

Transforming Government

A Level Playing Field and New Partners

"The paramount goal is compassionate results, and private and charitable groups, including religious ones, should have the fullest opportunity permitted by law to compete on a level playing field, so long as they achieve valid public purposes.... The delivery of social services must be results-oriented and should value the bedrock principles of pluralism, nondiscrimination, evenhandedness, and neutrality."

President George W. Bush
January 29, 2001

- **President Bush calls for Charitable Choice to be made permanent.** In his 2008 State of the Union address, President Bush called on Congress to permanently extend the Charitable Choice laws that currently ensure equal treatment of faith-based organizations in certain Federal programs.
 - Charitable Choice complies with legal standards established by the courts and protects the religious character of faith-based organizations participating in Federally-funded human service programs, while fully protecting the religious liberty of every individual seeking services from those programs. Charitable Choice principles have been adopted across the Federal Government through Equal Treatment rules adopted by Federal agencies that host Centers for Faith-Based and Community Initiatives.
- **Gains in leveling the playing field.** In 2001, the White House OFBCI published a report titled *Unlevel Playing Field* that revealed the findings of an audit of five Federal agencies. The report identified 15 barriers inhibiting government partnerships with both faith-based and other grassroots nonprofits and served as the blueprint for sweeping change:
 - President Bush signed Executive Order 13279 ordering Federal agencies that administer social service programs not to discriminate against faith-based organizations based on their religious characters. The Order established a new standard that judges organizations by their ability to deliver results rather than their motivation for service.
 - Cabinet agencies adopted the principles of Executive Order 13279 through 16 FBCI-related regulations, applying them to virtually every human service program sponsored by the Federal Government.
- **Opening the door for grassroots nonprofits.** The challenge of making government more welcoming to grassroots nonprofits required the elimination of many additional barriers, including ending preferences for incumbent grantees in grant competitions and introducing new policies to make programs accessible to smaller, neighborhood organizations. Such policies included:
 - Agencies revised the application materials and practices, to simplify the process and disseminate information more effectively.
 - Agencies removed unnecessary grant requirements that unduly burden smaller organizations and provided improved technical assistance with compliance and reporting requirements.
 - Intermediary Model Programs – Grants are awarded to large, veteran nonprofits that, in turn, subgrant funds to grassroots nonprofits in their networks and deliver training and technical

assistance to the subgrantees and other grassroots groups, to increase their capacity to serve their community, even after the grant has ended.

- Minigrants – Agencies offer grants in the range of \$10,000 to \$75,000 that require less paperwork than typical large government grants. These right-sized grants enabled much leverage in private dollars added and volunteers recruited.
- Vouchers – Empowering beneficiaries to choose the service provider that best meets their unique needs allows many small-but-effective organizations to provide government-funded services for the first time, expanding their work and government's network of partner providers.

➤ **Training and Guidance.** Even though the Federal Government had contracted with faith-based charities for decades, President Bush's Faith Based and Community Initiative was the first concerted effort to train policymakers and practitioners on clear, constitutional principles for government partnerships with religious nonprofit organizations.

- The White House OFBCI produced the first-ever guidebook defining the First Amendment parameters governing Federal partnerships with faith-based organizations. This material has been distributed in hard copy and via the Internet to tens of thousands of readers.
- The guidebook and ancillary materials produced by the White House and Cabinet agencies were delivered through dozens of conferences and workshops in all 50 States. Approximately 100,000 nonprofit leaders and State and local officials benefited from this training.
- Federal agency FBCI Centers work with career program staff to provide training materials and guidance documents to ensure that program administrators and grantees understand and comply with the legal parameters for use of Federal funds and provide quality services to all eligible beneficiaries.

➤ **What They're Saying.** Constitutional scholar and George Washington University law professor Robert Tuttle offered this assessment during a briefing on First Amendment jurisprudence at the 2007 annual conference of the Roundtable on Religion and Social Welfare:

"I think we have seen about the most dramatic administrative change that is possible for those inside the Beltway to conceive ... the idea that you go from a government that was in form as well as practice quite hostile to many kinds of religious organizations participating in government funding programs to one that has now institutionalized an expectation—it's not always practiced, but an expectation of equal treatment. I mean, that's a remarkable change and that's a change that didn't happen because of Charitable Choice although the groundwork was there. It's happened because of the Faith-Based and Community Initiative."