

CAPITAL COMMENTARY

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Pass CARE, Just Don't Stop There!

More than two years after President Bush issued his call to “rally the armies of compassion,” the Senate on April 9th finally passed a bill to support the faith-based initiative. The CARE Act is now awaiting early action in the House. Because the Senate passed the bill only after language to promote equal treatment of faith-based groups was stripped out, opponents of the faith-based initiative are crowing that the Senate vote marked a defeat for the initiative, and some supporters of the initiative are worried that they are right. But both the celebrants and the worriers are wrong. The faith-based initiative has always been far greater than a single bill, and what's left in the CARE Act deserves strong support from the House.

The CARE Act the House will vote on includes provisions to promote greater private giving to charities; expands Individual Development Accounts to help the poor build their assets; funds more maternity group homes for teen moms; bolsters Social Services Block Grant funding for programs for the needy; and provides \$150 million in Compassion Capital Funds for more technical assistance to small service groups. If the bill becomes law, private donations to charities, both faith-based and secular, will flourish, and many faith-based groups, along with secular groups, will be able to expand their services with government support.

That's all to the good. What, then, about the equal treatment language that got dropped? Doesn't that matter? In truth, the protections the CARE Act originally offered were minor, so it was always a mistake to think of the bill as a significant way to level the playing field. From the start the bill avoided the crucial, but controversial, issue of protecting the liberty of federally funded religious organizations to take faith into account in choosing employees.

So why was Senate action on the bill held up all through 2002 and until recently? The goal of the faith-based initiative is equal treatment, to make sure faith-based groups have equal opportunity with secular

groups to partner with government to help the needy. But the obstructionists in the Senate wanted to reduce instead of expand opportunity. At the moment, only some federal funding programs require faith-based groups not to consider religion when they select staff. Many federal programs, instead, leave intact the basic federal civil rights law that explicitly permits religious groups to hire and fire on a religious basis. The Senate opponents wanted to create a new universal rule forbidding religious staffing by any religious group that accepts federal funds.

The only way to stop that backsliding on such a basic religious freedom was to drop the weak equal treatment language originally in the CARE Act. Fortunately, the President last December already applied similar equal treatment principles to all federal funding by executive order. And leaders in the Senate as well as the House are determined to expand in law the full set of Charitable Choice equal protections.

It's tragic that the Senate could get to a vote on CARE only by ditching the bill's innocuous language banning petty official discrimination against groups with a mezuzah in a waiting room; words about God's love for the poor in a mission statement; “Saint” in a name; or an imam on a board of governors.

Still, what's left in CARE does deserve support from the House. But proponents of equal treatment must keep pressing both the House and the Senate to move forward and not backward. During the Clinton years, Congress passed Charitable Choice into law four times. It should expand Charitable Choice again. The faith-based initiative is about more than ensuring that faith-based programs have equal access to government money, but it cannot accept less than full equal treatment.

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