

107TH CONGRESS
2D SESSION

H. RES. 539

Expressing the sense of the House of Representatives that Congress should complete action on H.R. 7, the Community Solutions Act of 2001.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 19, 2002

Mr. HAYES (for himself, Mr. FORBES, Mr. HASTERT, Mr. SHAW, Mr. PITTS, Mr. GIBBONS, Mr. AKIN, Mr. BALLENGER, Mr. BARR of Georgia, Mr. BOEHNER, Mr. BONILLA, Mrs. BONO, Mr. BOOZMAN, Mr. BRADY of Texas, Mr. BROWN of South Carolina, Mr. CAMP, Mr. CANTOR, Mr. CHAMBLISS, Mr. CRENSHAW, Mrs. CUBIN, Mr. CUNNINGHAM, Mr. TOM DAVIS of Virginia, Mr. DELAY, Mr. DIAZ-BALART, Mr. DUNCAN, Ms. DUNN of Washington, Mr. ENGLISH, Mr. EVERETT, Mr. FLETCHER, Mr. FOLEY, Mr. FRELINGHUYSEN, Mr. GEKAS, Mr. GRAVES, Mr. GRUCCI, Ms. HART, Mr. HAYWORTH, Mr. HOBSON, Mr. ISSA, Mr. JENKINS, Mr. KENNEDY of Minnesota, Mr. KINGSTON, Mr. LATOURETTE, Mr. LEWIS of Kentucky, Mr. MCINNIS, Mr. DAN MILLER of Florida, Mr. JEFF MILLER of Florida, Mrs. NORTHUP, Mr. NORWOOD, Mr. PENCE, Mr. PHELPS, Ms. PRYCE of Ohio, Mr. PUTNAM, Mr. REYNOLDS, Mr. ROYCE, Mr. RYAN of Wisconsin, Mr. SCHAFFER, Mr. SCHROCK, Mr. SESSIONS, Mr. SHADEGG, Mr. SHAYS, Mr. SHIMKUS, Mr. SHOWS, Mr. SIMMONS, Mr. TANCREDO, Mr. TAUZIN, Mr. TERRY, Mr. THUNE, Mr. UPTON, Mr. VITTER, Mr. WATKINS of Oklahoma, Mr. WATTS of Oklahoma, Mrs. WILSON of New Mexico, Mr. WILSON of South Carolina, and Mr. WOLF) submitted the following resolution; which was referred to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

RESOLUTION

Expressing the sense of the House of Representatives that

Congress should complete action on H.R. 7, the Community Solutions Act of 2001.

Whereas Government must ensure that members of organizations seeking to take part in Government programs designed to meet basic and universal human needs are not discriminated against because of their religious views;

Whereas the “charitable choice” principles in H.R. 7 allow for the public funding of faith-based organizations that have demonstrated abilities to help their neighbors in trouble while also preserving the religious character of those organizations and protecting the rights of conscience of program beneficiaries;

Whereas the equal access principles of charitable choice are already part of four existing Federal programs that have been passed by the Congress and signed into law by President Clinton, the first of which was part of the 1996 Welfare Reform Act, and these programs have benefited thousands of persons in need, and many thousands more could benefit if the Congress completes action on H.R. 7;

Whereas the Government too often excludes faith-based organizations from the receipt of Government funds because they are perceived as too religious, even when such organizations can help meet basic human needs most effectively and in accordance with the Constitution;

Whereas charitable choice programs recognize that people in need should have the benefit of the best social services available, whether the providers of those services are faith-based or otherwise;

Whereas those moved to help others by the strength of faith should not face added barriers to Federal social service funds, and different rules should not apply to them when

they seek to cooperate with the Federal Government in helping others;

Whereas H.R. 7 also contains provisions authorizing the administration of a wide array of Federal programs through “indirect assistance”, which H.R. 7 defines as “assistance in which an organization receiving funds . . . receives such funding only as a result of the private choices of individual beneficiaries”; and on June 27, 2002, the Supreme Court held constitutional precisely those forms of Government assistance in which aid is directed to religious organizations as a result of such “private choice”;

Whereas local communities throughout the United States have seen a dramatic reduction in charitable contributions to local charities causing needs of their citizens to go unmet;

Whereas requests for goods and services from charities, including food, shelter, clothing, and utilities, have increased since the terrorist attacks;

Whereas more than 84,000,000 people in the United States who do not itemize their deductions are discouraged from making charitable gifts because they do not receive a tax incentive to make charitable contributions;

Whereas Federal taxes limit the amount of charitable donations that businesses may give;

Whereas Federal taxes reduce aid from charitable foundations by imposing an unnecessary excise tax on their resources;

Whereas Federal taxes discourage donations to food banks and food recovery organizations;

Whereas Federal tax incentives can serve as a powerful tool to encourage charitable giving by individuals and businesses;

Whereas the House of Representatives passed, on a bipartisan basis, H.R. 7, the Community Solutions Act of 2001, more than 14 months ago, which includes an expansion of charitable choice and faith-based programs and tax incentives to encourage charitable giving;

Whereas the Senate has not passed H.R. 7, the Community Solutions Act of 2001, or equivalent legislation;

Whereas the failure of the 107th Congress to pass H.R. 7, the Community Solutions Act of 2001, could adversely affect charities and the amount of charitable contributions at a time when the Nation needs to come together as a single strong community; and

Whereas the most desperate in our society deserve the very best social services, and if a faith-based organization is the best provider of such services, the poor and the needy deserve no less: Now, therefore, be it

- 1 *Resolved*, That the 107th Congress should complete
- 2 action on and present to the President H.R. 7, the Com-
- 3 munity Solutions Act of 2001, prior to adjournment.

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