

# TAKING ROOT ACROSS AMERICA

## FBCI ACTIVE IN ALL 50 STATES

Faith-based and community initiatives have taken root in each State and countless communities across the nation as a pragmatic way of addressing society's toughest human service needs. State- and city-led strategies have included efforts to strengthen the network of government and nonprofit organizations to improve the welfare of citizens, build the capacity of faith-based and community organizations, and address specific challenges.

As described throughout the previous chapters of this report, the President's Faith-Based and Community Initiative (FBCI) has produced deep change in the Federal Government's approach to social services by providing opportunities for grassroots nonprofit organizations to collaborate with the Federal Government in both financial and other partnership forms. A "level playing field" has largely been secured to allow the full participation of faith-based and community organizations (FBCOs) in efforts to aid the needy. Innovative programs and pilot projects are tapping into the unique strengths of FBCOs to address issues ranging from prisoner reentry to drug addiction. However, this is only the first chapter in the story.

A second chapter is already being written in State and local governments across America, where the same quiet transformation is taking root, as well. Already, 35 governors<sup>73</sup> and more than 100 mayors have Faith-Based and Community Initiative offices or liaisons. These offices reflect the bi-partisan appeal of this Initiative, as 19 of these states are currently led by Democratic governors and 16 are led by Republican governors. Further, it is noteworthy that FBCI liaisons or offices have remained in place in each of the twelve states that have experienced a change in gubernatorial leadership since the FBCI was established there, including the seven states that had a transition in party leadership.

The variety of models used to implement statewide efforts reflects the pragmatic, problem-solving nature of their respective leaders. The governors of 17 states<sup>74</sup> have a faith-based and community liaison located within their office. Fourteen states<sup>75</sup> have located their faith-based and community liaison within a state agency and have allocated resources through that agency to support the operation of the office and the agency's priorities. Four states have located the state faith-based liaison within non-profit organizations. Two of those states, Florida and Texas, leveraged their nonprofit status to include the operations of the FBCI with their state's respective commissions on volunteerism and created a combined entity.

Some states and cities lack formal FBCI structures, yet their public-and private-sector leaders are advancing FBCI strategies to reform policy, launch new programs, and train nonprofit organizations to better solve social problems in their communities. For example, Missouri is home to effective prisoner reentry, workforce development, and substance abuse partnerships. In Little Rock, Arkansas and Lake County, Illinois, a wide range of faith-based organizations have partnered to organize significant efforts to engage volunteers to build better neighborhoods and strengthen families. These actions— in addition to the efforts of nonprofits from all 50 States that won Federal grant competitions, participated in the Bush Administration demonstration projects, and participated in trainings being sponsored nationwide— illustrate how the FBCI is growing in all 50 States.

At the local level, numerous mayors have established liaisons and/or offices to advance the FBCI since the U.S. Conference of Mayors officially endorsed President Bush's FBCI in 2001. The Conference itself established a task force to develop and implement government-FBCO strategies in communities across the nation, many of which are profiled throughout this chapter.

While states and cities pursue an FBCI agenda in remarkably different ways, their organizational structure and policy strategies appropriately align with the unique needs and interests of their regions. Yet, similar to the Federal effort described earlier in the report, all state FBCI efforts focus on a common set of four strategies:

- Strengthening nonprofit networks and leveraging volunteers;
- Reducing barriers for faith-based and community social services providers;
- Building the capabilities of nonprofit organizations, especially grassroots groups; and
- Advancing specific policy priorities to solve the state's and/or city's social problems.

### **Strengthening Networks and Leveraging Volunteers**

A primary mission for each state's liaison is to strengthen their government's network with FBCOs. Virtually all of the liaisons are involved in efforts to help small FBCOs become aware of government grant opportunities. In addition, many state liaisons are engaged in creating more strategic and effective opportunities for FBCO volunteers to participate in non-financial partnerships with government.

Strengthening connections between volunteers and nonprofit organizations is a growing state strategy. Toward that end, some states combine the operations of the Governor's Office of Faith-Based and Community Initiatives and the Governor's Commission on Volunteerism, as noted in the Florida and Texas examples above. Alabama, Indiana, and Maryland have united their FBCI with the state's volunteer commission within their governor's office. North Dakota and Utah have taken similar steps and operated from within state agencies. Uniting efforts to promote community service, volunteerism, and faith-based and community initiatives has allowed these states to better mobilize volunteers and build the capacity of FBCOs to respond to their neighbors in need. Several of these states have also recognized increased operational efficiency.

### **Reducing Barriers**

A primary goal for many state FBCI liaisons is to identify and reduce improper barriers to effective partnership between government and FBCOs. Several states, including Virginia, Texas, and Florida, have engaged in a thoughtful process to assess and reduce barriers through their respective statewide offices of faith-based and community initiatives. In addition, the state volunteer service commissions in Alabama, Ohio, and Vermont reviewed their respective award processes for AmeriCorps members to identify ways in which they could further engage small FBCOs.

The Volunteer Florida Foundation (VFF) recently produced a vendor bidding system specifically designed for FBCOs to improve access to information on FBCOs of government grant opportunities.

As is the case in many states, Florida had no central location for nonprofits to learn about all of the state's funding opportunities. Florida's state agency leaders streamlined the grants/contract notification process and required that all notifications be made available at an online vendor bidding system, *www.MyFloridaMarketplace*.

The state of New Jersey has reduced the barrier of access to funding opportunities for its Supplemental Nutritional Program for Women, Infants and Children (WIC). State officials recognized that FBCOs were spending more time processing grant applications than actually delivering the services supported by their grant. The State simplified and streamlined the process for applicants seeking \$25,000 or less in grant funds. The new process is straightforward and provides greater access to funding necessary to deliver WIC services.

### **Capacity-Building Efforts Led by the States**

Several States have made a concerted effort to build the capacity of FBCOs to serve their neighbors in need, with or without these nonprofit organizations having a formal connection to government. These efforts have largely centered on improving access to information about government grant opportunities and on equipping FBCOs to make competitive proposals for public or private sources. Four states and one municipal office<sup>76</sup> of faith-based and community initiatives received Federal Compassion Capital Fund Demonstration Program grants since 2004 to serve as intermediary organizations and boost their ability to strengthen FBCOs. These grants enabled the intermediaries to leverage local investments to provide significant training, technical assistance, and mini-grants to help expand the reach of much needed social services.

### Examples of Compassion Capital Fund Grantees

#### Ohio

In 2004, the Ohio Governor's Office of Faith-Based and Community Initiatives became the first government entity to receive a Federal Compassion Capital Fund (CCF) Demonstration grant as an intermediary organization. The purpose of this program was to assist faith- and community-based organizations throughout Ohio in increasing their effectiveness and enhancing their ability to provide social services to people and families in need. All of the grant funds were used to support either training, technical assistance, or mini-grants to Ohio FBCOs. Over the course of the Federal grant period, OCCP awarded more than \$1 million in 100 sub-awards and trained more than 2,000 FBCOs in 11 key areas of capacity building, including: Technology in NonProfits, Internal Fiscal Controls, Establishing Your NonProfit, Strategic Planning, Fiscal Management, Board Development, Outcomes Management, HR/Volunteer Management, Fund Development, Grant Writing, and Organizational Development.

#### Greater Boston

The Black Ministerial Alliance of Greater Boston (BMA) received CCF Demonstration grants in 2002, 2005, and 2007. With the most recent award, they will deliver 19 workshops each year to as many as 200 local FBCOs. BMA will provide an average of 32 hours of technical assistance to 25 organizations and distribute \$200,000 per year in mini-grants. Since 2002, BMA and partners have reinvested \$7,400,000 in the community through the provision of capacity building services, ranging from technical assistance to hundreds of training workshops. BMA is an alliance of 83 FBCOs with a 40 year history of serving the black community in Boston.

#### Texas

The OneStar Foundation in Texas received a CCF Demonstration Program grant in collaboration with the Texas Workforce Commission to build the capacity of FBCOs in four urban counties. Specifically, the project facilitates partnerships between FBCOs and local workforce centers to create a stronger and more sustainable workforce development system that is better connected to the communities it serves. With state funds, OneStar is also implementing the Rural Texas Demonstration Project within the Council of Government regions in Central Texas, Heart of Texas, and Brazos Valley. The impact of these two projects has enabled OneStar to strengthen 37 diverse FBCOs through strategic training, coaching, and networking opportunities, benefiting more than 1,000 FBCO staff and volunteers.

## Policy Priorities

As true laboratories of democracy, state and local officials are increasingly creating their own innovative efforts to draw upon the distinctive capabilities, dedicated volunteers, and deep commitment to service found in FBCOs. These efforts are enhancing services to the needy, enriching community life, boosting the effectiveness of government, and providing life-changing aid to many who might otherwise fall through the cracks.

The statewide offices of faith-based and community initiatives which are part of the respective governor's office reflect his or her priorities to focus on issues such as: education, health care, workforce development, economic development, substance abuse, emergency preparedness, prisoner reentry, support for veterans and their families, hunger, and rural poverty. The statewide offices of faith-based and community initiatives located within a state agency indicate their heightened policy focus on such issues as strengthening families, serving at-risk youth, reducing homelessness, and increasing affordable housing.

Alabama's Office of Faith-Based and Community Initiatives has concentrated much of its efforts on strengthening the state's ability to respond to emergencies through partnerships with urban and rural FBCOs. Indiana's Office has focused many of its resources on equipping volunteers from FBCOs to help secure a brighter future for youth, including the opening of a U.S. Dream Academy in Indianapolis to provide support to children with incarcerated parents. In Texas, the OneStar Foundation is making a meaningful investment to build the capacity of the State's nonprofit FBCOs to respond to their neighbors in need. OneStar operates effective and extensive literacy and mentoring programs, as well.

The following profiles offer a portrait of the diverse focus and accomplishments being led by State and local officials.

## Emergency/Disaster Preparedness, Relief and Recovery

### State of Alabama

Be Ready Alabama is a joint effort led by the Governor's Office of Faith-Based and Community Initiatives, Alabama Department of Homeland Security, and the Alabama Emergency Management Agency. One particularly innovative component of this statewide effort is the Be Ready Camp for 6<sup>th</sup> graders.

In 2007, the Governor's FBCI Office partnered with the Alabama Department of Homeland Security and U.S. Space and Rocket Center in Huntsville, Alabama, to host the second Be Ready Camp. One hundred and forty youth preparedness delegates (YPD) were selected from across the state to attend the camp. The YPDs spent a week at the residential camp at the U.S. Space and Rocket Center. The curriculum included creating a family disaster plan, building an emergency kit, basic first aid/CPR, incident command, career exploration, light search and rescue, and basic survival skills. The camp also included a realistic mock disaster utilizing local emergency equipment and personnel. The mock disaster provided the YPDs, who were shadowed by professional responders, an opportunity to utilize their training and respond to a disaster in a safe environment.

Upon returning to their communities, YPDs are charged with sharing the information they have gained with fellow students, family members, local media, and elected officials. YPDs have made presentations at their schools and to their county commissions. Alabama's Be Ready Camp was highlighted by the U.S. Department of Homeland Security as part of the 2007 National Preparedness Month best practices and has been covered by CNN and international homeland security journals.

### **State of Florida**

The Volunteer Florida Foundation (VFF) has engaged tens of thousands of volunteers in disaster relief, recovery, and prevention efforts over the past few years. In 2004 and 2005, the VFF provided grants to more than 300 nonprofit organizations who, in turn, engaged thousands of FBCO volunteers in long-term hurricane recovery work. During this time, VFF engaged a substantial number of volunteers in the "My Safe Florida" Home program to strengthen the homes of low-income families at risk for future hurricane damage.

VFF also launched the innovative virtual warehouse, "Neighbors to the Rescue," to effectively manage donated products. The "Neighbors to the Rescue" program offers communities a unique web-based donation tracking system that encourages people to register their offered donations or services and hold them at their present locations until a suitable direct match can be located.

## **Prisoner Re-Entry and Crime Prevention**

### **State of Ohio**

In 2006, the Ohio General Assembly established a bipartisan Correctional Faith-Based and Community Task Force and charged the Taskforce members to do the following:

- Study faith-based solutions to correctional system problems by focusing on programs and services for incarcerated individuals and their families, diversion programs, and faith-based/nonprofit programs and services;
- Examine existing faith-based/nonprofit programs in Ohio prisons and other states for the possibility of replication; and
- Develop model faith-based and community programs to reduce adult and juvenile recidivism rates and assist juveniles with incarcerated parents and juveniles held over to the adult penal system.

The Task Force developed 16 recommendations in four categories including infrastructure, alternatives to incarceration, institutional programming, and reentry programming. Some of these recommendations are already being implemented through two pieces of legislation. H.R. 113 proposes to set up a new legal framework to encourage more high-impact, life-changing programming to be available at every state corrections institution in Ohio. This allows inmates to build the relationships and bridges they need to successfully re-enter the community. H.R. 130 is a comprehensive package that addresses, in part, many obstacles currently in place that create needless barriers often preventing ex-prisoners from getting back on their feet.

Another prisoner reentry project in Ohio, designed by Peter J. Elliott, United States Marshal for the Northern District of Ohio, encourages felony fugitives to voluntarily surrender, without offering amnesty.



Launched during a four-day event at Cleveland's Mount Sinai Baptist Church, *Fugitive Safe Surrender* resulted in 842 individuals surrendering to authorities, including 324 individuals wanted for felony crimes. Non-violent felons were given bond and new court dates and released directly from the church, while those wanted for violent crimes, or those with violent records, were safely taken into custody. Authorized by Congress in July 2006, *Fugitive Safe Surrender* is believed to be the first program of its kind in the nation and has been replicated by the Marshals Service in Phoenix, Arizona, and Indianapolis, Indiana. In the months and years ahead, the Marshals Service plans to conduct *Fugitive Safe Surrender* programs, similar to the successful Cleveland initiative, in 18 additional cities.

### California's \$1 Billion Solution

California presents a unique FBCI story because it lacks a gubernatorial-appointed office or liaison. For a casual observer of the Initiative, that would suggest that the State is inactive. Yet, the state's faith-based and community sector is responding to the President's call for action and achieving impressive results.

In FY 2006, California nonprofits won 1,563 competitive Federal awards. These awards brought nearly \$1.1 billion to California to boost services to the needy. During a time of restrained state resources for social services, leveraging Federal competitive award dollars is especially meaningful.

Examples of California nonprofits advancing innovative public-private partnerships to solve stubborn social ills include:

- The Prisoner Reentry Initiative (PRI): Four California nonprofit sites won grants of \$660,000 per year to provide post-release job training, mentoring and other transition services to ex-prisoners. The California Department of Corrections has received grants to provide pre-release services in tandem with these sites. Nationwide, PRI participants recidivate at rates less than half the national average.
- Access to Recovery (ATR): \$35 million in Federal grants to the State of California and the California Rural Indian Health Board have enabled the creation of voucher-based addiction recovery programs. Through more than 400 nonprofit partners, ATR in California has provided clinical and/or support services to over 17,000 recovering addicts. ATR clients had a higher change in reduction of alcohol and drug use when compared to those receiving non-ATR services.
- Mentoring Children of Prisoners (MCP): MCP grants to California nonprofits have enabled the matching of more than 3,000 caring mentors with children of incarcerated parents.
- The Compassion Capitol Fund (CCF): Since 2002, more than 100 nonprofits across 50 California cities have won grants ranging from \$50,000-\$500,000 to expand their capabilities to serve the needy.
- Hundreds of other nonprofits have used Federal funds to partner with Federal, State and local government to shelter homeless veterans, tutor students in struggling schools, provide job training, and serve their communities in a vast diversity of other ways.

### Military Families

#### Minnesota

When the Minnesota Army National Guard's 1st Brigade Combat Team received its notice that they would be extending their tour of duty in Iraq, Governor Tim Pawlenty created the "Yellow Ribbon Task Force" to identify opportunities to better support them and their families. This campaign has quickly become a national model on how to support the reintegration of deployed and returning veterans and military members.

In 2007, the Minnesota Governor's Council on Faith-Based and Community Initiatives launched an effort called "Minnesota Families United" to help strengthen FBCOs who serve families that are separated due to military service. In partnership with the Governor's "Beyond the Yellow Ribbon Program," the Council created online and printed guides containing resources that faith and community leaders can use to support the families. Highlights of this service included: more available and affordable respite child care to families; specialized training, which focuses on the special needs of children with deployed or returning parents; day- and week-long camps for K-12 children; and technical assistance for FBCOs beginning mentoring programs for military members, their spouses, children, siblings, and parents. The effort also established special hotlines and websites to assist veterans and their families in crisis or needing assistance with housing, employment, higher education, health, or chemical dependency issues.

The FBCI and "Minnesota Families United" continue to expand grassroots faith-based and community solutions. The Governor's Special Advisor on Faith and Community Initiatives leads a team of individuals representing internal and external state agencies that focus on the needs of military children and families. Highlights of these efforts include:

- Over 600 hours of volunteer respite childcare was provided to military families;
- Specialized training on the needs of military children and families was provided to teachers, mental health care professionals, child care providers, clergy, and others engaged in the care of military children;
- Special resources to support families of military members were established on websites within the Minnesota Department of Education, the Department of Health, and the Minnesota Housing Finance Agency;
- Over 34 Hidden Heroes training events were conducted around the state in support of military families;
- Camp Noah and Operation Military Kids camps for military children of all ages were held throughout the state;
- The Minnesota Department of Education sponsored the "Yellow Ribbon" day at the Minnesota State Fair where activities were offered for military children; and
- Military family advocates were trained and established within faith communities throughout the state.

### Addiction Recovery

#### State of Connecticut

Connecticut recognizes the strengths and resources of FBCOs to serve individuals in need within their own communities and to provide a system of sustained care and support for individuals struggling



with addiction. Through a Federal Access to Recovery grant, the State was empowered to engage new faith-based and community partners serving individuals in need of substance abuse treatment with a range of recovery support services. By funding cost-efficient support services at the community level, Connecticut has realized that the time between treatment and relapse can be lengthened, resulting in many individuals struggling with addictions requiring expensive clinical treatment less often.

## At-Risk Youth

### State of Virginia

Virginia's capital city of Richmond received funding from the U.S. Department of Justice to operate a Gang Reduction and Intervention Prevention Program (GRIP) to reduce gang activity and to provide youth and the community a safer and healthier environment. Richmond's GRIP is designed to approach the problem by attempting to prevent children from joining gangs in the first place. The primary prevention strategy involves the establishment of one-stop resource centers in high-crime and high-risk areas. A secondary prevention component identifies children between the ages of seven and 15 at risk of joining gangs, and offers them educational involvement in schools and FBCOs.

The gang intervention effort targets gang members, their associates, former gang members, and those who are being released from prison. Under the gang suppression method, gang leaders are targeted by local, State and Federal law enforcement officers and removed from the community using Federal charges, aggressive prosecutions, and enhanced sentences.

Finally, a reentry program seeks to return former gang members to their communities, paying special attention to those who may face multiple legal or lifestyle obstacles. A key part of this plan is the sharing of information between confinement facilities, probation and parole officers, and community intervention service providers.

During the period that GRIP has been implemented in Richmond, the target area has seen a decrease in crime. The GRIP target area saw a 47.06 percent reduction in robbery and a 71.43 percent reduction in aggravated assault during the GRIP funded period. Richmond's GRIP has also worked with local, State, and Federal resources and over 45 partners to bring additional resources to the target area in an effort to reduce gang crime and provide youth with healthy alternatives.

### “City Hall and Religion: An Online Curriculum for Public Managers”

Following his work to help design and launch President Bush’s FBCI, former Indianapolis mayor Steve Goldsmith joined Harvard University to lead a project aimed at strengthening city government partnerships with neighborhood faith-based and community organizations. Harvard’s activities included an executive forum in 2002 of more than 30 mayors, religious and civic leaders, and academics designed to equip local public administrators for effective collaboration with neighborhood faith-based groups and to produce a series of living case studies of such best practices.

The signature product in this series is “City Hall and Religion: An Online Curriculum for Public Managers,” administered by the JFK School of Government. This material features case studies written by leading scholars in the field about some of the most innovative partnerships underway in America’s cities. The series is designed for both illumination and replication by would-be innovators.

Papers produced by Harvard University’s JFK School of Government to inform city leadership about faith-based and community initiatives include:

City Hall and Religion: When, Why and How to Lead. Steve Goldsmith

Faith and Mortar: Religious Organizations and Affordable Housing Strategy in Urban America. Xavier de Souza Briggs

Churches, City Hall, and Community Renewal. Brent Coffin

Citizen Empowerment: Faith and Community Organizing. (Executive Summary) Ronald Thiemann, Rev. John Heinemeier

Perfect Fit or Shotgun Marriage? The Power and Pitfalls in Alliances of “Partnerships”. Xavier Briggs

Race Relations in Boston: A Tale of Two Mayors. Raymond L. Flynn, Thomas M. Menino. (R. Jackson and C. Winship)

A Mega-Church Takes on Urban Problems: Fellowship Bible Comes to South Midtown. H. Husock

United Way Mass Bay and Faith & Action Initiative: Should Faith Be Funded? K. Lundberg

United Way Mass Bay and the Faith & Action Initiative: Going for the Gold? K. Lundberg

Faith in the City: Patrick McCrory and the Mayor’s Mentoring. Alliance (J. Berger)

City Hall and Religion: When, Why and How to Lead. S. Goldsmith

Models of Collaboration: Churches, City Hall and Community Change. B. Coffin

Citizen Empowerment: Faith and Community Organizing. R. Thiemann & J. Heinemeier

Starting Amachi: The Elements and Operation of a Volunteer-based Social Program. H. Husock

Mayor Purcell and the Faith Community Confront Nashville’s Housing Needs. X. Briggs, B. Coffin & B. Banks

Source: Harvard University

This report offers a portrait of President Bush's compassion agenda in action. The preceding chapters reveal the multi-dimensional nature of the Faith-Based and Community Initiative, which has marked strong progress on numerous fronts, including: reforms to level the playing field for faith-based charities and expand partnership with grassroots organizations; innovations to solve social problems at home and abroad; aggressive capacity building for the nonprofit sector; and replication of the President's vision at the state and local level.

The Faith-Based and Community Initiative has advanced a new era of public-private partnerships. This unique strategy has placed faith-based and community organizations at the center of Government's response to human need. The President's vision for empowering local, personal-touch solutions is now active across virtually every Federal agency and helping America's armies of compassion touch thousands of lives.

While this ongoing transformation has leveraged widespread impact, much work remains. Thirty-five governors and more than 100 mayors have formed Faith-Based and Community Initiative offices to respond to their ever-changing local needs. At the Federal level, agencies will continue to advance innovative solutions by engaging all willing partners from America's nonprofit community as an enduring governing strategy.



<sup>1</sup> Eleven Centers are located within: Department of Labor, Department of Education, Department of Agriculture, Department of Justice, Department of Health and Human Services, Department of Housing and Urban Development, Department of Homeland Security, Agency for International Development, Small Business Administration, Department of Commerce, and Department of Veterans Affairs

<sup>2</sup> Stephan, James J. 2004. *State Prison Expenditures, 2001*. Washington, DC: Bureau of Justice Statistics, American taxpayers would annually pay \$47,934,576 to house this group of inmates alone. Based on the known one-year re-incarceration rate reported by PRI sites (20 percent), 1250 of the 6,250 participants will be re-arrested annually, and 963 will be re-incarcerated. The annual cost to incarcerate these ex-prisoners is \$21,794,616—a savings of \$26,139,960. Subtracting the annual cost of the PRI program (\$19.6 million), an annual savings of \$6,539,960 can be identified. Notably, these savings account only for incarceration-related costs, and would be far higher if other factors like judicial system costs, victimization costs, and other crime-related impacts were added. It is important to note that a random-assignment study was not performed for PRI; therefore a strict control group does not exist for the sake of comparison. Without longer term follow-up and a formal evaluation, the widely-accepted data from the Bureau of Justice Statistics is the best and most recent data that can be used for the sake of comparison.

<sup>3</sup> Mumola, Christopher J. *Incarcerated Parents and Their Children, 2000*. Washington, DC: Bureau of Justice Statistics, p. 1,

<sup>4</sup> Botswana, Côte d'Ivoire, Ethiopia, Guyana, Haiti, Kenya, Mozambique, Namibia, Nigeria, Rwanda, South Africa, Tanzania, Uganda, Vietnam and Zambia

<sup>5</sup> Angola, Tanzania, Uganda, Malawi, Mozambique, Rwanda, Senegal, Benin, Ethiopia (Oromia Region), Ghana, Kenya, Liberia, Madagascar, Mali, and Zambia

<sup>6</sup> In FY 2006, six sites were chosen at \$2.5 million each, for a total of 15 million. In FY 2007, four more sites were chosen for an additional \$10 million.

<sup>7</sup> Executive Order 13198 created centers at the Departments of Health and Human Services, Housing and Urban Development, Education, Justice, and Labor. Between 2002 and 2006, six additional centers were added via executive order. Executive Order 13280, signed December 12, 2002, established centers at the Department of Agriculture and the Agency for International Development. Executive Order 13342, signed June 1, 2004, created the centers at the Small Business Administration, the Department of Commerce, and the Department of Veterans Affairs. On March 7, 2006, Executive Order 13397 established a center at the Department of Homeland Security. For internal organizational purposes, the center at the Department of Justice is known as the “Task Force for Faith-Based and Community Initiatives,” and the center at the Department of Agriculture is known as the “USDA Faith-Based and Community Initiatives,” however, for purposes of this report they are referred to as “Centers.” The eleven centers are located at nine cabinet-level departments and two independent Federal agencies. For purposes of this report the eleven departments and agencies are referred to collectively as Federal agencies.

<sup>8</sup> Transcript of Opening Remarks, Plenary Session: Acts of Law, Roundtable on Religion and Social Policy, p. 32 (December 5, 2007).

<sup>9</sup> See *Aguilar v. Felton*, 473 U.S. 402 (1985) (invalidating remedial education for disadvantaged students that was delivered by public school teachers on campuses of religious schools); *Grand Rapids Sch. Dist. v. Ball*, 473 U.S. 373 (1985) (invalidating supplemental courses taught by public school teachers on campuses of religious schools); *Wolman v. Walter*, 433 U.S. 229 (1977) (invalidating State program to provide instructional materials to religious schools); *Roemer v. Maryland Pub. Works Bd.*, 426 U.S. 736 (1976) (permitting State program providing noncategorical grants to religiously affiliated colleges, provided the colleges are not pervasively sectarian and the grants are not used for sectarian purposes); *Meek v. Pettinger*, 421 U.S. 349 (1975) (invalidating State program to provide instructional materials to religious schools); *Hunt v. McNair*, 413 U.S. 734, 743 (1973) (permitting State program to provide bonds for construction of buildings at religiously affiliated colleges, provided college not pervasively sectarian and buildings not used for sectarian purposes); *Levitt v. Committee for Pub. Ed.*, 413 U.S. 472 (1973) (invalidating State payments for State-required tests designed and graded by teachers in religious schools); *Lemon v. Kurtzman*, 403 U.S. 602, (1971) (invalidating State payments for portion of salaries of teachers in religious schools, textbooks and instructional materials); *Tilton v. Richardson*, 403 U.S. 672 (1971) (permitting federal program to provide grants for construction of buildings at religiously affiliated colleges, provided college not pervasively sectarian and buildings not used for sectarian purposes). See also Ira C. Lupu & Robert W. Tuttle, *Government Partnerships with Faith-Based Providers: State of the Law* (2002); Ira C. Lupu, testimony before the Committee on the Judiciary, Subcommittee on the Constitution, U.S House of Representatives, June 7, 2001; Douglas Laycock, *The Underlying Unity of Separation and Neutrality*, 46 Emory L.J. 43 (1997).

<sup>10</sup> *Hunt*, 413 U.S. 734, 743 (1973).

<sup>11</sup> See Ira C. Lupu & Robert W. Tuttle, *Government Partnerships with Faith-Based Providers: State of the Law* (2002); Ira C. Lupu, testimony before the Committee on the Judiciary, Subcommittee on the Constitution, U.S House of Representatives, June 7, 2001; Eric W. Treene, *Religion, the Public Square, and the Presidency*, 24 Harv. J.L. & Pub. Pol’y 573 (2001); Carl H. Esbeck, *Myths, Miscues, and Misconceptions: No-Aid Separationism and the Establishment Clause*, 13 Notre Dame J.L. Ethics &

## ENDNOTES

Pub. Pol’y 285 (1999); Douglas Laycock, *The Underlying Unity of Separation and Neutrality*, 46 Emory L.J. 43 (1997); Stephen V. Monsma and J. Christopher Sopher, eds., *Equal Treatment of Religion in a Pluralistic Society* (1998).

<sup>12</sup> See *Mitchell v. Helms*, 530 U.S. 793 (2000) (permitting State-administered program loaning secular educational materials and equipment to public and private schools, including religious schools); *Agostini v. Felton*, 521 U.S. 203 (1997) (permitting remedial education for disadvantaged students that was delivered by public school teachers on campuses of religious schools); *Bowen v. Kendrick*, 487 U.S. 589 (1988) (upholding participation of religious organizations in adolescent pregnancy education and services grant program).

<sup>13</sup> *Bowen*, 487 U.S. at 607.

<sup>14</sup> *Mitchell*, 530 U.S. 793, 853-60 (O’Connor, J., concurring in the judgment).

<sup>15</sup> See *Zelman v. Simmons-Harris*, 536 U.S. 639 (2002) (upholding a State program permitting parents to use vouchers at religiously affiliated schools); *Zobrest v. Catalinina Foothills Sch. Dist.*, 509 U.S. 1 (1993) (permitting a student to receive State-funded sign language interpretation services at his at a religiously affiliated school); *Witters v. Washington*, 474 U.S. 481 (1986) (upholding a program permitting tuition grants to be used at religiously affiliated colleges and for ministerial studies); *Mueller v. Allen*, 463 U.S. 388 (1983) (upholding a State tax deduction for private school tuition paid to religiously affiliated schools).

<sup>16</sup> *Zelman*, 536 U.S. at 652.

<sup>17</sup> See *Zelman v. Simmons-Harris*, 536 U.S. 639 (2002) (upholding a State program permitting parents to use vouchers at religiously affiliated schools); *Zobrest v. Catalinina Foothills Sch. Dist.*, 509 U.S. 1 (1993) (permitting a student to receive State-funded sign language interpretation services at his at a religiously affiliated school); *Witters v. Washington*, 474 U.S. 481 (1986) (upholding a program permitting tuition grants to be used at religiously affiliated colleges and for ministerial studies); *Mueller v. Allen*, 463 U.S. 388 (1983) (upholding a State tax deduction for private school tuition paid to religiously affiliated schools).

<sup>18</sup> *Unlevel Playing Field: Barriers to Participation by Faith-Based and Community Organizations in Federal Social Service Programs*, p.2 (2001).

<sup>19</sup> *Unlevel Playing Field: Barriers to Participation by Faith-Based and Community Organizations in Federal Social Service Programs*, p.10 (2001).

<sup>20</sup> *Unlevel Playing Field: Barriers to Participation by Faith-Based and Community Organizations in Federal Social Service Programs*, p.11 (2001).

<sup>21</sup> *Unlevel Playing Field: Barriers to Participation by Faith-Based and Community Organizations in Federal Social Service Programs* p.14 (2001).

<sup>22</sup> *Unlevel Playing Field: Barriers to Participation by Faith-Based and Community Organizations in Federal Social Service Programs* p.14 (2001).

<sup>23</sup> See *Zelman v. Simmons-Harris*, 536 U.S. 639 (2002) (upholding a State program permitting parents to use vouchers at religiously affiliated schools); *Zobrest v. Catalinina Foothills Sch. Dist.*, 509 U.S. 1 (1993) (permitting a student to receive State-funded sign language interpretation services at his at a religiously affiliated school); *Witters v. Washington*, 474 U.S. 481 (1986) (upholding a program permitting tuition grants to be used at religiously affiliated colleges and for ministerial studies); *Mueller v. Allen*, 463 U.S. 388 (1983) (upholding a State tax deduction for private school tuition paid to religiously affiliated schools).

<sup>24</sup> 20 C.F.R. Part 667.266(b)(1).

<sup>25</sup> 42 U.S.C. Sec. 604a.

<sup>26</sup> *Unlevel Playing Field: Barriers to Participation by Faith-Based and Community Organizations in Federal Social Service Programs* p.2 (2001).

<sup>27</sup> 45 C.F.R. Part 260 (implementing Charitable Choice provisions of TANF); 45 C.F.R. Part 1050 (implementing Charitable Choice provisions of CSBG); 42 CFR Parts 54, 54a, and 96 (implementing Charitable Choice provisions of SAMHSA).

<sup>28</sup> Provisions in SAMHSA and TANF laws, for example, require implementing agencies to allow beneficiaries to receive services from an alternate provider if the beneficiary objects to receiving services from a religious provider. Statutory provisions for CSBG and SAMHSA require faith-based organizations to maintain separate accounts for the Federal funds they receive. See 45 C.F.R. Part 260 (implementing Charitable Choice provisions of TANF); 45 C.F.R. Part 1050 (implementing Charitable Choice provisions of CSBG); 42 CFR Parts 54, 54a, and 96 (implementing Charitable Choice provisions of SAMHSA).

<sup>29</sup> Exec. Order No. 13279 (December 12, 2002).

<sup>30</sup> Exec. Order No. 13279 (December 12, 2002).

<sup>31</sup> 28 CFR Parts 31, 33, 38, 90, 91, and 93 (Justice); 34 CFR Parts 74, 75, 76, 80 (Education); 24 CFR Parts 5 and 570 (HUD general programs); 24 CFR Parts 954 and 1003 (HUD Indian programs); 7 CFR Part 16 (USDA); 45 CFR Parts 74, 92, 96, and 87 (HHS); 20 CFR Parts 667, 670 and 29 CFR 2, 37 (Labor); 22 CFR Parts 202, 205, 211, and 226 (USAID).

<sup>32</sup> 45 C.F.R. Part 260 (implementing Charitable Choice provisions of TANF); 45 C.F.R. Part 1050 (implementing Charitable Choice provisions of CSBG); 42 CFR Parts 54, 54a, and 96 (implementing Charitable Choice provisions of SAMHSA).

<sup>33</sup> 41 C.F.R. Part 60-1.5.

<sup>34</sup> 24 CFR Parts 92, 570, 572, 574, 576, 582, 583, and 585 (amending regulations for eight HUD programs); 38 CFR Part 61



(amending VA Homelessness Providers Grant and Per Diem programs); 20 CFR Parts 667, 670 and 29 CFR 2, 37, 29 CFR Part 37 (amending regulations for Labor's WIA and Job Corps); 13 CFR Chapter III (Commerce's Economic Development Administration programs).

<sup>35</sup> 73 F.R. 2187.

<sup>36</sup> 28 C.F.R. Part 38.1(d).

<sup>37</sup> Nonprofits which have not applied for 501(c)(3) status may demonstrate their nonprofit status via a statement from a State taxing body or the State secretary of State certifying that the organization is a nonprofit organization operating within the State and that no part of its net earnings may lawfully benefit any private shareholder or individual, or a certified copy of the applicant's certificate of incorporation or similar document that clearly establishes the nonprofit status of the organization. Chapters of a larger State or national nonprofit organization may demonstrate their status with copy of any qualifying document issued to the parent organization, together with a statement by the State or parent organization that the applicant is a local nonprofit affiliate.

<sup>38</sup> 28 C.F.R. Part 38.1(b)(2).

<sup>39</sup> 29 C.F.R. Part 2.33(b)(3).

<sup>40</sup> 7 C.F.R. Part 16.3.

<sup>41</sup> 44 C.F.R. Part 206.226(l), 206.434(a)(2). See also, Op. Off. of Legal Counsel, "Authority of FEMA to Provide Disaster Assistance to Seattle Hebrew Academy," (2002).

<sup>42</sup> See *Zelman v. Simmons-Harris*, 536 U.S. 639 (2002) (upholding a State program permitting parents to use vouchers at religiously affiliated schools); *Zobrest v. Catalina Foothills Sch. Dist.*, 509 U.S. 1 (1993) (permitting a student to receive State-funded sign language interpretation services at his at a religiously affiliated school); *Witters v. Washington*, 474 U.S. 481 (1986) (upholding a program permitting tuition grants to be used at religiously affiliated colleges and for ministerial studies); *Mueller v. Allen*, 463 U.S. 388 (1983) (upholding a State tax deduction for private school tuition paid to religiously affiliated schools).

<sup>43</sup> 20 C.F.R. Part 667.266(b)(1).

<sup>44</sup> 29 C.F.R. Part 37.6(f).

<sup>45</sup> 24 CFR Parts 92, 570, 572, 574, 576, 582, 583, and 585. Programs amended were: HOME Investment Partnerships, Community Development Block Grants, Hope for Homeownership of Single Family Homes, Housing Opportunities for Persons With AIDS, Emergency Shelter Grants, Shelter Plus Care, Supportive Housing, and Youthbuild.

<sup>46</sup> 13 C.F.R. Part 300.3.

<sup>47</sup> 38 C.F.R. Part 61.

<sup>48</sup> 41 C.F.R. Part 60-1.5.

<sup>49</sup> *Unlevel Playing Field: Barriers to Participation by Faith-Based and Community Organizations in Federal Social Service Programs*, p.22 (2001).

<sup>50</sup> Exec. Order No. 13279 (December 12, 2002).

<sup>51</sup> Exec. Order No. 13279 (December 12, 2002).

<sup>52</sup> Exec. Order No. 13279 (December 12, 2002).

<sup>53</sup> 42 U.S.C. 2000e-2.

<sup>54</sup> 42 U.S.C. 2000e-1.

<sup>55</sup> *Corp. of the Presiding Bishop v. Amos*, 483 U.S. 327, 339 (1987).

<sup>56</sup> 20 U.S.C. 2000bb.

<sup>57</sup> See "Effect of the Religious Freedom Restoration Act on Faith-Based Applicants for Grants," available at <http://www.usdoj.gov/fbci/effect-rfra.pdf>.

<sup>58</sup> "Standards for Success," available at <http://www.whitehouse.gov/results/agenda/standardsforsuccess08-2007.pdf>

<sup>59</sup> [http://www.whitehouse.gov/government/fbci/guidance\\_document\\_01-06.pdf](http://www.whitehouse.gov/government/fbci/guidance_document_01-06.pdf).

<sup>60</sup> "Guidance to Faith-Based and Community Organizations on Partnering with the Federal Government," p. 11-12, available at [http://www.whitehouse.gov/government/fbci/guidance\\_document\\_01-06.pdf](http://www.whitehouse.gov/government/fbci/guidance_document_01-06.pdf).

<sup>61</sup> "Do's and Don'ts for Faith-Based Organizations" FBCI Conference Presentation, slide 16.

<sup>62</sup> "Promoting Equal Treatment: A Guide for State and Local Compliance With Federal Regulations," slide 15, available at <http://www.whitehouse.gov/government/fbci/pdf/etpc-presentation.pdf>.

<sup>63</sup> <http://www.whitehouse.gov/government/fbci/pdf/etpc-presentation.pdf>.

<sup>64</sup> Transcript of Opening Remarks, Plenary Session: Acts of Law, Roundtable on Religion and Social Policy, p. 5-6 (December 5, 2007).

<sup>65</sup> The Court in the past has recognized an exception to that general rule, holding that a taxpayer has "standing" to bring to court a claim that an expenditure by Congress violates the Establishment Clause. But in *Hein* the FFRF was challenging Initiative conferences and speeches that were paid not out of specific appropriations but out of general Executive Branch operational funds; the Court was unwilling to widen the slender exception to entertain this broader claim against

## ENDNOTES

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White House activities. The plurality noted that accepting such cases “would enlist the federal courts to superintend, at the behest of any federal taxpayer, the speeches, statements, and myriad daily activities of the president, his staff, and other Executive Branch officials.”

<sup>66</sup> For more information, see “Grants.gov Annual Report for Fiscal Year 2007,” available at <http://www.grants.gov/assets/AnnualReport2007.pdf>.

<sup>67</sup> 45 C.F.R. Parts 2510, 2520, 2521, etc.

<sup>68</sup> Executive Order 13397

<sup>69</sup> Independent Sector, IRA Charitable Rollover: Tax-Free Withdrawals from IRAs for Charitable Contributions, available at <http://www.independentsector.org/programs/gr/irarollover.html>

<sup>70</sup> Corporation for National and Community Service, <http://www.nationalservice.gov/about/volunteering/nonprofit.asp>

<sup>71</sup> The National Council of Nonprofit Associations, *United States Nonprofit Sector Report, 2003*

<sup>72</sup> *Remarks April 30, 2002.*

<sup>73</sup> AL, AK, AZ, AR, CO, CT, FL, GA, HI, ID, IN, IA, KS, KY, LA, MD, MI, MN, MO, MS, NC, ND, NH, NJ, NM, NY, OH, OK, SC, TX, UT, VA, WA, WI and WY.

<sup>74</sup> AL, AZ, IN, KS, KY, LA, MD, MI, MN, MO, MS, NM, NC, OH, SC, WA, and WI.

<sup>75</sup> AK, AR, CO, GA, HI, ID, NJ, ND, NH, NY, OK, UT, VA, and WY.

<sup>76</sup> Ohio, Texas, Alaska, Florida and the City of Miami