

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1054

To establish the Office of Faith-Based and Community Initiatives.

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IN THE HOUSE OF REPRESENTATIVES

MARCH 2, 2005

Mr. GREEN of Wisconsin introduced the following bill; which was referred to the Committee on Government Reform

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## A BILL

To establish the Office of Faith-Based and Community Initiatives.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Tools for Community  
5 Initiatives Act”.

6       **SEC. 2. ESTABLISHMENT.**

7       There is established in the Executive Office of the  
8 President the Office of Faith-Based and Community Ini-  
9 tiatives (hereafter referred to as “the Office”).

1 **SEC. 3. DIRECTOR.**

2 (a) DIRECTOR.—The head of the Office shall be the  
3 Director of the Office of Faith-Based and Community Ini-  
4 tiatives, who shall be appointed by the President.

5 (b) PAY OF DIRECTOR.—Section 5314 of title 5,  
6 United States Code, is amended by inserting after the  
7 item relating to the Administrator of the Centers for  
8 Medicare & Medicaid Services the following new item:

9 “Director of the Office of Faith-Based and  
10 Community Initiatives.”

11 (c) INTERIM DIRECTOR.—The individual serving as  
12 the Director of the Office of Faith-Based and Community  
13 Initiatives on the date of the enactment of this Act may  
14 serve as Interim Director until such time as a Director  
15 is appointed by the President in accordance with sub-  
16 section (a).

17 **SEC. 4. RESPONSIBILITIES.**

18 (a) IN GENERAL.—The Director shall encourage  
19 faith-based and community initiatives and work to elimi-  
20 nate improper Federal barriers so as to allow faith-based  
21 and community entities to compete for Federal funding  
22 to the fullest opportunity permitted by law.

23 (b) SPECIFIC DUTIES.—In carrying out the respon-  
24 sibilities of the Office, the Director shall—

25 (1) develop, lead, and coordinate policies with  
26 respect to faith-based and community initiatives;

1           (2) support faith-based and community initia-  
2           tives, especially those serving at-risk youth, ex-of-  
3           fenders, the homeless and hungry, substance abus-  
4           ers, those with HIV and AIDS, and welfare-to-work  
5           families;

6           (3) work to expand the role of faith-based and  
7           community initiatives through executive action, legis-  
8           lation, regulation, and Federal and private funding;

9           (4) ensure that the policy decisions made by the  
10          administration and the Federal Government are con-  
11          sistent with stated goals with respect to faith-based  
12          and community initiatives;

13          (5) help to integrate policies affecting faith-  
14          based and other community organizations across the  
15          Federal Government;

16          (6) coordinate public education activities de-  
17          signed to mobilize public support for faith-based and  
18          community initiatives by encouraging volunteerism,  
19          special projects, demonstration pilots, and public-pri-  
20          vate partnerships;

21          (7) encourage private charitable giving to sup-  
22          port faith-based and community initiatives;

23          (8) advise the President on options and ideas to  
24          assist, strengthen, and replicate successful faith-  
25          based and community initiatives;

1           (9) provide policy and legal education to State,  
2           local, and community policymakers and public offi-  
3           cials seeking ways to support and encourage faith-  
4           based and community initiatives;

5           (10) develop and implement strategic initiatives  
6           in keeping with policies that will strengthen families,  
7           communities, and the institutions of civil society;

8           (11) showcase and herald innovative grassroots  
9           nonprofit organizations and civic initiatives;

10          (12) work to eliminate unnecessary legislative  
11          and regulatory barriers which impede the efforts of  
12          faith-based and community initiatives to solve social  
13          problems;

14          (13) monitor the implementation of policies  
15          with respect to faith-based and community initiatives  
16          by the Centers for Faith-Based and Community Ini-  
17          tiatives established within certain departments and  
18          agencies of the Federal Government; and

19          (14) work to establish high standards of excel-  
20          lence and accountability for faith-based and commu-  
21          nity initiatives.

22 **SEC. 5. ADMINISTRATION.**

23          (a) OFFICERS.—The President shall assign to the Of-  
24          fice such officers in addition to the Director, if any, as

1 the President, in consultation with the Director, considers  
2 appropriate to discharge the responsibilities of the Office.

3 (b) STAFF.—The Director may appoint such employ-  
4 ees as necessary to carry out the functions of the Office.

5 (c) RESOURCES.—The President shall, in consulta-  
6 tion with the Director, assign or allocate to the Office such  
7 resources, including funds and other resources, as the  
8 President considers appropriate in order to facilitate the  
9 discharge of the responsibilities of the Office.

10 (d) OBTAINING OFFICIAL DATA.—The Office may se-  
11 cure directly from any department or agency of the United  
12 States information necessary to enable it to carry out this  
13 Act. Upon request of the Director, the head of that de-  
14 partment or agency shall furnish that information to the  
15 Office.

16 **SEC. 6. DESIGNATED DEPARTMENT OR AGENCY LIAISON.**

17 (a) IN GENERAL.—The head of each designated de-  
18 partment or agency shall designate a liaison who shall be  
19 responsible for coordinating the activities of that depart-  
20 ment or agency with the Office.

21 (b) RESPONSIBILITIES OF LIAISON.—Each des-  
22 ignated department or agency liaison shall—

23 (1) conduct, in coordination with the Office, a  
24 review of the policies and procedures of the des-  
25 ignated department or agency to identify any bar-

1 riers to the participation of faith-based and commu-  
2 nity initiatives in the delivery of social services by  
3 such department or agency, including, but not lim-  
4 ited to, regulations, rules, orders, procurement, out-  
5 reach activities, and other internal policies and prac-  
6 tices that either facially discriminate against or oth-  
7 erwise discourage or disadvantage the participation  
8 of faith-based and other community organizations in  
9 Federal programs;

10 (2) coordinate a comprehensive effort to incor-  
11 porate faith-based and community initiatives in the  
12 programs and initiatives of the designated depart-  
13 ment or agency;

14 (3) propose initiatives to remove barriers identi-  
15 fied pursuant to the review conducted under para-  
16 graph (1);

17 (4) propose the development of pilot and dem-  
18 onstration programs to increase the participation of  
19 faith-based and community initiatives in Federal,  
20 State, and local initiatives; and

21 (5) develop and coordinate the outreach efforts  
22 of the designated department or agency to dissemi-  
23 nate information to faith-based and community ini-  
24 tiatives with respect to programming changes, con-  
25 tracting opportunities, and other initiatives.

1 (c) ANNUAL REPORT.—Not later than March 31 of  
2 each year, each designated department or agency liaison  
3 shall submit to the Office an annual report which shall  
4 include the following:

5 (1) A description of the efforts by the des-  
6 ignated department or agency liaison to carry out  
7 the responsibilities under subsection (b).

8 (2) A comprehensive analysis of the barriers to  
9 the full participation of faith-based and community  
10 initiatives in the delivery of social services pursuant  
11 to the review conducted under subsection (b)(1).

12 (3) A summary of information made available  
13 to faith-based and community initiatives under sub-  
14 section (b)(5).

15 (d) DESIGNATED DEPARTMENT OR AGENCY.—For  
16 the purposes of this subsection, “designated department  
17 or agency” means a department or agency of the Federal  
18 Government with a Center for Faith-Based and Commu-  
19 nity Initiatives, and shall include the following depart-  
20 ments and agencies:

21 (1) The Department of Education.

22 (2) The Department of Labor.

23 (3) The Department of Justice.

24 (4) The Department of Health and Human  
25 Services.

1           (5) The Department of Housing and Urban De-  
2           velopment.

3           (6) The Department of Agriculture.

4           (7) The Agency for International Development.

5           (8) The Department of Commerce.

6           (9) The Department of Veterans Affairs.

7           (10) The Small Business Administration.

8   **SEC. 7. SENSE OF CONGRESS.**

9           It is the sense of Congress that—

10           (1) Federal financial assistance for social serv-  
11           ice programs should be distributed in the most effec-  
12           tive and efficient manner possible;

13           (2) the Nation's social service capability will  
14           benefit if all eligible organizations, including faith-  
15           based and other community organizations, are able  
16           to compete on an equal footing for Federal financial  
17           assistance used to support social service programs;

18           (3) in the administration or distribution of Fed-  
19           eral financial assistance, no organization should be  
20           discriminated against on the basis of religion or reli-  
21           gious belief;

22           (4) the Federal Government must implement  
23           Federal programs in accordance with the establish-  
24           ment clause and the free exercise clause of the first  
25           amendment of the Constitution;



1           (5) consistent with the free exercise clause and  
2           the free speech clause of the Constitution, faith-  
3           based organizations should be eligible to receive Fed-  
4           eral financial assistance and to participate fully in  
5           any social service program supported with Federal  
6           financial assistance without impairing their inde-  
7           pendence, autonomy, expression, or religious char-  
8           acter;

9           (6) any organization that receives Federal fi-  
10          nancial assistance to provide social services should  
11          be prohibited from discriminating against bene-  
12          ficiaries or potential beneficiaries of the services it  
13          provides on the basis of religion, religious belief, re-  
14          fusal to hold a religious belief, or refusal to partici-  
15          pate in a religious practice;

16          (7) an organization that engages in inherently  
17          religious activities, such as worship, religious in-  
18          struction, and proselytization, should be eligible to  
19          receive Federal financial assistance, provided that  
20          the organization offers such religious activities sepa-  
21          rately in time or location from any program or serv-  
22          ice supported with direct Federal financial assist-  
23          ance, and that participation in any such religious ac-  
24          tivity must be voluntary for any beneficiary of a so-

1 cial service program supported with Federal finan-  
2 cial assistance;

3 (8) any faith-based organization that receives  
4 Federal financial assistance should be able to retain  
5 its independence and to continue to carry out its  
6 mission, including the definition, development, prac-  
7 tice, and expression of religious beliefs, provided that  
8 it does not use Federal financial assistance to sup-  
9 port any inherently religious activity, such as wor-  
10 ship, religious instruction, or proselytization;

11 (9) any faith-based organization that receives  
12 Federal financial assistance should be able to use its  
13 facilities to provide social services supported with  
14 Federal financial assistance, without removing or al-  
15 tering religious art, icons, scriptures, or other sym-  
16 bols from these facilities; and

17 (10) any faith-based organization that receives  
18 Federal financial assistance should be able to retain  
19 any religious terms in the organization's name, take  
20 religion into account in selecting board members,  
21 and include religious references in any organization  
22 mission statements or other chartering or governing  
23 documents.

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