000 from U.S. Justice Fund (2006)
 \$480,000 from Constitutional and Legal Policy (2004-05)
 \$615,832 from Law and Society (2000-02)

Organization Budget: \$39,398,644

Project Budget: \$383,347

Major Sources of Support: *Project*
 None

Amount Requested: \$247,183 over fifteen months

Amount Recommended: \$200,000 over fifteen months

Term: April 1, 2010 – June 30, 2011

Description of Organization

The National Center for State Courts (the Center) is an independent, nonprofit organization dedicated to strengthening the capacity of state court systems. The Center

facilitates collaboration among state courts, serving as the national voice of the state judiciaries and providing practical assistance through the development of policies, models and best practices. Based in Williamsburg, VA, the Center also supports the work of the Conference of Chief Justices, a membership organization for the 50 state chief judges.

Description of Program for Which Funding Is Sought

The National Center for State Courts (NCSC) seeks renewal of its funding to continue assisting state judiciaries, judicial organizations, and other concerned groups to anticipate and respond to laws, policies and other actions that politicize the judiciary or otherwise weaken its role as an independent branch of government. NCSC has outlined four objectives for the next year:

Defend state canons regulating judicial elections. Over the past decade, the James Madison Center – a conservative law firm led by attorney James Bopp and dedicated to eliminating all campaign speech and spending regulations – has brought suits aiming to get courts to strike down provisions of state Codes of Judicial Conduct that discourage or restrict certain kinds of behavior when judges are running for office. State officials often lack familiarity with the issues involved in such litigation. NCSC created an *ad hoc* litigation group to collect briefs and legal research, coordinate amicus brief efforts, and otherwise serve as a clearinghouse and a resource to state governments seeking to preserve their judicial canons.

Encourage and assist judicial campaign oversight committees and mandatory candidate education programs. As the Madison Center’s litigation efforts have made it increasingly difficult to regulate judicial campaign conduct, NCSC has helped establish state and local oversight committees that work to establish non-legal norms and discourage judicial candidates from engaging in conduct that would violate the judicial ethics and undermine public confidence in the integrity of the judiciary. Over the next year, NCSC will continue to support existing and new oversight committees and promote the implementation of mandatory judicial candidate education programs.

Help state judiciaries more effectively defend the role of courts as a co-equal branch of government. As a result of the recession, many court systems are facing budget cuts and other restrictions that affect the judiciary’s ability to govern itself and function properly. NCSC believes these infringements on judicial independence are a result of legislative and executive branch misunderstanding of the judiciary’s role and function and will therefore work with state judiciaries in developing more effective ways to explain controversial decisions, demonstrate their accountability to the public, and develop an economic case for fair and impartial courts. To this end, NCSC will conduct webinars, publish reports, and disseminate guides to judges and other court officials.

Connect NCSC’s expertise and network to the Justice at Stake Campaign. NCSC has long played a leading role in the Justice at Stake coalition. For instance, it was NCSC and JAS’s work with the Conference of Chief Justices that led the Conference to submit

an influential amicus brief in the Supreme Court's *Caperton* case. NCSC staff will be co-chairing JAS' Access to Justice working group as part of the JAS strategic planning process now underway.

Rationale for Recommendation

The Transparency & Integrity Fund recommends a grant of \$200,000 over fifteen months. This grant would advance the Fund's goal of supporting core judicial independence organizations as they work on ensuring fair and impartial courts. Though OSI has typically provided NCSC with multi-year grants, we are currently recommending a fifteen month grant in order to sustain NCSC's work while we await the conclusion of the JAS strategic planning process, a part of which involves identifying the most appropriate roles for member groups. Based on the recommendations of the JAS strategic plan, we will reassess the terms of our support going forward.

The National Center for State Courts is a unique and important member of the Justice at Stake community. NCSC is a non-partisan, non-profit organization created in 1971 by Chief Justice Warren Burger to improve the administration of justice in the state courts. It has remained a center of research and education, supporting state judicial systems and partner organizations dedicated to defending the courts from outside attack while also helping courts reform ineffective or unjust practices. NCSC's primary constituency for the work described here is state court leadership and court and judicial organizations that rely upon NCSC's dispassionate research and support. NCSC is the sole organization in the Justice at Stake coalition primarily dedicated to assisting state court judges.

The project promises to deliver services and products that will be useful and valuable to state court judges and others concerned with the politicization of the courts. It proposes projects that are attainable within the grant period but that will also fill important voids in the work currently underway. Its promotion of judicial campaign oversight committees is an affirmative effort to solve the problem of politicization. Rather than seek loopholes in Supreme Court decisions unlikely to be overturned for at least a generation, NCSC is emphasizing ways to change the culture of judicial elections, using ethical standards to encourage a higher level of behavior by candidates. NCSC's model judicial education program – seeking to preempt attacks on the judiciary by helping judges write more accessible and understandable judicial decisions, alerting judges to the ways in which their opinions may be interpreted (or misinterpreted) by the media and the public – is unique in providing court systems with technical assistance and advocacy support that no other organization provides. The project's coordination of state Attorneys and Solicitors General is bringing much needed knowledge and information to those countering the James Madison Center's aggressive legal actions. NCSC is helping state attorneys inexperienced in this area come up to speed against this seasoned player, again, a profoundly valuable service only NCSC is providing.

NCSC's work is led by Dr. David Rottman, an experienced and trusted professional who works closely with the Conference of Chief Justices and Justice at Stake. Rottman and his colleagues have unparalleled access to judges at the state level, judges who heed

NCSC's recommendations and benefit from its guidance. The information NCSC collects and disseminates also serves as the foundation of advocacy by many Justice at Stake member organizations. A recent staff site visit to NCSC furthered our view of NCSC's unique role in the judicial independence field.

Name of Organization: National Congress of American Indians Fund

Tax Status: 501(c)(3) public charity

Purpose of Grant: To support the Federal Judicial Selection Project

FPOS Grant Description: This renewal grant would allow the NCAIF to continue its work on the federal judiciary and federal nominations. NCAI occupies an important and unique place in the judicial nominations coalition, chaired by the Leadership Conference. Its efforts include mentoring Native American attorneys interested in federal court judgeships, meeting with circuit court judges to raise awareness and understanding of Indian law and culture, and working with local tribes to develop connections to Senators. This funding would also support ongoing efforts to build active Native American constituencies for judicial nominations work.

Previous OSI Support: \$625,000
\$125,000 from Strategic Opportunities (2009)
\$250,000 from Democracy and Power (2008)
\$250,000 from U.S. Justice Fund (2005)

Organization Budget: \$3,991,134

Project Budget: \$250,000 over two years

Major Sources of Support:

W.K. Kellogg Foundation	\$1,059,992
Department of Health and Human Services	\$613,725
Department of Justice	\$465,258

Amount Requested: \$250,000 over two years

Amount Recommended: \$250,000 over two years

Term: May 1, 2010 – April 30, 2012

Description of Organization

The National Congress of American Indians Fund (NCAIF) is the 501(c)(3) arm of the National Congress of American Indians (NCAI). Founded in 1944, NCAI is the oldest and largest American Indian, Hawaiian Native, and Alaska Native membership organization, serving a diverse network of over 250 tribes representing more than three quarters of the national population of indigenous Americans. Based in Washington, DC, it has led and participated in numerous coalitions with other national and regional

organizations, representing diverse constituencies, to advocate on behalf of NCAI's members.

Description of Program for Which Funding Is Sought

NCAIF seeks \$250,000 over a two-year period to continue its Project on the Judiciary (the Project), part of its Tribal Sovereignty Protection Initiative (TSPI). TSPI seeks to respond to a series of Supreme Court opinions that have severely undermined tribal sovereignty. The Project, launched in 2005 with support from OSI, encourages tribal participation in the federal judicial selection process and increases awareness among tribal leaders, federal judges, and key decision makers about the importance of federal courts and the role of the federal judiciary in the development of Indian law. Since the start of the Obama Administration, the Project has emphasized providing information and support to Native American attorneys who are potential federal judicial nominees. In the next two years the Project will:

1. Institutionalize a process that identifies qualified Native Americans for vacancies on the federal bench and ensures they receive fair consideration. This outreach effort asks American Indian leaders and institutions to identify qualified American Indian, Alaska Native, and Hawaiian Native candidates for federal judgeships. Interested candidates will have access to information and mentoring about the selection process. The Project will develop a step-by-step guide for potential Native American candidates to help them better understand the judicial selection process, including a political “do’s and don’ts” section to help them avoid disqualification, information about FBI background checks, and the ABA evaluation. Through its mentoring program, the Project is grooming the next generation of Indians lawyers for careers in the judiciary by helping them land the necessary “building block” experiences (internships, professional leadership positions) and assisting with networking.

2. Revamp mechanisms used to educate tribal leaders, key decision makers, and the federal judiciary about the importance of diversity on the federal bench. Through education and grassroots organizing, the Project encourages informed and active participation by Indians in the federal judicial nominations process. This task begins with promoting awareness among tribal leaders and key decision makers of the complete lack of Native Americans on the federal bench. The Project will produce and distribute educational materials on federal legal issues of importance to Indians, revamping and updating its educational materials and its website to provide the most useful and current information and advocacy. Linked to these education efforts, the Project will continue to build on past efforts to engage tribal leaders as spokespeople on judicial nominations, helping to arrange meetings with the media and members of the Senate to discuss the judicial nominations process as it relates to American Indians.²

3. Conduct outreach to federal judges. The Project seeks to foster dialogue between federal judges and tribal leaders, with the goal of educating judges about Indian law and

² NCAIF does not engage in any lobbying activities although NCAI; its section 501(c)(4) affiliate does. Under the recommended grant, no OSI funds would be used for lobbying purposes.

the role of tribal courts in tribal governance. Thus far, the Project has sponsored educational meetings with delegations from the 9th, 10th and Federal Circuits. It also arranged a recent meeting between Justice Ruth Bader Ginsburg and the Navajo Nation Supreme Court. The meetings have been a success. Participating judges have expressed interest in further meetings and have encouraged NCAIF to submit more amicus briefs to educate judges about Indian history and the fundamental tenets of Indian law. The Project plans to expand the program in the next two years to include the 1st, 6th and 8th Circuits.

In all of the efforts described above, NCAIF coordinates its work with the judicial nominations coalition chaired by the Leadership Conference on Civil Rights Education Fund.

Rationale for Recommendation

The Transparency & Integrity Fund recommends a grant of \$250,000 over two years. This recommendation advances TIF's goal of supporting efforts to diversify the judiciary and support the development of effective models for grassroots education and organizing related to federal judicial nominations.

Rather than view nominations through a narrow prism, the Project understands that change can come from pressure at multiple points and with multiple audiences. It is educating the Indian community about federal judicial intrusions on tribal sovereignty and the lack of Indian representation on the federal bench; identifying and nurturing American Indian attorneys through immediate efforts to identify and support Native American candidates for federal judgeships as well as a long-term mentoring program for promising future candidates. The project also reaches out to federal judges to educate them about tribal legal systems, and raise their consciousness about Indian law issues in the process. (Judges generally know very little about Indian law and few law schools even offer courses on the subject.) Educating sitting judges, along with a wider group of opinion leaders and decision makers, increases the likelihood that in future decisions federal judges may show more respect for tribal sovereignty and rights.

The Project is working collaboratively with a number of TIF judiciary grantees. It has long been an active member of the Coalition for Constitutional Values; it is developing a relationship with the Infinity Project, the advocacy group working to increase gender diversity on the 8th Circuit; and it has been invited to work with Justice at Stake in developing its five year strategic plan on its issues which include judicial diversity. The Project also collaborates with the Native American Rights Fund (an Equality & Opportunity Fund grantee) in analyzing the records of federal judicial nominees.

Name of Organization: National Council of Jewish Women

Tax Status: 501(c)(3) public charity

Purpose of Grant: To provide renewal support for grassroots organizing and action relating to federal judicial nominations in three cities

FPOS Grant Description: This recommended grant would provide renewal support to NCJW, a chapter-based national organization of Jewish women. In the past eight years, NCJW has specifically organized Jewish women around judicial nominations and the impact of the federal courts on this community's concerns. In the past year, with OSI support, NCJW has built coalitions on nominations that include a diverse set of constituencies in Lincoln, NE; Pittsburgh, PA; and Cleveland, OH. These local coalitions could serve as models for local organizing by multi-issue coalitions on judicial nominations. This grant would continue the shift of OSI judicial nominations funding from DC-based and focused organizations toward groups innovating in this area by building grassroots engagement.

Previous OSI Support: \$190,000
\$190,000 from Transparency and Integrity (2009)

Organization Budget: \$4,138,876

Project Budget: \$185,000

Major Sources of Support:

Mandel Supporting Foundation	\$200,000
Estate of Lenore Feldman Fischler	\$100,000
Ford Foundation	\$50,000

Amount Requested: \$150,000 over one year

Amount Recommended: \$150,000 over one year

Term: May 1, 2010 – April 30, 2011

Description of Organization

The National Council of Jewish Women (NCJW) is the oldest Jewish women's volunteer organization in the United States. Founded in 1893, NCJW works to unite people of diverse backgrounds determined to improve their communities and country regardless of faith, ethnicity, race, or gender. NCJW boasts more than 90,000 members organized in a

network of approximately 100 sections (local affiliates). NCJW's State Public Affairs Network trains volunteer advocates in 18 states for work at the state and local level. Based in New York City with a legislative office in Washington, DC, NCJW is an active participant in the Leadership Conference on Civil Rights, the Religious Coalition for Reproductive Choices, the Coalition Against Religious Discrimination, and the Coalition for Constitutional Values.

Description of Program for Which Funding Is Sought

NCJW seeks renewal support to further develop its grassroots organizing work in coordination with the Coalition for Constitutional Values. Building on judicial nominations education and organizing it conducted in three cities this past year – Omaha, NE; Cleveland, OH, and; Pittsburgh, PA – the project's goal is to further strengthen the coalitions in these cities, assisting them to build active and sustainable vehicles for action and advocacy relating to federal judicial nominations. Once these coalitions are on firm footing, NCJW hopes to use this organizing model to develop coalitions in other key locales.

Last year, with OSI support, NCJW revived coalitions it built up during the Roberts and Alito nominations in 2005, seeing a need for local infrastructure that remains consistently engaged on federal nominations issues – not simply during high profile Supreme Court fights. Local volunteers reached out to a diverse group of allies in putting together coalitions to educate the public and speak out on the importance of a federal judiciary to defend core constitutional values. The resulting coalitions involved an impressive array of organizations. The Cleveland coalition included the NAACP, Ohioans to Stop Executions, local synagogues, the League of Women Voters, and the Hispanic Roundtable. The Pittsburgh coalition includes the local National Organization of Women chapter, the Union of Reform Judaism, and local labor leaders. And the Lincoln, NE chapter includes the American Association of University Women, B'nai Brith, Planned Parenthood, and leaders from the Latino community. Throughout this process, NCJW provided technical assistance and capacity-building support. Working with the OSI grantee the Communications Consortium Media Center (also in this docket), NCJW provided coalition members with media training tailored to judicial nominations efforts. The coalitions immediately put that training to use speaking out on the nomination of Sonia Sotomayor to the Supreme Court. Coalitions drafted op-eds and letters to the editor, engaged the organizations' respective members, and visited their Senators' local offices to express shared concerns about the Supreme Court and the federal courts.

With renewal support, NCJW would be able to provide the coalitions with assistance necessary to further strengthen and activate local residents around federal district court and appellate court nominations (as well as any Supreme Court nomination in 2010). Local coalitions will hold monthly meetings to update members on vacancies and pending nominees in their circuit and others. Coalitions will develop action plans to engage the public on particular nominees, crafting unified messages and launching coalition-wide efforts. NCJW's Washington office will also create materials to assist activists in other states and localities in launching similar nominations coalitions. In this

work, NCJW will coordinate with the grassroots committee of the Coalition for Constitutional Values.

Rationale for Recommendation

The Transparency & Integrity Fund recommends a renewal grant of \$150,000 over one year. This grant would advance the Fund's goals of supporting efforts to educate and engage citizens around the need for a fair and independent federal judiciary. Specifically, this grant would advance the portfolio's goal of building viable models for grassroots engagement on the issue of federal judicial nominations.

Last year the Fund began reducing support of judicial nominations work, providing tie-off grants to many of the DC-based organizations we had been supporting. This was, in part, the result of the Fund's strategic planning process in which we identified a need to develop innovative and sustainable models of grassroots education and engagement around federal judicial nominations. An educated and engaged grassroots constituency that can be depended upon to mobilize on nominations and other court-related matters has been key to conservative dominance in debates concerning the courts. Our grant to NCJW was one of a small group of TIF grants seeding local organizing efforts of broad-based coalitions that could begin to form a counterweight to these conservative groups.

NCJW is one of the few DC-based organizations with a significant network of local volunteers and activists ready to move on issues related to the judiciary. Aply led by veteran advocate Sammie Moshenberg, NCJW's DC office director, the organization's groundwork over the past eight years shows that local citizens can impact the direction of the judiciary. Their expanded efforts are aimed at engaging an even more diverse set of communities in nominations battles, an exciting development.

The success of NCJW's local volunteer activists in creating strong and diverse coalitions is impressive. These groups quickly formed in May of 2009 to coordinate efforts around the nomination of Sonia Sotomayor. Unlike past nominations coalitions, however, when the Senate confirmed Sotomayor, the groups did not disband. The coalitions continued into 2010, engaging around vacancies and possible vacancies in their circuits and others. For example, all three coalitions worked on the confirmation of David Hamilton to the 7th Circuit. Such cross-circuit work marks an important development, demonstrating an understanding that what happens in other circuits can affect the lives of people across the country.

Name of Organization: William J. Brennan Jr. Center for Justice

Tax Status: 501(c)(3) public charity

Purpose of Grant: To provide general support

FPOS Grant Description: The Brennan Center is a core grantee of many funds in U.S. Programs. Its work on national security, criminal justice reform, judicial independence, and electoral reform is considered a vital contribution to those fields. Brennan is currently expanding its federally-focused activities, attempting to take advantage of growing staff expertise in federal policymaking as well as the new opportunities for fundamental change. Brennan was promised a grant of \$2 million over two years in 2009, with TIF contributing \$1.5 million and NSHR and CJF making up the rest. Due to TIF's budget limitations last year, we could only make one-half of our commitment to Brennan and are therefore now making the second half of our \$1.5 million commitment.

Previous OSI Support: \$12,870,347
 \$1,250,000 from Transparency and Integrity Fund (2009)
 \$807,715 from Strategic Opportunities Fund (2009, 2006, 2005, 2003)
 \$223,414 from JEHT Emergency Fund (2009)
 \$2,881,218 from U.S. Justice Fund (2008-2004, 2002-2000, 1997)
 \$2,625,000 from Progressive Infrastructure (2007, 2006)
 \$60,000 from OSI-Baltimore (2006)
 \$1,223,000 from Independence of Judiciary (2004-2002, 1997)
 \$1,000,000 from Governance and Policy (2002)
 \$2,270,000 from Law and Society (2001-1997)

Organization Budget: \$6,639,115

Project Budget: Not applicable

Major Sources of Support:

Carnegie Corporation	\$900,000
Joyce Foundation	\$400,000
Tides Foundation	\$395,000

Amount Requested: \$750,000 over one year

Amount Recommended: \$750,000 over one year

Term: July 1, 2010 – June 30, 2011

Description of Organization

The William J. Brennan Jr. Center for Justice at New York University School of Law (the Brennan Center) is a non-partisan public policy and law institute that focuses on fundamental issues of democracy and justice. The Brennan Center was founded in 1996 by the former clerks of Justice William Brennan to honor Justice Brennan's vision of a "living constitution" that enshrines human dignity, equal opportunity and democratic participation as its core values. Based in New York (with offices in Washington, DC and Los Angeles), the Brennan Center's work ranges from voting rights to redistricting reform, from access to the courts to presidential power in the fight against terrorism. A singular institution—part think tank, part public interest law firm, part advocacy organization—the Brennan Center combines scholarship, legislative and legal advocacy, and communications to win meaningful and measurable change in the public sector.

The Brennan Center's work is divided into two programs: the Democracy Program and the Justice Program. The Democracy Program seeks to improve the ways in which citizens participate in their government by ameliorating, or amending where possible, the systems that discourage voting, hinder competition and promote the interests of the few over the rights of the many. This program houses projects related to fair courts, redistricting, voting rights and elections, felon disfranchisement, campaign finance reform, and reform of New York state government. Its Fair Courts Project has been the research backbone of the Justice at Stake campaign since the time OSI began funding judicial independence work. Its Voting Rights Project is a leader in the push for universal voter registration, working on policy, litigation, and public education fronts to shape the discussions on that issue.

Brennan's other program, the Justice Program, is dedicated to justice system reform that reduces the gap between the promise of equal justice and the day-to-day reality in American courts and communities. The Justice Program houses projects related to civil justice, criminal justice, economic opportunity, liberty and national security, and non-profit rights. The civil justice project focuses primarily on the provision of legal services and the right to counsel for people living in poverty. The criminal justice project works on issues of indigent defense, punitive criminal court fees, sentencing reform, and felon disfranchisement (the latter in conjunction with the Democracy Program). Since 9/11, the Liberty & National Security Project has fought to restore checks and balances to executive power and restore respect for basic constitutional values in the fight against terrorism.

Over the past three years, with OSI support, the Brennan Center has engaged in a significant strategic planning process and brought on board a new Executive Director, Michael Waldman. The strategic plan that was developed reaffirmed Brennan's commitment to research and policy development, diligent and careful litigation, and technical assistance to government leaders and policy advocates at the federal and state levels. The resultant plan following Michael Waldman's arrival seeks to increase Brennan's public profile through strategic communications and a more visible footprint at the federal level.

Description of Program for Which Funding Is Sought

This recommendation is for general support, and results from a U.S. Programs-wide process to streamline our grantmaking. To this end, where appropriate, we are moving grantees receiving multiple project grants from our various funds and campaigns into a single fund and converting multiple project support grants into a single general support grant. This makes particular sense in Brennan's case where we had been providing project support to almost every program within that organization.

Rationale for Recommendation

The Transparency and Integrity Fund, the Criminal Justice Fund, and the National Security and Human Rights Campaign agreed to recommend a grant to Brennan of \$2 million over 2 years.³ Due to budget constraints within TIF, however, in 2009 we were able to only make a grant of \$1,250,000. This recommendation seeks approval of the remaining \$750,000 to complete the \$2 million recommendation. The grant would advance the Transparency and Integrity Fund's goals of ensuring the integrity of the electoral system and the judiciary through advocacy, education, and litigation. The grant would advance the Criminal Justice Fund's interest in reducing harsh punishment by securing voting rights and expanding the civic engagement of people with criminal records and its goal of securing fair and equal access to justice through systemic reform by strengthening the relationship between public defenders and their communities. And the grant would advance National Security and Human Rights Campaign's goal of strengthening the capacity of core organizations to advocate against a range of abusive counterterrorism policies and for more progressive national security policies that respect civil liberties, human rights, and the rule of law.

When U.S. Programs began its effort to identify and provide ongoing support to "core" grantees, there was little question that the Brennan Center would be among those groups. OSI began funding Brennan for its judicial independence work in 1999, and since then has awarded the organization over fifty grants from multiple funds within OSI for work on a wide range of U.S. Programs priorities. In addition to the breadth and depth of Brennan's relationship to OSI, Brennan's "core" status is also based on its willingness to partner or otherwise work with a large number of organizations (OSI grantees and others) on a range of issues. Brennan has a solid reputation as a trusted and selfless partner and collaborator. Rather than seeking credit and attention for its own work, Brennan has often been willing to play the role of workhorse, toiling in the shadows to advance and achieve goals that serve a larger set of organizations.

Brennan continues to be a central grantee in advancing core goals of multiple U.S. Programs Funds. Brennan's terrific work on judicial and electoral system integrity makes it central to the Transparency & Integrity Fund's grantmaking strategies. Brennan's recent efforts on judicial diversity and recusal reform, both major initiatives of

³ The Criminal Justice Fund is contributing \$300,000 over 2 years. The National Security and Human Rights Campaign is contributing \$200,000 over two years. The Transparency & Integrity Fund is committed to providing \$1.5 million over 2 years.

the Justice at Stake coalition are particularly notable for serving as the basis for advocacy in so many states. Brennan was *the* leading force in bringing together the ideologically and organizationally diverse groups that, through amicus briefs, advanced recusal reform in the U.S. Supreme Court's *Caperton* case. Brennan has also been an early promoter of, and is now deeply engaged in, the push for universal voter registration, providing essential research and advocacy expertise to a wide array of reform-minded groups. And most recently, Brennan has played a leading role in the *Citizens United* case in which the Supreme Court struck down regulation of corporate political expenditures, first coordinating the amicus briefs in the case; and then spearheading a variety of reform strategies aimed at reducing the decision's negative impact on elections.

Re-enfranchisement of people with felony convictions through voting and civic participation remains a Criminal Justice Fund priority. Promoting civic and political participation of people with criminal records is important for assuring successful reentry after prison and is a strategic inroad to addressing the severe collateral consequences of criminal justice and sentencing policies in the U.S. Brennan's Right to Vote Project operates nationwide on both the federal and state level, and includes litigation, legislative and administrative advocacy, and public education to restore the vote to people with criminal convictions. Right to Vote has been critical to victories in Florida, Iowa, Maryland, Nebraska, and Rhode Island—where changes in eligibility rules have reduced the number of permanent disenfranchisement states from five to two since 2005 and have opened the polls to hundreds of thousands of potential new voters. Brennan also helped to streamline restoration procedures in Tennessee and to enforce compliance with the law in Alabama and New York.

Brennan has also been an important leader in the national indigent defense reform movement, in its dedication to and expertise in strengthening defender services and securing the promise of *Gideon v. Wainwright*. Brennan directs the *Community Oriented Defender Network* (COD), which helps public defenders achieve important policy reforms, even as they represent their clients in individual cases. Among its activities, Brennan's COD partners with defender programs to research racial disparities in police and prosecution practices; works with defender programs to achieve racial justice reform, advocates to ensure that a new generation of "fees and fines" does not unfairly shift the costs of criminal justice systems onto those least able to shoulder them, and promotes best practices that constitute the "Community Oriented Defense" model.

U.S Programs began providing project support to Brennan's Liberty & National Security Project in 2005. The Project's mission is to preserve constitutional values against erosion in the post-9/11 world and to set meaningful limits on the exercise of executive power. By developing innovative policy recommendations and using the tools of litigation and public advocacy, the Project fights to ensure that America's commitment to national security does not trump its commitment to fairness, accountability, and due process. In partnership with OSI, the Project is promoting the creation of a non-partisan commission of inquiry to investigate abuses committed in connection with U.S. detention and interrogation policy. Aziz Huq left Brennan for a professorship in January 2009, and

since then the Liberty & National Security Project has been led by Liza Goitein, former counsel to Senator Russell Feingold.

Brennan's Executive Director, Michael Waldman, joined the organization in 2005 and helped lead the organization's strategic planning process. Former Chief Speechwriter for President Bill Clinton (and author of multiple books), Waldman brings to Brennan an insider's understanding of federal policymaking and a keen eye for communication of ideas to a broad audience. Under his guidance, Brennan has reorganized and streamlined its areas of work and brought on impressive new staff to help direct its efforts. Brennan appears to have successfully made the transition from a founding leader to new leadership at a time when the need and opportunity for its expertise have grown exponentially.

Name of Organization: Good Jobs First

Tax Status: 501(c)(3) public charity

Purpose of Grant: To coordinate a convening of OSI grantees working in eight states to make the American Recovery and Reinvestment Act more equitable, accountable, and transparent

FPOS Grant Description: This grant would support Good Jobs First and its partners in organizing a three day conference on transparency and equity in Recovery Act spending at the state and local levels. Participants will include member organizations of OSI-funded state transparency and equity alliances.

Previous OSI Support: \$250,000
\$150,000 from U.S. Programs (2009)
\$100,000 from U.S. Justice Fund (2003)

Organization Budget: \$985,000

Project Budget: \$140,000

Major Sources of Support:

Ford Foundation	\$500,000
Surdna Foundation	\$200,000
New York Community Trust	\$58,000

Amount Requested: \$140,000 over one year

Amount Recommended: \$140,000 over one year
\$140,000 from Seize the Day Fund (T1: 21079)

Term: May 1, 2010 – April 30, 2011

Description of Organization

Good Jobs First (GJF) is a national research, advocacy, and resource center dedicated to promoting corporate and government accountability in economic development and smart growth for working families. Based in Washington, DC, GJF’s mission is to empower constituency-based groups and pro-reform public officials with high-quality research and technical assistance to make government spending more transparent, equitable, accountable, and effective. GJF produces research reports, maintains websites, conducts trainings for local activists, and provides technical assistance and consulting to allied individuals and organizations. GJF is the primary coordinator of the States for a Transparent and Accountable Recovery (STAR) coalition, a coalition of twenty local and national organizations funded in part by the Seize the Day initiative.

Description of Program for Which Funding Is Sought

Good Jobs First seeks project support to organize a convening of organizations currently funded through the Seize the Day special initiative to assure transparency and equity in the economic recovery at the state level. The special initiative funded alliances of indigenous organizations working in eight states: California, Colorado, Florida, Maryland, Mississippi, New York, Texas, and Wisconsin. The goal of the proposed convening is to strengthen the capacity of alliance members by: 1) enabling them to interact with alliances from other states, building cross-state ties in the process; 2) sharing best practices and replicable program development models with fellow OSI grantees and other American Recovery and Reinvestment Act (ARRA) experts; and 3) broadening their vision of how ARRA organizing and advocacy can advance equity, accountability and transparency in both federal and state government spending in the short-term and long into the future.

Working closely with other U.S. Programs grantees such as the Opportunity Agenda, OMB Watch, the Center for Social Inclusion, Progressive States Network, PolicyLink, and New American Media, GJF will hold a three-day convening in early May in Washington DC, inviting representatives from each of the eight state alliances. Plenary sessions will cover topics such as:

- Tracking how ARRA funds are spent;
- Local, state, and national strategies to advance equity in recovery project spending;
- Messaging on equity in ARRA spending;
- Using federal ARRA transparency resources in advocacy campaigns;
- Understanding state transparency and disclosure rules and processes; and
- Green jobs in the recovery.

Breakout sessions will delve more deeply into transparency and equity advocacy in specific issue areas: transportation; safety net; public education; and ARRA bond issues. GJF is also setting up a meeting between state advocates and officials from the Recovery Accountability and Transparency Board.

Rationale for Recommendation

The Seize the Day Fund recommends a grant of \$140,000 over one year. The grant would advance the Seize the Day Fund's goal of ensuring transparency, accountability and equity in the development and implementation of economic recovery plans while supporting the building of strong state-based advocacy capacity as federal recovery funding moves to the state and local levels.

When President Obama took office in January 2009 he put transparency and open government at the top of his administration's agenda, promising unprecedented access to information and government data. Yet the rapidly worsening economic crisis and gridlock in Congress (as well as technological challenges, bureaucratic inertia, and other

factors) have compromised these commitments. Given ARRA's size (\$787 billion) and scope and the potential for government dollars to be deployed in ways that perpetuate structural inequality, staff saw it as essential to invest in a range of efforts to monitor stimulus spending and advocate for greater transparency and equity in recovery spending. Such monitoring and advocacy is particularly needed where federal dollars are ultimately allocated and disbursed: at the state and local levels where, in many instances, commitments to transparency, accountability and equity are even less structurally supported than they are in Washington, DC.

Accordingly, in 2009 the Seize the Day Fund issued two Requests for Proposals to support state alliances of organizations to advance transparency and equity in recovery efforts. We ultimately made ten grants in eight states, totaling, \$4.443 million, for alliance efforts that are now up and running. Since then, alliance members have requested that we organize a convening of all the alliances, along with other experts and advocates, in order to help refine and enhance advocacy efforts. To the Seize the Day committee, this appears to be a particularly wise investment in light of the large amount of funding that we've now put into building the state economic recovery alliances.

Good Jobs First is a natural host organization for this convening and any follow-up work with the alliances. Last year we were impressed by the rapidity with which GJF managed to assemble the States for a Transparent and Accountable Recovery (STAR) coalition, successfully bringing together groups from both transparency and equity advocacy communities. Since then, GJF has worked closely with many OSI grantees – OMB Watch, Opportunity Agenda, the Center for Social Inclusion, the National Institute for Money in State Politics – in efforts to focus attention on transparency and equity in ARRA spending at the state and local level. GJF is a strong collaborator with a demonstrated track record in organizing similar field-building convenings. It recently partnered with the Opportunity Agenda to convene transparency and equity groups working on the deployment of recovery dollars in New York City. The New York meeting will serve as a solid model for the proposed national convening.

Greg LeRoy, GJF's Executive Director, is an experienced muckraker and organizer. Phil Mattera, the group's research director, has long been connected to the transparency and equity community in D.C. and nationally. Prior to 2009, most of GJF's work focused on state economic development spending, pushing for greater transparency in how those funds were allocated, to whom, and who benefited (or not) from such spending programs. But given the significance of federal recovery spending and the opportunity presented to advance transparency and equity goals, GJF has shifted the bulk of its efforts towards advocacy on the stimulus and has received strong reviews from the field and from OSI peer funders, including the Ford Foundation, among others.