

AMENDMENT TO RULES COMMITTEE PRINT

117-42

OFFERED BY MR. WALBERG OF MICHIGAN and *Ms. Foxx of*

Beginning on page 36, strike line 23 and all that *North Carolina*
follows through line 3 on page 37.

Page 39, after line 8, insert the following:

1 **"SEC. 680A. OPERATIONAL RULE.**

2 “(a) RELIGIOUS ORGANIZATIONS INCLUDED AS NON-
3 GOVERNMENTAL PROVIDERS.—For any program carried
4 out by the Federal Government, or by a State or local
5 government under this subtitle, the government shall con-
6 sider, on the same basis as other nongovernmental organi-
7 zations, religious organizations to provide the assistance
8 under the program, so long as the program is implemented
9 in a manner consistent with the Establishment Clause of
10 the first amendment to the Constitution. Neither the Fed-
11 eral Government nor a State or local government receiving
12 funds under this subtitle shall discriminate against an or-
13 ganization that provides assistance under, or applies to
14 provide assistance under, this subtitle, on the basis that
15 the organization has a religious character.

1 “(b) RELIGIOUS CHARACTER AND INDEPEND-
2 ENCE.—

3 “(1) IN GENERAL.—A religious organization
4 that provides assistance under a program described
5 in subsection (a) shall retain its religious character
6 and control over the definition, development, prac-
7 tice, and expression of its religious beliefs.

8 “(2) ADDITIONAL SAFEGUARDS.—Neither the
9 Federal Government nor a State or local government
10 shall require a religious organization—

11 “(A) to alter its form of internal govern-
12 ance, except (for purposes of administration of
13 the community services block grant program) as
14 provided in section 680(e); or

15 “(B) to remove religious art, icons, scrip-
16 ture, or other symbols; in order to be eligible to
17 provide assistance under a program described in
18 subsection (a).

19 “(3) EMPLOYMENT PRACTICES.—A religious or-
20 ganization’s exemption provided under section 702
21 of the Civil Rights Act of 1964 (42 U.S.C. 2000e-
22 1) regarding employment practices shall not be af-
23 fected by its participation in, or receipt of funds
24 from, programs described in subsection (a).

1 “(c) NONDISCRIMINATION AGAINST BENE-
2 FICIARIES.—A religious organization that provides assist-
3 ance under a program described in subsection (a) shall
4 not, in providing such assistance, discriminate against a
5 program beneficiary or prospective program beneficiary on
6 the basis of religion or religious belief.”

7 “(d) LIMITATIONS ON USE OF FUNDS FOR CERTAIN
8 PURPOSES.—No funds provided directly to a religious or-
9 ganization to provide assistance under any program de-
10 scribed in subsection (a) shall be expended for sectarian
11 worship, instruction, or proselytization.

12 “(e) FISCAL ACCOUNTABILITY.—

13 “(1) IN GENERAL.—Except as provided in para-
14 graph (2), any religious organization providing as-
15 sistance under any program described in subsection
16 (a) shall be subject to the same regulations as other
17 nongovernmental organizations to account in accord
18 with generally accepted accounting principles for the
19 use of such funds provided under such program.

20 “(2) LIMITED AUDIT.—Such organization shall
21 segregate government funds provided under such
22 program into a separate account. Only the govern-
23 ment funds shall be subject to audit by the govern-
24 ment.

1 “(f) TREATMENT OF ELIGIBLE ENTITIES AND
2 OTHER INTERMEDIATE ORGANIZATIONS.—If an eligible
3 entity or other organization (referred to in this subsection
4 as an ‘intermediate organization’), acting under a con-
5 tract, or grant or other agreement, with the Federal Gov-
6 ernment or a State or local government, is given the au-
7 thority under the contract or agreement to select non-
8 governmental organizations to provide assistance under
9 the programs described in subsection (a), the intermediate
10 organization shall have the same duties under this section
11 as the government.”.

