



USA FREEDOM CORPS
FAITH-BASED AND
COMMUNITY INITIATIVE
CIVIL JUSTICE REFORM LEGACY
A TIMELINE (2001–2008)

DOMESTIC POLICY COUNCIL



BUSH RECORD

POLICY MEMOS

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THE WHITE HOUSE

WASHINGTON

INFORMATION

MEMORANDUM

THROUGH: ALISON YOUNG

FROM: GRACE OHLHAUT

SUBJECT: USA FREEDOM CORPS

The President's Call to Service and USA Freedom Corps

President Bush believes that the true source of our Nation's strength lies in "the good hearts and souls of the American people," and he often refers to groups of volunteers as our Nation's "armies of compassion." President Bush has long been an advocate of volunteering because he has seen firsthand the benefits service brings to both those who serve and those who receive. In fact, President Bush himself has been an active volunteer. Before becoming Governor of Texas, President Bush chaired the Dallas Hearts and Hammers from 1990 to 1994, an organization that refurbishes homes owned by low-income citizens within the Dallas Metroplex. From 1981 to 1982, he was the campaign chairman for the United Way of Midland, Texas.

As governor, George W. Bush used his office to promote volunteer service among Texans. In response to a call for a renewed commitment to community service at a national summit on volunteering in Philadelphia in 1997, Governor Bush kicked off the "Texas Challenge," a series of statewide events designed to encourage volunteer involvement with troubled youth.

This commitment to volunteering continued during his campaign for President. Volunteerism was the topic of President Bush's first campaign speech given in Indianapolis on July 22, 1999, during which he stated that, if elected, his Administration would act to "encourage an outpouring of giving in America... involve the armies of compassion in some specific areas of need... change the laws and regulations that hamper the cooperation of government and private institutions."

The United States has a long tradition of its Presidents encouraging volunteerism. Many previous U.S. presidents have created initiatives to engage more Americans in service to communities, the country, and the world. President Kennedy started the Peace Corps in 1961 as a means of countering the negative perceptions of Americans, especially in the emerging nations of post-colonial Africa and Asia. President Clinton established AmeriCorps, a network of national service programs that engage Americans in intensive service to meet the Nation's critical needs in education, public safety, health, and the environment. Other presidents have tapped the power of traditional volunteers and the private sector to help solve our Nation's problems in partnership with government.

The history of these programs, in combination with President Bush's personal commitment to volunteering, would inevitably have made him a President who supported volunteerism. The events of September 11, 2001, made George W. Bush a President who sought to ignite a resurgence in the American culture of service and to encourage all Americans to take greater responsibility for each other and for their communities.

In response to the terrorist attacks, President Bush issued a Call to Service during his State of the Union Address on January 29, 2002: "My call tonight is for every American to commit at least two years—4,000 hours over the rest of your lifetime—to the service of your neighbors and your Nation." That same day, President Bush created the USA Freedom Corps (USAFC) through Executive Order 13254 to connect Americans with opportunities to serve their country and to foster a culture of service, citizenship, and responsibility.

To accomplish this mission, USAFC serves as the coordinating council across government for volunteer service initiatives and provides policy direction and guidance for more than 80 Federal agencies to pursue President Bush's volunteerism goals. In particular, USAFC helps the agencies to: (1) respond to disasters, both natural and manmade; (2) strengthen international, national, and community service programs; (3) encourage institutional change to strengthen volunteer infrastructure and accountability; and (4) empower citizens to improve communities through volunteering and service.

Disaster Response

Because of its roots in the Nation's response to the September 11 attacks, USAFC's first priority was to promote President Bush's goal of supporting and enhancing the efforts of the American public with respect to preparedness and volunteerism in the war on terror. On January 29, 2002, the President announced the creation of Citizen Corps. Citizen Corps coordinates with the Federal Emergency Management Administration (FEMA) to train volunteers to make communities safer, stronger, and better prepared to respond to the threats of terrorism, crime, public health issues, and disasters of all kinds.

Over time, the devastation wrought by a number of historic national disasters, including the Indian Ocean tsunami of 2004, the 2005 earthquake in Pakistan, and Hurricane Katrina, has sharpened USAFC's focus on the role of volunteers in responding to natural disasters at home and abroad.

In response to the 2004 Indian Ocean tsunami, USAFC was quick to alert citizens of volunteer opportunities and donation requests, which led to an outpouring of generosity from the American people. The Peace Corps received an abundance of support from former volunteers willing to return to the devastated area. President Bush allocated an initial \$350 million to fund the U.S. portion of the relief effort. The American people's efforts did not go unnoticed or unappreciated. In fact, according to a report by Terror Free Tomorrow, due to the tsunami relief efforts alone, 65 percent of Indonesians had a more favorable opinion of the United States.

Similar results were seen following American assistance in Pakistan after the October 2005 earthquake. In response to requests from President Musharraf and the Government of Pakistan, the United States provided emergency shelter, food, water and medical supplies, transportation

assets, and emergency management personnel through USAFC-affiliated organizations. A report by Terror Free Tomorrow conducted in November 2005 found that 78 percent of Pakistanis had a more favorable opinion of the United States as a result of this humanitarian assistance led by President Bush.

The most astounding disaster response from American volunteers occurred in the wake of Hurricane Katrina. Since Katrina devastated the Gulf Coast, more than 93,000 participants in national service programs, such as Citizen Corps, AmeriCorps, and Senior Corps, have given more than 3.5 million hours of service, and national service participants have supported and managed more than 262,000 community volunteers. This unprecedented response inspired USAFC to convene leaders from the volunteer and donations management communities for roundtables on more effective coordination during times of disaster. The result is a significantly strengthened Volunteers and Donations Annex in the National Response Framework, which recognizes the critical nature of volunteers in disaster response and makes www.volunteer.gov the Federal government's portal for managing volunteers and donations in times of disaster.

Strengthening International, National, and Community Service Programs

In creating USAFC, President Bush also sought to strengthen America's international, national, and community service programs. Thus, when he launched USAFC, he set specific goals for expanding national service programs like AmeriCorps and Peace Corps, and under the President's leadership, USAFC has worked closely with Federal partners to provide Americans with an ever-growing number of ways to give back to their communities, their country, and their world.

Three of these partners—the Corporation for National and Community Service (CNCS), Take Pride in America, and the Peace Corps—are programs that the President has strengthened or re-launched.

CNCS, established in 1993, supports civic engagement and volunteering as an essential element of addressing our communities' toughest social challenges. In 2004, the President issued an Executive Order "to strengthen the ability of programs authorized under the national service laws to build and reinforce a culture of service, citizenship, and responsibility throughout our Nation." The President also directed CNCS to institute reforms that would leverage more volunteers and increase matching funds.

CNCS also administers Senior Corps, Learn and Serve America, and AmeriCorps. Senior Corps connects individuals over the age of 55 with opportunities to serve their communities and offer help to individuals most in need. Learn and Serve America connects academic learning with community service for more than 1.4 million students. AmeriCorps is a network of national service programs that engages Americans in intense service to meet the Nation's critical needs in education, public safety, health, and the environment.

President Bush first championed AmeriCorps as Governor of Texas, where AmeriCorps members were a key part of his statewide literacy initiative to get more third-graders up to basic reading levels. Beginning in FY 2004, President Bush has requested funding to support 75,000 AmeriCorps members (25,000 more than were funded in 2002) in ratios of full-time and part-time members that mirror historic enrollment numbers.

In April 2003, President Bush re-launched Take Pride in America—a national service initiative that promotes volunteer service on public lands, which was established in 1985 by Interior Secretary Donald Hodel in response to the increase in vandalism on public lands. The goal of the President's re-launch was to continue to inspire a whole new generation of volunteers, who enthusiastically put their patriotism to work in protecting our national parks, wildlife refuges, and public lands. Take Pride in America now boasts more than 400,000 volunteers who serve annually on public lands.

Peace Corps was also strengthened and expanded under the leadership of President Bush. Peace Corps was established in 1961 by President Kennedy as a challenge to students and the Nation to serve a greater purpose and volunteer in the developing world. Since 2002, President Bush has provided the program with its highest level of funding in history. He called for twice as many Peace Corps volunteers in order to return the program to the strength it had in the mid-60s. He wanted volunteers to head to new destinations and return to the familiar grounds of Central Asia and Peru. Because of his expansion, Peace Corps volunteers have gone to Afghanistan to assist in its reconstruction. Under President Bush Peace Corps has increased by 15,000 volunteers to reach a 37-year high and has opened or re-opened programs in 13 countries. Today, more than 8,000 Peace Corps volunteers serve in 74 countries, working on a wide range of vital issues from HIV/AIDS education to economic development.

Creating New Service Programs

President Bush has also created his own new service programs through USAFC. Volunteers for Prosperity (VfP), established by Executive Order 13317 on September 25, 2003, allows skilled professionals to contribute their time internationally without the two-year commitment of Peace Corps. VfP is a USAFC initiative housed within the U.S. Agency for International Development (USAID). Through a network of partner organizations, VfP gives volunteers the opportunity to specify their location, area of interest, and duration. VfP has helped mobilize more than 74,000 volunteers through more than 350 partner organizations.

The President created another new program in June 2006, the New Americans Project to help legal immigrants become fully integrated into American society. The project is part of the President's Task Force on New Americans, which seeks to strengthen the assimilation of new Americans, improve access to Federal information and resources, and to provide training and technical resources to organizations that serve new immigrants. The New Americans Project provides volunteer opportunities through nonprofits, academic institutions, local faith-based and community organizations, and individuals willing to help new Americans assimilate.

Strengthening Volunteer Infrastructure and Accountability

To ensure these programs and other organizations that rely on volunteers are as effective as possible at engaging volunteers in addressing community problems and helping those in need, the President has also called on USAFC to measure the impact of efforts to involve more Americans in volunteer service.

Since the President issued his Call to Service, USAFC has sought to find a way to gauge why Americans volunteer and what motivates them to sustain service. Thus, USAFC partnered with CNCS, the U.S. Census Bureau, and the Bureau of Labor Statistics (BLS) in 2002 to create the Nation's most rigorous annual measure of volunteering. Prior to this Administration, BLS did not gather volunteering information in the Current Population Survey. This lack of data made it difficult to determine the role, value, and trends of volunteering in America. For each of the past six years, the data has revealed demographic trends that are being utilized to strengthen volunteer recruitment, retention, and management.

The resulting volunteering data has demonstrated the dramatic impact of the President's Call to Service. Between September 2001 and September 2005, the number of Americans volunteering climbed from 59 million to 65.4 million. Today, the number of Americans volunteering remains high—at 61 million—leading some historians to refer to the emergence of a “9/11 Generation” of young people who continue to serve in historically high numbers. Additionally, as many Baby Boomers approach retirement, they are finding volunteering as an alternative to work. The data also show that America's businesses are investing more in a culture of service and social responsibility in the workplace. Nonprofits are understanding more about the critical role of volunteers and beginning to adopt stronger volunteer recognition and management programs.

In July 2008, to promote the use of this important data at the Federal, State, and local levels, USA Freedom Corps launched a new interactive website, www.volunteeringinamerica.gov, which includes six years of data on volunteering, rankings of States and cities in terms of numbers of volunteers, and volunteer trends and demographic information for all 50 States and 162 large and mid-sized cities. The data can be customized to provide local leaders with information specific to their communities. The tool is designed to empower policymakers, nonprofit leaders, and volunteers to better manage policies and resources that will continue to expand a culture of service.

Empower Citizens to Improve Communities Through Volunteering and Service

Finally, though arguably most importantly, President Bush created USAFC to empower individual citizens to improve their own communities. The President's Call to Service embraces the idea that in many cases the best way to address our toughest social problems is to empower Americans to serve their neighbors in need. Therefore, a number of USAFC initiatives have provided local citizens with the information and the encouragement they need to answer the President's Call to Service by developing innovations in technology and social networking and recognizing and promoting volunteer service.

Volunteer.gov

USAFC's first step toward empowering citizens was to create a centralized location where volunteers can learn about service opportunities. The USA Freedom Corps Volunteer Network was created in 2002 and is now the largest clearinghouse of volunteer opportunities in the world. The network currently offers more than 4 million volunteer opportunities both in the U.S. and abroad listed on www.volunteer.gov. Since the network's creation, more than 2.2 million volunteer opportunity searches have been performed by more than 23 million visitors.

The President's Council on Service and Civic Participation and the President's Volunteer Service Award

On January 29, 2003, the President created the President's Council on Service and Civic Participation. The Council strives to promote and recognize outstanding volunteer service and raise awareness of the many ways in which Americans can help meet the needs of individuals within their communities and around the world. The Council brings together leaders from business, entertainment, sports, education, government, nonprofits, and the media, each of whom has demonstrated a commitment to service and volunteering in his or her own life.

In February 2008, the President's Council and key partners launched the Pro Bono Initiative to engage businesses in providing nonprofits with volunteer assistance in financial management, organizational development, communications, marketing, and fundraising. USAFC and the President's Council developed a partnership with businesses with domestic and global reach with the goal of providing \$1 billion in pro bono services to the nonprofit sector over the next three years. Now called "A Billion + Change," this initiative has garnered partnership commitments from more than 150 top corporate, government, and nonprofit leaders to date, totaling over \$400 million.

Beyond raising awareness of the many ways Americans can help meet the needs of their communities, another primary activity of the President's Council is to recognize outstanding volunteers with the President's Volunteer Service Award (PVSA). This award program, acknowledges individuals, families, and organizations that have made a sustained commitment to volunteer service. More than 26,000 schools, nonprofits, businesses, and other organizations have registered as certifying organizations and more than 1.1 million Americans have been recognized with this honor.

President Bush has also done his part to recognize deserving volunteers. In March 2002, two months after creating USA Freedom Corps, President Bush implemented a volunteer recognition program in conjunction with his domestic travel schedule. Through the USAFC Presidential Greeter Program, local volunteers are selected to greet the President upon his arrival in cities nationwide. Honorees, chosen through a nomination, interview, and vetting process, are invited to participate in the official greeting party that welcomes the President during his travels. By recognizing volunteers through the USAFC Presidential Greeter Program, President Bush honors citizens who have answered the call to serve a cause greater than self and whose service helps realize his vision to change America one heart, one soul at a time.

Conclusion

From the earliest days of our democracy, Americans have stepped forward to help their neighbors and their communities, cultivating a rich legacy of service that has continued to this day. The Bush Administration's policies, programs, and special initiatives have fostered and supported the service movement and the resurgence in civic engagement and these efforts are helping to build a stronger culture of service, citizenship, and responsibility in America

Chronology of Events

2001

New Peace Corps programs have been opened in countries such as Azerbaijan, the Kingdom of Cambodia, and Mexico. Peace Corps programs have returned to countries such as Albania, Botswana, Ethiopia, Fiji, Peru, and Swaziland.

January 31

President Bush unveiled a major effort to renew communities and meet social needs by tapping faith-based and nonprofit organizations.

Stephen Goldsmith, former Mayor of Indianapolis, was confirmed by the Senate in May 2001 and became chairman of CNCS's Board of Directors.

July 31

President Bush nominated Les Lenkowsky, a board member and leading philanthropy scholar, to be Chief Executive Officer of CNCS. Dr. Lenkowsky was confirmed on October 2, 2001 and served until July 2003.

September 11

CNCS responded immediately to the terrorist attacks, and over the next three years made homeland security grants totaling \$15.3 million across virtually all of its national service programs.

2002

Take Pride in America[®] was re-launched by then Secretary of the U.S. Department of the Interior, Gail Norton. Grounded in the USA Freedom Corps' principles of service, citizenship, and responsibility, Take Pride goal was, according to Secretary Norton, to "inspire a whole new generation of volunteers, who enthusiastically put their patriotism to work in protecting our national parks, wildlife refuges, public lands, and other natural treasures."

January 29

In his first State of the Union address after September 11, President Bush called on all Americans to devote 4,000 hours to volunteer service during their lifetimes, announced the creation of USA Freedom Corps, and called on Congress to expand AmeriCorps and Senior Corps to engage 200,000 more volunteers. In speeches over the months that followed, the President specifically proposed to increase AmeriCorps from 50,000 to 75,000 members, which was reflected in his FY 2003 budget.

April 9

President Bush issued a set of national service reform principles for a Citizen Service Act to reauthorize CNCS's programs. These principles included: supporting and encouraging greater engagement of citizens in volunteering, making federal funds more responsive to state and local needs, making federal support more accountable and effective, and providing greater assistance to secular and faith-based community organizations.

2003

- January 29 President Bush issued Executive Order 13285 creating the President's Council on Service and Civic Participation within CNCS. The Council's mission is to encourage Americans to answer the President's Call to Service.
- March 11 The first Office of Safety and Security was created at the Peace Corps. Every Peace Corps post around the world now has a safety and security officer.
- May 21 President Bush announces the Volunteers for Prosperity initiative (VfP) during his commencement address to the US Coast Guard Academy. VfP enables volunteers to serve others abroad in short, flexible assignments. Volunteers can specify their preferred location, area of interest and duration. Ultimately, VfP empowers America's professionals to share their expertise with the developing world.
- July 3 The President signed the Strengthen AmeriCorps Program Act, which clarified the methods by which CNCS records obligations from the National Service Trust for AmeriCorps education awards, established a Trust reserve fund, and mandated an annual financial audit of the Trust. The new law addressed longstanding financial management weaknesses that resulted in a Trust deficiency and required CNCS to pause AmeriCorps member enrollments from November 2002 to March 2003.
- July 11 President Bush announced his intent to nominate David Eisner as the CEO of CNCS. Mr. Eisner was confirmed on December 10, 2003. His goals were to restore trust and credibility in the wake of the AmeriCorps financial problems, manage to accountability, and provide outstanding customer service.
- September 25 President Bush signs Executive Order 13317 establishing the Volunteers for Prosperity Initiative to: "encourage volunteer service by highly skilled Americans to support major initiatives by the United States for promoting health and prosperity around the world." The US Agency for International Development (USAID) is designated the new initiative's interagency coordinator to be supported by the Departments of State, Commerce, and Health and Human Services. Each agency is required to establish an office or operating unit to support the initiative.
- December 10 USAID establishes the Office of Volunteers for Prosperity (VfP Office) within the Bureau for Democracy, Conflict and Humanitarian Assistance. USAID Administrator Andrew S. Natsios appoints Jack Hawkins, Director, Office of Volunteers for Prosperity.

2004

- January The Government Accountability Office issued a report finding that CNCS had taken appropriate steps to reform Trust management, an opinion that has since been affirmed in multiple Inspector General reports.
- January 23 President Bush signed an omnibus appropriations law providing CNCS with a record \$150 million funding increase, fulfilling the President's pledge to increase AmeriCorps by 50 percent—to 75,000 members.
- February 27 President Bush issued Executive Order 13331, which directed CNCS to leverage its resources to maximize private, state, and local support for national service programs; support faith-based and community organizations; increase flexibility and reduce administrative burden for grantees; increase accountability for results; increase professional corps programs; and implement a series of management reforms.
- March 23 The VfP Office submits its initial 180-day report to the USA Freedom Corps at the White House. The report indicates the VfP Office:
- recruited 110 US-based for-profit and nonprofit organizations as “VfP partners”;
 - assisted in the development of a pool of nearly 14,000 highly skilled American professionals; and
 - supported the deployment of nearly 3,000 volunteers.
- June 9 The White House announces expansion of the Digital Freedom Initiative to Jordan. The program “promotes transfer of information and communication technology (ICT) to benefit entrepreneurs and small businesses in developing countries...[helps] countries create a pro-competitive policy and regulatory environment...and is supported by the USA Freedom Corps' Volunteers for Prosperity initiative.”
- September 25 The VfP Office releases its first annual report to the USA Freedom Corps at the White House. The report finds the VfP Office:
- recruited nearly 200 US-based for-profit and non-profit “VfP partners”;
 - helped build a volunteer pool of more than 34,000 skilled Americans
 - helped mobilize nearly 7,000 volunteers;
 - supported efforts of VfP partners to receive \$13.4 million in federal grants; and
 - developed a website enabling skilled Americans to find appropriate volunteer opportunities through any of the nearly 200 VfP partners.
- December 26 In response to the tsunami which struck South East Asia, Peace Corps Response fielded teams of Volunteers to assist in the rebuilding process in Thailand and Sri Lanka. Peace Corps Response is a way for returned

volunteers to re-enroll in the Peace Corps for short-term assignments to respond to unique and pressing situations. Peace Corps Response began developing assignments in the days immediately following the disaster. A total of 27 Peace Corps Response Volunteers served in Thailand and 46 Volunteers served in Sri Lanka.

December Within days of the Asian Tsunami, the VfP Office collaborates with USA Freedom Corps to manage offers of humanitarian relief and assistance from private US citizens and US companies. The VfP Office directly responds to more than 300 e-mails and phone calls. The VfP Office also participates in an interagency task force led by the State Department.

2005

June 16 The VfP Office announces a program to engage groups interested in deploying skilled volunteers to fight HIV/AIDS through VfP partner American International Health Alliance (AIHA).

August 3 The VfP Office joins CNCS and the Points of Light Foundation to host the Second Annual International Conference on Service and Volunteerism in Washington, DC. The event draws attendees from 15 countries and 50 international NGOs, and features the work of VfP volunteers.

August 29 CNCS responded quickly to Hurricane Katrina, sending National Civilian Community Corps teams to the Gulf the day after landfall. Other CNCS programs soon followed and have formed the bulwark for volunteer relief and recovery efforts in the Gulf for the months and years since. To date, 92,000 national service volunteers have served 3.5 million hours in the Gulf and have recruited and managed more than 260,000 community volunteers.

August After Hurricane Katrina, Peace Corps Response recruited 272 Volunteers to support the recovery efforts in an agreement with the Federal Emergency Management Agency. This was the first time the Peace Corps deployed Volunteers domestically and it was the largest Peace Corps Response program ever.

August The VfP Office provides assistance to the USA Freedom Corps to support the US government's response to the impact of Hurricane Katrina on the Gulf Coast.

September 25 The VfP Office releases its second annual report to the USA Freedom Corps at the White House. The report shows the VfP Office:

- recruited 220 US-based for-profit and non-profit "VfP partners";
- helped build a volunteer pool of nearly 54,000 skilled Americans;
- helped mobilize approximately 12,000 volunteers; and

- supported efforts of Vfp partners to receive \$22 million in federal grants.

December 1

On World AIDS Day, President Bush announces the New Partners Initiative, a new grant program within the President's Emergency Plan for AIDS Relief (PEPFAR) designed to engage community and faith-based organizations in fighting HIV/AIDS. The program enlists Vfp to support volunteer activities by skilled Americans.

2006

April 27

President Bush signed Executive Order 13401 to ensure that federal agencies support and encourage volunteer community service. The order requires agencies to assign a senior executive as volunteer community service liaison and report annually on their activities pursuant to the order.

May 3

CNCS announced the formation of the Federal Mentoring Council to coordinate the Federal government's numerous mentoring programs. This was part of the Ensuring a Brighter Future for All of America's Youth strategic initiative—a larger effort to help the government, nonprofit, and corporate sectors work together to match volunteer mentors with more than one million children in need of a caring adult in their lives.

September 25

The Vfp Office releases its third annual report to the USA Freedom Corps at the White House. The report indicates the Vfp Office:

- helped build a volunteer pool of nearly 285,000 skilled Americans;
- helped mobilize over 21,000 volunteers;
- supported efforts of Vfp partners to receive \$17 million in Federal grants; and
- developed an online portal allowing the American public to provide direct financial support of Vfp partners' volunteer-led projects.

December 4

CNCS released a report showing that volunteering in America was at a 30 year high--with particularly strong volunteer growth among teenagers, Baby Boomers, and seniors. The overall rate among people 16 and older was 27 percent in 2006, compared to 20 percent in 1989 and 24 percent in 1974. The report was one of a series that has resulted from CNCS's annual supplement on volunteering, which was added to the Current Population Survey in 2002. Data from these surveys has been reported at the national, state, and city levels. CNCS is now considered the authority on volunteering data and research, providing the nonprofit sector with information they can use to better attract, manage, and retain volunteers.

December 12

CNCS unveiled a multi-year public service advertising (PSA) campaign that asks Baby Boomers to get involved in their communities. The "Get

Involved" campaign was launched at the White House Conference on Aging, a once-a-decade gathering that makes policy recommendations to the President and Congress about aging issues. The "Get Involved" campaign is a partnership with America's nonprofit community. Thirty-four organizations, including the AARP, the American Red Cross, America's Promise, Big Brothers Big Sisters of America, Habitat for Humanity, Catholic Charities, and Communities in Schools, have signed on as campaign supporters.

December 14

During the first ever White House Summit on Malaria, President Bush announces that VFP will be enlisted to facilitate efforts by the US government to engage American doctors, nurses, and other health care professionals as volunteers to combat malaria in Africa. Prior to the announcement, President Bush authorizes amending Executive Order 13317 (which established VFP) to include the President's Malaria Initiative (PMI) as a VFP focus.

2007

VFP, in cooperation with USA Freedom Corps and GlobalGiving Foundation, created the "Volunteers for Prosperity Service Incentive Program" or VFPServ, a public-private partnership to improve the affordability of short-term international volunteer service for those lacking adequate personal financial resources. VFPServ awards individuals non-renewable grants ranging from \$500 - \$1,000 for travel, insurance, and local living costs related to international volunteer assignments.

May 17

CNCS launched the "Summer of Service," a cross-program initiative highlighted by the placement of over 100 Volunteers in Service to America (VISTA) members in New Orleans to provide summer enrichment programs, tutoring, and recreational activities to 4,000 young people. AmeriCorps VISTA connects full-time volunteers with community organizations to help create and expand anti-poverty programs.

May 18

President Bush welcomed West Virginia AmeriCorps member Alivia Sturgill to the Oval Office as part of a nationwide recognition week for the AmeriCorps national service program as it reached a historic milestone of 500,000 members.

July 9

President and Mrs. Bush host the Conference on the Americas to highlight the Nation's role in delivering aid and strengthening civil society in the Western Hemisphere. During luncheon remarks, Mrs. Bush directs attendees to visit the VFP website for volunteer opportunities in the region.

- August The Vfp Office collaborates with USA Freedom Corps to manage offers of humanitarian relief and assistance from the American public in response to the Peru Earthquake.
- September The Peace Corps launched an initiative to bring more of the Baby Boomer generation into its Volunteer ranks based on the premise that Volunteers over the age of 50 can bring a lifetime of experience to the countries where Peace Corps Volunteers serve. Applications from Americans over 50 have risen by 70 percent since the beginning of the campaign.
- September 25 The Vfp Office releases its fourth annual report to USA Freedom Corps at the White House. The report finds the Vfp Office:
- recruited 244 US-based for-profit and non-profit “Vfp partners”;
 - helped build a volunteer pool of more than 355,000 skilled Americans;
 - helped mobilize more than 34,000 volunteers; and
 - supported efforts of Vfp partners to receive \$44 million in federal grants.
- September 30 The number of Peace Core Volunteers reaches a 37-year high of 8,079 Volunteers in 68 posts serving 74 countries.
- October The Peace Corps began operations in its 10th PEPFAR country when it re-opened a program in Ethiopia. In FY 2007, approximately 95 percent of all Peace Corps posts worked directly or indirectly in HIV/AIDS activities. These Volunteers assisted more than 1 million people and trained more than 84,000 HIV/AIDS service providers.
- December 5 USAID Administrator Henrietta H. Fore announces the establishment of the Volunteers for Prosperity Service Incentive Program (VfpServ) during a White House ceremony marking International Volunteer Day. VfpServ is a public-private partnership to help improve the affordability of international voluntary service by providing eligible American professionals with matching grants ranging from a minimum of \$500 to a maximum of \$1000 to cover travel, insurance, and local living costs.
- December The President’s fiscal year (FY) 2008 budget request approved by Congress gave the Peace Corps its largest appropriation ever--\$330.8 million for FY 2008, up from \$267 million in FY 2001, an increase of almost 24 percent.
- 2008**
- January 21 CNCS oversaw the largest Martin Luther King, Jr. Day of Service ever, with more than 500,000 volunteers serving in 5,200 projects in all 50

states. In 1994 Congress designated MLK day as a national day of volunteer service.

- February 13 CNCS sponsored a Summit on Corporate Volunteerism in New York City, where 130 government, corporate, and nonprofit leaders launched a campaign to generate \$1 billion of pro bono service to help nonprofits become more effective in meeting community needs.
- March 6 ViPServ is formally launched.
- April CNCS launches online toolkit which provides local youth leaders with the tools and resources needed to incorporate youth service into their existing efforts. The toolkit was launched with input from 40 organizations.
- April 29 President Bush delivered a speech marking National Volunteer Week and welcomed CEOs of Deloitte and Intel Corporation to the White House to present them with PVSAs and honor their partnership with the pro bono initiative and leadership in promoting skills-based volunteering among their employees.
- May 6 The second Military Spouse Day was held on the South Lawn and was attended by nearly 1,200 invited guests representing all branches of the Armed Forces. Military Spouse Day celebrates the contributions and sacrifices of military spouses throughout our Nation's history and honors outstanding spouses with the PVSA.
- June 26 CNCS announces plans to make \$3.5 million in grants to national organizations that support youth from disadvantaged circumstances.
- July 7 USA Freedom Corps joined the U.S. Departments of Homeland Security and Interior and the American Recreation Coalition to launch a new initiative called This Land is Your Land aimed at encouraging new Americans to visit their national parks and to volunteer to preserve our Nation's natural resources.
- July 25 USA Freedom Corps and CNCS launched a new interactive website, www.volunteeringinamerica.gov, which includes six years of data on volunteering, rankings of states and cities, volunteer trends, and demographic information for all 50 states and 256 large and mid-sized cities.
- August 8 CNCS announces results of this year's grants competition, with more than \$2.2 million being awarded to eight organizations funding 230 new AmeriCorps members to help communities provide healthy and educational environments for children, as well as support Midwest disaster response and recovery.
- September 3 CNCS works with FEMA, the American Red Cross, state service commissions, and nonprofit and voluntary groups to mobilize local

members and volunteers, assess needs, and schedule deployments of national service participants from other states to help in the aftermath of Hurricane Gustav. More than 45,000 people evacuated to hundreds of emergency shelters across the Gulf Coast and neighboring states, many supported by AmeriCorps members.

September 8 President Bush hosted an event on the South Lawn regarding his efforts to encourage volunteer service and in honor of America's volunteers. During his remarks, the President renewed his call for Americans to devote 4,000 hours over their lifetime in service to our country.

September 8 President Bush calls on Congress to make VFP and Citizen Corps permanent.

September 8 USA Freedom Corps issued a report, "Answering the Call to Service," which details the work of the initiative to help improve communities and change lives over nearly seven years under the President's leadership. The report details the response from the millions of individuals who have answered the President's Call to Service and used their power and energy to affect communities across America.

September 9 Citizen Corps and MyGoodDeed.org sign a Statement of Affiliation. The organizations have agreed to work together in collaborative partnership to help promote volunteer service and encourage citizens to participate in disaster preparedness and response and recovery. The two organizations will also work together to help promote 9/11 as a day of charitable service.

THE WHITE HOUSE

WASHINGTON

INFORMATION

MEMORANDUM FOR THE PRESIDENT

THROUGH: KARL ZINSMEISTER

FROM: JEDD MEDEFIND

SUBJECT: THE FAITH-BASED AND COMMUNITY INITIATIVE

Why the Faith-Based and Community Initiative?

When President Bush took office in 2001, government efforts to assist those in need were commonly viewed as impersonal, bureaucratic, and disconnected from the communities they sought to help. Worst of all, on the rare occasion when outcomes were measured, it was often revealed that these compassionate intentions had little positive impact, despite the billions of Federal dollars spent every year.

Since America's founding, community-based charities have played a central role in providing effective, locally-rooted solutions to community problems. However, prior to the Faith-Based and Community Initiative (FBCI), government efforts to address social ills tended to be disconnected and even isolated from the work of these groups.

Even when it did partner with nonprofit organizations, government typically looked only to large, national groups, while grassroots groups were frequently ignored. Meanwhile, a large and vibrant portion of the nonprofit sector—faith-based charities—were also excluded or forced to sacrifice their religious character as a condition of funding.

In his first major policy speech as a presidential candidate on July 22, 1999, President Bush promised to transform this bureaucratic and discriminatory approach to helping those in need, stating: "In every instance where my administration sees a responsibility to help people, we will look first to faith-based organizations, to charities and to community groups..."

The goal was to fundamentally change the way government works to address social ills. Leading a shift away from government's traditional attachment to large, bureaucratic social service programs, President Bush pledged to place frontline nonprofit organizations at the center of Federal efforts to address need.

This vision was not new territory for President Bush. As Governor of Texas, he saw firsthand the power of faith-based and other grassroots charities to transform broken lives. He worked to remove the barriers these groups faced in partnering with government and to expand their role in

meeting critical needs from substance abuse to prisoner recidivism. As President, he would make this vision a national governing strategy.

During his second week in office, President Bush transmitted a blueprint to Congress on how his Administration would commence this work. Entitled "Rallying the Armies of Compassion," the report described how the President's FBCI would leverage the resources of government "to enlist, equip, enable, empower, and expand the heroic works of faith-based and community groups across America" to combat poverty and social distress. The President further wrote:

Government has a solemn responsibility to help meet the needs of poor Americans and distressed neighborhoods, but it does not have the monopoly on compassion. America is richly blessed by the diversity and vigor of neighborhood healers: civic, social, charitable, and religious groups. These quiet heroes lift people's lives in ways that are beyond government's know-how, usually on shoestring budgets, and they heal our nation's ills one heart and one act of kindness at a time.

Strengthening and extending the work of these "neighborhood healers" called for more than any one set of programs or policies. This vision required not only actions *by* government, but transformation *in* government. Rejecting "the failed formula of towering, distant bureaucracies that too often prize process over performance," the FBCI has worked to place faith-based and other community organizations at the center of every Federal effort to address need.

The FBCI Has Led a Transformation of Government's Approach to Addressing Need

To lead this "determined attack on need," President Bush issued his first two Executive Orders on January 29, 2001, establishing the White House Office of Faith-Based and Community Initiatives as well as five Federal agency Centers for Faith-Based and Community Initiatives at the Departments of Health and Human Services, Housing and Urban Development, Justice, Education, and Labor.

As the Initiative gained traction, the number of Federal agencies with FBCI Centers expanded. With the latest addition of the Department of Homeland Security in 2006, eleven major departments and agencies currently have an FBCI Center via Executive Order. In addition, the Corporation for National and Community Service also created an official FBCI director within its executive team. Each Center advances the Initiative within the distinct areas of human need addressed by its Federal agency.

Like the White House office, the agency FBCI Centers do not offer funding or directly manage Federal grant programs. The staff of each Center serves as experts in its agency's programs and policies, identifies barriers to expanded partnerships with faith-based and community organizations and works to remove them, and designs and promotes a range of pilot programs and strategies that engage frontline nonprofits to address need.

Through the Centers, the FBCI operates not as an appendage of government, or even as a separate program, but rather as an embedded resource to ensure that the strategies of the President's Initiative are employed to address the highest priorities of each agency. Describing the results of this approach in 2006, David J. Wright, Project Director at the Rockefeller

Institute's Roundtable on Religion and Social Welfare Policy, said, "The Bush Administration has built a considerable management capacity to reach deeply into and widely across the Federal Government in order to implement the Faith-Based and Community Initiative as a presidential priority."

The central mission guiding each Center is the same: expanding and enhancing partnerships with nonprofit groups to better fulfill the agency's mission—from DOJ's goal of reducing gang violence to USAID's work of fighting malaria to HUD's objective of reducing homelessness. The Centers have advanced the Initiative's diverse problem-solving portfolio and aimed to help each respective agency achieve top-priority program goals by building public-private partnerships and testing entrepreneurial solutions.

Leveling the Playing Field

One of the first actions of the FBCI Centers was to conduct an audit examining intended and unintended barriers that kept faith-based and other community nonprofits from successfully partnering with the Federal government. The *Unlevel Playing Field* report, released in August 2001, revealed 15 major impediments to public-private collaboration, as well as "widespread bias against faith- and community-based organizations in Federal social service programs."

Court rulings during the 1990s required that government adopt a standard of strict "neutrality" toward faith-based charities and that religious nonprofits be treated as equals to nonreligious groups and neither favored nor disfavored in grant competitions and other partnerships. But on a practical level, confusion remained regarding constitutional parameters for government partnerships with faith-based charities.

Often, faith-based groups were excluded simply for appearing religious. For example, regulations for U.S. Department of Housing and Urban Development programs prohibited funding "as a general rule" from going to "primarily religious" organizations "for any activities, including secular activities." At other times, Federal, State, and local administrators simply assumed they needed to exclude faith-based groups or require unnecessary alterations in their programs to preserve separation of church and state.

Even in programs governed by Charitable Choice legislation that explicitly requires equal treatment of faith-based organizations, exclusionary practices held sway. Ultimately, the resulting confusion produced a patchwork of inconsistent, ambiguous, and even contradictory policies and practices across government regarding who could and could not partner with the Federal Government. In such an environment, many faith-based groups simply assumed partnership with government was not worth considering.

By sending the message that faith-based organizations were not welcome as partners, government often cut itself off from collaboration with many of America's most effective organizations and compassionate citizens.

To solve this problem, the FBCI placed special emphasis on securing a "level playing field" for faith-based organizations and establishing clear, constitutional guidelines for their partnership with government. Sixteen Federal regulatory changes, led by the Initiative, helped achieve this

goal across virtually all relevant grant programs. These new regulations ensured that faith-based organizations could compete for Federal funding without giving up their religious identity.

Legal Challenges

Contrary to the fears of some early critics, the Executive Orders creating the FBCI stated the unequivocal need to hold fast to constitutional principles. The Initiative was built upon “the bedrock principles of pluralism, nondiscrimination, evenhandedness, and neutrality.” So while the Initiative welcomed faith-based organizations to work in expanded partnership with government, religion was never its focus. Faith-based groups are invaluable allies but have received neither special favor nor disfavor. All organizations that could add value to public efforts to serve those in need have been offered an open and level playing field.

This premise has been affirmed in the courts, despite wide-ranging legal attacks on the FBCI’s legal principles. Only in cases in which an individual grantee organization did not adhere to FBCI regulations were the actions of that individual grantee organization faulted by the courts.

In fact, no lawsuit challenging the legal principles of the FBCI has succeeded in court. Rather, the Initiative has been validated through judicial opinions upholding: a state program that offers a choice of treatment providers, including faith-based organizations, to drug-addicted parolees¹; the right of the Salvation Army to consider the religion of staff members in hiring decisions (while serving all clients regardless of religious belief)²; and the Veterans Affairs hospital system’s hiring of chaplains.³

In 2007, the Supreme Court’s ruling in *Hein v. Freedom from Religion Foundation* effectively shut down a range of lower court cases intended to hinder government partnerships with faith-based organizations. The plaintiff in the case charged that conferences held by the FBCI represented an inadmissible use of public funds to advance religion. The conferences, in fact, sought to catalyze expansion of partnerships between government and *both* secular and faith-based nonprofits to address human need more effectively. The ruling—which hinged on the issue of taxpayer standing and not on the actual merits of the case—found that the plaintiff did not have standing as a taxpayer to challenge Executive Branch expenditures on the FBCI’s regional conferences.

Expanded Partnership with Frontline Nonprofits

While the first part of the FBCI name, “Faith-Based,” often receives the most public attention, the Initiative has placed significant emphasis on strengthening and expanding partnership with *all* community nonprofits, particularly grassroots organizations with limited experience in working with government.

In fact, in the *Unlevel Playing Field* report, nine of the 15 issues emphasized were “obstacles facing all smaller and novice organizations.”

¹ FFRF v. McCallum (7th Cir. 2003)

² Lown v. Salvation Army (USDC SDNY 2005)

³ FFRF v. Nicholson (8th Cir. 2007)

Lowering these barriers has been a key focus of the FBCI and has been accomplished by removing preferences for incumbent grantees; making grant information more accessible and transparent; simplifying and standardizing applications; offering extensive trainings on all facets of the Federal grants process; and a wide range of other efforts.

In some cases prior to the Initiative, faith-based and community organizations were not even eligible to apply for Federal grants. For example, the 21st Century Learning Center program at the U.S. Department of Education did not allow nonprofits to compete for funds prior to the FBCI. By 2008, more than 2,200 nonprofits received Federal funds through this program.

Removing barriers was only half the battle. Even though the work of grassroots faith-based and community organizations can powerfully complement the work of government, these organizations frequently possess other traits that make partnering with them difficult for government agencies. Small size, limited administrative staff, and other unique attributes often create gaps in culture, language, and expectations between the nonprofit and government agencies.

To overcome these challenges, the FBCI has designed and successfully tested a wide range of innovative program models to effectively tap these valuable grassroots nonprofit partners. In 2007, alone, more than 5,000 frontline nonprofits received Federal funds through innovative new program models advanced by the FBCI, such as vouchers, mini-grants, and intermediary grants.

The FBCI has also enabled an extensive range of nonfinancial partnerships. For example, technology developed through the FBCI at the U.S. Department of Labor called the “SHARE Network” allows local governments to create Web-based referral networks with local faith-based and community organizations that offer services complementary to those of government agencies. Meanwhile, the U.S. Marshall Service’s “Safe Surrender” program has worked with churches in metropolitan areas to facilitate voluntary surrender by thousands of individuals facing outstanding warrants.

Together, all of these new partners are helping government solve the most pressing needs faced by individuals across our Nation and around the globe—from homelessness to prisoner reentry to global AIDS—with a creativity, passion, and personal touch that government alone simply cannot provide.

Strengthening the Armies of Compassion

For every social challenge, there are dedicated faith-based and community nonprofits working at the front lines to solve it. The work of building the effectiveness of frontline nonprofits is a core objective of the FBCI. The FBCI’s efforts to strengthen nonprofit organizations take on forms as diverse as the organizations it serves. These include:

Conferences & Training. The FBCI has delivered in-person training to more than 100,000 social entrepreneurs, building skills that help organizations maximize impact for the people they serve. These have ranged from 40 national and regional White House conferences to more than 400 two-day grant writing seminars to intensive three-day workshops on measuring program outcomes.

Capacity Building. The ability of nonprofits to effectively meet community needs has been expanded through programs like the Compassion Capital Fund (CCF), which has awarded \$264 million in small grants to more than 5,000 small nonprofit organizations. In a recent study of the CCF Demonstration Project, 90 percent of grantees reported the program “improved level or quality of services they deliver to the needy.”

Technology-based Training. To meet the needs of nonprofit organizations in the most cost-effective manner, the FBCI offers a wide range of technology-based information and training, including e-courses, webinars, and teleconferences.

Private Strategies. The FBCI promotes strategies that encourage individuals and corporations to become more engaged in addressing human need. For example, to support families willing to care permanently for children without parents, President Bush championed a major expansion of the adoption tax credit in 2001—from \$5,000 to \$10,000 per child, indexed for inflation. The latest-available data show that funding provided to support adoption grew from less than \$90 million in 2001 to nearly \$320 million in 2005.

Together, these elements have strengthened the work of nonprofits that engage the pressing needs of virtually every community in America. The dividends from these investments will no doubt continue to benefit individuals, families, and communities for decades to come.

The Results: A Measurable Difference in Human Lives

The ultimate indicator of the FBCI’s success is the measurable results achieved in the lives of millions who have been affected by the expanded public-private partnerships championed by the President’s Initiative.

Many of these victories have come through signature programs established by President Bush to battle poverty, disease, and other needs by partnering with frontline nonprofits. These programs range from domestic efforts like the Mentoring Children of Prisoners program and Access to Recovery to international efforts like the President’s Emergency Plan for AIDS Relief and the President’s Malaria Initiative. In 2008 alone—alongside funding for many other important, longstanding programs—new initiatives launched by President Bush that give a central role to frontline faith-based and community nonprofits invested more than \$7.6 billion to address needs ranging from addiction, prisoner reentry, and community healthcare, to malaria and HIV/AIDS.

To date, results of these remarkable partnerships with the nonprofit sector include:

- **Addiction Recovery:** The Access to Recovery (ATR) program has provided more than 200,000 recovering addicts with vouchers that allow them to choose among a range of clinical and supportive services, including those offered by faith-based providers. As a result, thousands of FBCOs are serving recovering addicts through ATR, many of them partnering with government for the first time. Nearly 74 percent of clients who were abusing alcohol or drugs when entering the ATR program were abstinent at discharge, exceeding the success rate of most programs nationally.

- **Prisoner Re-entry:** The President's Prisoner Re-entry Initiative links returning nonviolent offenders with FBCOs that help them find work and avoid relapse into criminal activity. Only 15 percent of these former offenders have been re-arrested within one year, a rate less than half the national average of 44 percent.
- **At-Risk Youth:** Through the Mentoring Children of Prisoners program, the Administration has joined with faith-based and community groups to match more than 100,000 children of prisoners with adults who offer love, guidance, and a positive example.
- **Community Health Services:** In December 2007, the President visited OneWorld Community Health Centers in Omaha, Nebraska, to announce that the President's Community Health Center Initiative had exceeded President Bush's goal of expanding or creating 1,200 new community-based health center sites. This Initiative has boosted the number of low-income individuals receiving medical services from local clinics. Since 2001, the number of patients treated at Health Centers has increased by more than 50 percent to an estimated 16.1 million, and more than 91 percent of these patients are low-income individuals.
- **Homelessness:** The Department of Housing and Urban Development has greatly expanded partnerships with faith-based and community groups to help find homeless Americans safe places to stay. These efforts have helped affect an almost 30 percent reduction in the number of chronically homeless Americans from 2005 to 2007—meaning approximately 50,000 individuals have moved from the streets or shelters to a new residence.
- **Global Health:** International programs like the President's Emergency Plan for AIDS Relief (PEPFAR) and the President's Malaria Initiative (PMI) represent massive-scale implementations of the President's vision to empower American and indigenous FBCOs. In 2007 alone, more than 2,200, or 87 percent, of PEPFAR partners were indigenous organizations, and nearly one-quarter of all partners were faith-based. The latest PEPFAR results show that the government now supports treatment for more than 1.73 million people worldwide. Additionally, in just over two years, PMI has helped reached more than 25 million Africans with lifesaving prevention and treatment services.
- **Disasters:** In 2006, the Administration created an FBCI Center at the U.S. Department of Homeland Security to more fully integrate FBCOs into preparedness and response at every level of government. The National Response Framework was also revised in 2006 to assign a more central role to nonprofit organizations. Since Hurricane Katrina, more than 93,000 participants in National Service programs have given more than 3.5 million hours of service and managed 262,000 volunteers in response and recovery efforts.
- **Economic Development:** Since 2002, the Department of Commerce's Economic Development Administration (EDA) has increased the number of its partnerships with FBCOs by 70 percent. Since 2001, EDA has invested more than \$175 million in 236 projects led by faith-based or other community nonprofits, which are anticipated to create more than 88,000 jobs and \$3.8 billion in private investment.

- **Hunger:** The United States is the world's largest provider of food aid, helping to feed more than 35 million hungry individuals in FY 2007. Faith-based and community organizations are vital allies in effective delivery of domestic nutrition assistance, which has increased by more than 75 percent (to \$59 billion) since 2001. The U.S. Department of Agriculture also works with a variety of faith-based and community groups to provide food aid around the world.
- **Veterans:** From 2002 to 2007, the number of FBCOs funded through the Department of Veterans Affairs' (VA) Grants and Per Diem Program to serve homeless veterans rose from 176 to 506, a 287 percent increase. Over 80 percent of homeless veterans in residential programs with VA services were appropriately housed one year after their discharge from the program. As of last year, VA estimates that the number of homeless veterans was cut nearly in half over the course of five years.

Looking to the Future

Despite the remarkable achievements of the FBCI to date, there is good reason to believe that the best is yet to come. The FBCI has been an exercise in social entrepreneurship, applying the same ingenuity and energy that built America's economic success to address our most pressing social needs. The Initiative has driven ingenuity *within* government and consistently partnered with social entrepreneurs *beyond* government. These innovations and achievements provide the next President with a powerful foundation on which to continue a "determined attack on need."

The FBCI vision for engaging grassroots partnerships is now at work in States, cities, and counties across the Nation as well. With 35 governors (19 Democrats and 16 Republicans) and more than 100 mayors replicating President Bush's FBCI vision through State-level offices and liaisons, the Initiative has transcended politics and proves to be what the President intended: a critical strategy for solving pressing human needs across the country and beyond in partnership with organizations invested in the communities and individuals they serve. These State- and locally-led efforts will likely prove as significant as the Federal Initiative over the years to come.

What matters most—and what inspired President Bush to pursue the Initiative in the first place—is that a single life transformed carries impact far beyond its immediate situation: a young man graduating from technical school rather than returning to prison, an AIDS patient caring for her children instead of leaving them orphaned, a father freed from drug addiction to provide for his family. These are the real-world results achieved by government's partnerships with frontline nonprofits every day. This kind of outcome—by the millions—will continue to echo for generations.

1999: The Promise to Create the Faith-Based and Community Initiative

Date	Event/Document	Summary
July 22, 1999	http://www.cpjustice.org/stories/storyreader\$383	During a campaign speech, Governor Bush announces his intent as president to create the Faith-Based and Community Initiative, and promises that "in every instance where my administration sees a responsibility to help people, we will look first to faith-based organizations, charities and community groups that have shown their ability to save and change lives. We will make a determined attack on need, by promoting the compassionate acts of others."

2001: The Faith-Based and Community Initiative Is Established

Date	Event/Document	Summary
January 29, 2001	<u>Executive Order: Establishment of White House Office of Faith-Based and Community Initiatives</u> <u>Agency Responsibilities with Respect to Faith-Based and Community Initiatives</u>	President Bush signs his first two Executive Orders, creating the White House Office of Faith-Based and Community Initiatives (WHOFBCI), as well as five initial centers for Faith-Based and Community Initiatives within the departments of Education, Justice, Health and Human Services, Housing and Urban Development, and Labor.
January 30, 2001	http://www.whitehouse.gov/news/releases/20010130-3.html	President Bush announces the FBCI at the Fishing School in Washington, DC and sends to Congress a set of ideas and proposals entitled, "Rallying the Armies of Compassion," intended to encourage community and faith-based programs without changing their mission. He promises to eliminate barriers to charitable works and to encourage charitable giving.
February 1, 2001	http://bphc.hrsa.gov/presidents/initiative/	President Bush's first budget includes the Health Center Initiative in an effort to expand access to primary medical care in high-need areas.

February 28, 2001	<u>President's Address to the Joint Session of Congress</u>	President Bush proposes an allowance for Americans that do not itemize to receive tax deductions for their charitable contributions to encourage an estimated \$14 billion a year in new charitable giving. He proposes a budget that would provide more than \$700 million over 10 years for a federal compassion capital fund with a special emphasis on mentoring children of prisoners, illiteracy, teen pregnancy, and drug addiction.
March 14, 2001	<u>President Bush Tours Youth Entertainment Academy at the Grace Episcopal Church in Plainfield, New Jersey</u>	At the Grace Episcopal Church in Plainfield, New Jersey, President Bush urges Congress to fund FBCOs that will give access to after-school programs for low income parents. He states his intentions to make government a place that does not thwart, but instead enables the good efforts of FBCOs.
March 21, 2001	<u>President Bush Welcomes Bipartisan Faith-Based Proposals</u>	President Bush praises bipartisan proposals from members of the House and Senate to advance the compassion agenda to aid FBCOs.
May 20, 2001	<u>Remarks by the President in Commencement Address - Notre Dame,</u>	President Bush announces two initiatives: He pledges to submit to Congress a budget proposal for a three-fold increase in funding at HUD for those FBCOs expanding homeownership. He proposes \$1.6 billion in new funds to close the gap between the 5 million Americans needing drug treatment, and the 2 million currently receiving it and proposes these funds be opened to equal competition for faith-based and community groups. He also places a call on all corporations and foundations to give generously without discrimination.
May 22, 2001	<u>President Bush Speaks to National Leadership of the Hispanic Faith-Based Organizations</u>	President Bush delivers remarks in support of the FBCI at the National Leadership of the Hispanic Faith-Based Organizations in Washington, DC.
May 24, 2001	<u>President Bush Speaks to St. Augustine Parish in Cleveland, Ohio</u>	President Bush delivers remarks honoring the good work of FBCOs at the St. Augustine Parish in Cleveland, Ohio.
June 6, 2001	<u>President Bush Speaks to Habitat for Humanity Supporters</u>	President Bush delivers remarks upholding and encouraging the important work of FBCOs at a Habitat for Humanity event in Waco, Texas.

- June 8, 2001 Radio Address by the President to the Nation President Bush proposes the tripling of funds in the following year's budget to expand HUD's Self-help Ownership Opportunity program. The program provides seed money to FBCOs to purchase land for homes and to build streets and utilities in local neighborhoods.
- June 15, 2001 John DiIulio submits a memo re Federal Drug Initiatives and FBCO partnerships Memo to the President compiling an inventory of existing federal anti-drug partnerships with local FBCOs in order to aid the newly appointed Director of the Office on National Drug Control Policy.
- June 25, 2001 President's Faith-Based & Community Initiative Wins Key Endorsement President Bush accepts a key endorsement from the U.S. Conference of Mayors for the faith-based and community initiative. 150 Mayors highlight their commitment to establish FBCO partnerships in order to work more effectively with charitable organizations in delivering effective, results-oriented social services to needy Americans.
- July 4, 2001 Remarks by the President In Independence Day Celebration President Bush calls on Congress to pass laws promoting and encouraging FBCOs and ending discrimination against them in the Federal grants process.
- July 9, 2001 President Bush Speaks to Participants of America's Promise President Bush calls on Congress to pass the faith-based and community initiative legislation.
- July 10, 2001 Statement by the Press Secretary on the Request by the Salvation Army for an OMB Circular The White House releases a statement that reaffirms its commitment to Charitable Choice, ensuring that religious organizations have the right to hire individuals who share their religious faith, as long as such organizations comply with civil rights laws.
- July 11, 2001 Statement by the President President Bush releases a statement commending the House Ways and Means Committee for passing legislation that includes key elements of the faith-based and community initiative.

- July 19, 2001 Statement by the President President Bush releases a statement commending the House for passing faith-based and community initiative legislation.
- August 8, 2001 Remarks by the President at Habitat for Humanity Event President Bush delivers remarks promoting the FBCI at a Habitat for Humanity event in Waco, Texas.
- August 16, 2001 Statement by the President The "Unlevel Playing Field" report is released, summarizing the initial findings from the five cabinet Centers on barriers impeding religious and grassroots organizations that seek to serve the common good in collaboration with the Federal Government. The report highlights the funding gap between the government and FBCOs and points out significant barriers organizations face in obtaining Federal support for their compassionate work.
- November 7, 2001 President's Letter on "Armies of Compassion" Bill President Bush sends a letter to the Senate Majority Leader and the Senate Republican Leader asking for the passage of a bill that would: provide incentives for charitable giving, such as the non-itemizers deduction for charitable contributions, tax-free distributions from IRAs, the charitable deduction for contributions of food, and Individual Development Accounts (IDAs) to help low-income individuals save money; provide for equal treatment of FBCOs, an expedited process for grassroots groups to become 501(c)(3) organizations, and a Compassion Capital Fund to provide technical assistance and capacity building for community and faith-based groups; and provide support to populations in need, such as the more than 2 million children with a parent in prison.
- November 20, 2001 President Urges Support for America's Charities President Bush announces that HUD is distributing more than \$1 billion in grants to FBCOs which serve the homeless in order to provide food, shelter, drug treatment, job training, and other vital services. It is the largest such grant in the history of the country.

2002: The Push for Charitable Choice Legislation

Date	Event/Document	Summary
Jan. 17, 2002	<u>President Bush Acts to Promote Strong Families, Safe Children</u>	President Bush signs the Promoting Safe and Stable Families act to prevent the removal of children from their homes and support efforts to correct those problems that break a family apart. This legislation supports adoption services to place children with loving families and authorizes states to provide vouchers of up to \$5,000 a year for education/vocational training to teens who have aged out of the foster care system. It also authorizes funds for the Mentoring Children of Prisoners (MCP) program. President Bush also announces a budget request of \$505 million in funding for promoting the Safe and Stable Families Program (increase of \$130 million).
Feb. 7, 2002	<u>President Bush, Sen Lieberman Discuss Armies of Compassion</u>	An Oval meeting is held with Senator Lieberman, Senator Santorum, and other delegates from the U.S. Senate to push for the approval of faith-based legislation in the Senate.
Feb. 26, 2002	<u>President Announces Welfare Reform Agenda</u>	President Bush proposes spending more than \$17 billion a year on welfare for years 2003 to 2007, through state block grants. The President's plan is designed to: help more welfare recipients achieve independence through work; increase the welfare-to-work resources available for families; protect children and strengthen families; and empower states to seek new and innovative solutions to help welfare recipients achieve independence.
Apr. 11, 2002	<u>President Promotes Faith-Based Initiative</u>	President Bush calls on the Senate to pass the CARE Act and for Congress to send him a final bill to sign by Memorial Day. The President notes that the legislation will help an estimated 84 million taxpayers to receive a deduction for charitable giving, providing billions of dollars of support for charitable groups in America.
Apr. 29, 2002	<u>President Speaks to Community Leaders in Los Angeles</u>	President Bush delivers remarks promoting the FBI at the First African Methodist Episcopal Renaissance Center in Los Angeles, California.
April 30, 2002	<u>http://www.whitehouse.gov/new/s/releases/2002/04/20020430-5.html</u>	President Bush discusses how compassionate conservatism guides his policies—from welfare reform, to health care, to environmental policy, to Social Security—encouraging individuals, communities, and families to take more responsibility for themselves and for their neighbors. He also pushes for the Senate to pass

FBCI legislation.

June 3, 2002	http://www.whitehouse.gov/news/releases/2002/06/20020603-1.html	In Little Rock, Arkansas, President Bush gives remarks on welfare reform, saying it is compassionate for there to be a strong work requirement within welfare reform.
Jul. 2, 2002	President Emphasizes Need for Welfare Reform	President Bush calls for the CARE Act to pass in the Senate. Secretary Tommy Thompson announces that HHS is awarding \$200 million in bonuses to states that have performed best in helping people move from welfare to work.
Sep-02		The first grants are awarded through the Compassion Capital Fund. The funds appropriated through CCF are the first federal funds specifically targeted to assist FBCOs.
October 10, 2002		The first of 40 regional FBCI conferences is held in Atlanta, Georgia. The conferences provide an understanding of the FBCI, information about the federal grants process and funding opportunities, and the basic legal responsibilities that come with federal funding. They are designed to connect effective social service organizations with resources that can strengthen and expand the services they offer to the people they serve.
Dec. 12, 2002	President Bush Implements Key Elements of his Faith-Based Initiative http://www.whitehouse.gov/news/releases/2002/12/20021212-5.html	At a FBCI regional conference in Philadelphia, Pennsylvania, President Bush signs two Executive Orders: the first directing all federal agencies to follow the principle of equal treatment in rewarding social service grants, and the second establishing additional FBCI Centers at USDA and USAID. He also issues a guidebook explaining how faith-based groups can qualify for government grants.

2003-2004: Signature Presidential Initiatives (ATR, MCP, PRI, etc.)

Date	Event/Document	Summary
Jan. 20, 2003	http://www.whitehouse.gov/news/releases/2003/01/20030120-2.html	President Bush honors Martin Luther King, Junior at First Baptist Church of Glenarden in Landover, Maryland. He remarks on the importance of government welcoming faith, not discriminating against faith, when working to

solve human need issues.

- Jan. 28, 2003 <http://www.whitehouse.gov/news/releases/2003/01/20030128-20.html> In his State of the Union, President Bush announces a three-year, \$600 million federal treatment initiative to help addicted Americans find needed treatment from the most effective programs, including FBCOs. This new investment will make treatment available to help 300,000 more Americans combat their addiction by providing vouchers to individuals identified in their communities as needing assistance. He also proposes Mentoring Children of Prisoners (MCP), a \$450-million initiative to bring mentors to more than a million disadvantaged junior high students and children of prisoners. Finally, he proposes the President's Emergency Plan for AIDS Relief (PEPFAR), calling on Congress to commit \$15 billion over the next five years to turn the tide against HIV/AIDS in the most afflicted nations of Africa and the Caribbean.
- Feb. 10, 2003 [President Bush Discusses Faith-Based Initiative in Tennessee](#) President Bush speaks to religious broadcasters in Nashville, Tennessee, asking them to challenge their listeners to love, serve, mentor, and to work together among various congregations in order to meet human need.
- Jul. 16, 2003 [President Bush Discusses Faith-Based Initiative with Urban Leaders](#) President Bush delivers remarks to Urban Leaders, commending their work as social entrepreneurs within their respective communities and stressing the importance of changing government to welcome all problem solvers to the table.
- Jul. 28, 2003 [President Addresses Urban League](#) President Bush delivers remarks promoting the FBCI to the Urban League in Pittsburgh, Pennsylvania.
- Aug. 1, 2003 [Attach memo to the President re agency status on equal treatment implementation](#) Memo to the President summarizing agency implementation efforts of equal treatment to date, as well as offering recommendations for action in agencies where there is still much left to be done.

Sept. 12, 2003	http://www.whitehouse.gov/news/releases/2003/09/20030912-14.html	President Bush discusses the FBCI at the Power Center's 10th Anniversary Celebration in Houston, Texas. He honors the church for their effective service to the community. He also explains that government must not fear the application of faith in solving social problems, and remarks on some key programs and funding being implemented within his Administration.
Oct. 8, 2003	<u>President Bush Proclaims October Domestic Violence Awareness Month</u>	President Bush announces an increase in funding for DOJ's violence against women programs to \$390 million a year (increase of \$100 million). He announces the Safe and Bright Futures for Children initiative out of HHS to provide funding to FBCOs to help children escape the cycle of violence. He also proposes \$20 million in 2004 to help communities create family justice centers, where victims of domestic violence can find the services they need in one central location.
Oct. 29, 2003	<u>President Discusses Faith-Based Initiative at Youth Education Center</u>	President Bush delivers remarks on the FBCI in Dallas, Texas. He commends HHS and HUD for finalizing regulations that will help open up grant programs to greater competition. He also calls on Congress to increase CCF funding by \$100 million in coming year's budget.

Date	Event/Document	Summary
Jan. 15, 2004	<u>President Speaks with Faith-Based and Community Leaders</u>	President Bush delivers remarks promoting the Initiative and commending the work of FBCOs at Union Bethel Ame Church in New Orleans, Louisiana.
Jan. 20, 2004	<u>New Initiatives in President Bush's State of the Union Address</u>	In his State of the Union, President Bush announces the Prisoner Reentry Initiative (PRI), a collaboration with faith-based and community organizations and DOL, HUD, and DOJ to address three key requirements for successful re-entry – mentoring, transitional housing, and basic job training and placement. The President's FY 2005 budget will provide funding for the first year of this four-year, \$300 million initiative. President Bush also announces his intent to put into law the principle of equal treatment for faith-based organizations in the Federal grants process to end discrimination against these charities.

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| Jan. 21, 2004 | <u>Department of Justice publishes final rule implementing Equal Treatment</u> | Department of Justice (DOJ) publishes Final Rule which implements executive branch policy that faith-based organizations should be able to compete on an equal footing with other organizations for the Department's funding within the framework of constitutional church-state guidelines. |
| Jan. 23, 2004 | <u>President Bush Speaks with Nation's Mayors at Winter Meeting</u> | President Bush calls on mayors to work with governor's offices in order to ensure FBCOs take advantage of available grant monies and are free from discrimination in the grant-making process. |
| Feb. 16, 2004 | Memo to the President: Report on FY 2003 Grants to Social Service Organizations | Memo to the President documenting that FBOs had received at least \$1.15 billion in grants in FY 2003 out of the \$14.6 billion available in Federal non-formula competitive grant programs. It recommends that attention on the performances of the Cabinet agencies should be a top priority for the initiative. |
| Feb. 23, 2004 | <u>Remarks by the President to the National Governors Association</u> | President Bush calls on all governors to set up a state Office of Faith-Based and Community Initiative if they have not yet done so. |
| Mar. 3, 2004 | <u>President's Remarks at Faith-Based and Community Initiatives Conference</u> | President Bush delivers remarks at the FBCI regional conference in Los Angeles, California. |
| March 9, 2004 | <u>Department of Health and Human Services publishes final rule implementing Equal Treatment</u> | Department of Health and Human Services (HHS) publishes Final Rule implementing executive branch policy that faith-based organizations should be able to compete on an equal footing with other organizations for HHS funding without impairing the religious character of such organizations within the framework of constitutional church-state guidelines. |

May 21, 2004	<u>Attach Memo Re Refugee Resettlement</u>	Memo to the President outlining the aftermath of 9/11 in regards to refugee resettlement. The heightened security measures and increased threats to American officials working overseas caused refugee admissions to plummet, and humanitarian organizations, led by faith-based groups, called for President Bush's help to address this decline. NSC, OFBCI, and DPC created an inter-agency working group to take concrete steps to break through the impasse. With assistance from the Departments of State and Homeland Security, the memo projects that more than 50,000 refugees will be admitted in the coming year, a level nearly twice that of the previous year.
Jun. 1, 2004	<u>America's Compassion in Action</u>	At the first National Conference on FBCI, the President reports the Federal Government has reached more than 10,000 FBCOs through regional conferences and spent an estimated \$1.1 billion on grants to faith-based groups, an increase of 15 percent over 2002.
Jun. 1, 2004	<u>Executive Order 13342 :Responsibilities of the Department of Commerce and Veterans Affairs and the Small Business Administration with Respect to Faith-Based and Community Initiatives</u>	At the FBCI National Conference in DC, President Bush signs an Executive Order establishing Centers for Faith-Based and Community Initiatives at the the Departments of Commerce and Veterans Affairs and the Small Business Administration.
June 4, 2004	<u>Department of Education publishes final rule implementing Equal Treatment</u>	Department of Education (ED) publishes Final Rule clarifying that faith-based organizations are eligible to participate in ED programs on the same basis as any other private organization.
June 8, 2004	<u>Department of Veterans Affairs publishes final rule impelmenting Equal Treatment</u>	Department of Veterans Affairs (VA) Homeless Providers Grant and Per Diem Program Final Rule revises provisions that apply to religious organizations that receive VA funds under VA's Homeless Providers Grant and Per Diem Program to ensure that VA activities under this program are open to all qualified organizations, regardless of their religious character, to clearly establish the proper uses to which funds may be put, and the conditions for the receipt of such funding.

Jun. 21, 2004	<u>Remarks by the President in a Conversation on Compassion</u>	President Bush delivers remarks at in Cincinnati Ohio to promote the FBCI and pending legislation in Congress. (See fact sheet: http://www.whitehouse.gov/news/releases/2004/06/20040621-4.html)
Jun. 23, 2004	<u>President Bush Discusses HIV/AIDS Initiatives in Philadelphia</u>	President Bush announces a second round of funding of more than \$500 million for PEPFAR. He discusses the importance of including in country FBCOs as part of the solution in the fight against HIV/AIDS.
July 9, 2004	<u>Department of Agriculture (USDA) publishes Final Rule implementing Equal Treatment</u>	Department of Agriculture (USDA) publishes Final Rule implementing executive branch policy that faith-based organizations should be able to compete on an equal footing with other organizations for USDA assistance within the framework of constitutional church-state guidelines.
Jul. 16, 2004	<u>President Announces Initiatives to Combat Human Trafficking</u>	President Bush announces an award of \$4.5 million through DOJ to nine organizations that are running shelters for trafficking victims. This is in addition to the \$35 million already given to 36 local groups helping those who have suffered at the hands of traffickers.
Jul. 23, 2004	<u>President Emphasizes Minority Entrepreneurship at Urban League</u>	President Bush delivers remarks at the 2004 National Urban League Conference in Detroit, Michigan, discussing the central work of FBCOs in promoting progress for African Americans.
August 1, 2004	<u>Department of Health and Human Services announces first awards through the Access to Recovery Program</u>	HHS awards its first Access to Recovery (ATR) grants, a three year \$300 million program, to 14 states and 1 tribal organization.
Aug. 3, 2004	<u>President Discusses Compassionate Conservative Agenda in Dallas</u>	At the 122nd Knights of Columbus Convention in Dallas, Texas, President Bush reports the Compassion Capital Fund has awarded \$56 million and is releasing another \$43 million to fund this federal grant program. He also releases an additional \$45.5 million to the Mentoring Children of Prisoner programs.

- Aug. 6, 2004 Memo to the President re vouchers expansion and a campaign against religious discrimination in state constitutions
- Aug. 6, 2004 Memo to the President proposing he call on all agencies to review social service programs where they can expand the use of vouchers and asking the Administration to seek state-by-state repeal of provisions (“Blaine Amendments”) that bar religious groups from receiving public funding.
- August 9, 2004 Department of Housing and Urban Development publishes final rule implementing Equal Treatment
- August 9, 2004 Department of Housing and Urban Development (HUD) Final Rule implements executive branch policy that faith-based organizations should be able to compete on an equal footing with other organizations for Federal funding within the framework of constitutional church-state guidelines.
- August 11, 2004 Department of Labor publishes final regulation implementing Equal Treatment
- August 11, 2004 Department of Labor publishes final regulation implementing changes in Workforce Investment Act
- August 11, 2004 Department of Labor (DOL) publishes Final Rule clarifying, within the framework of constitutional guidelines, that faith-based and community organizations are able to participate in DOL social service programs without regard to their religious character or affiliation and are able to apply for and compete on an equal footing with other eligible organizations to receive DOL support. Also, the DOL Workforce Investment Act (WIA) Final Rule allows participants to use their individual training accounts (ITAs), or similar training accounts under programs established by States or Local Workforce Investment Areas (LWIAs), for religious training, as long as the training account programs afford participants genuine and independent choice between religious and nonreligious training options, and the religious organizations serving as eligible training providers otherwise satisfy the requirements of the program.
- October 19, 2004 USAID publishes Final Rule implementing Equal Treatment
- October 19, 2004 U.S. Agency for International Development (USAID) publishes Final Rule implementing executive branch policy that faith-based organizations should be able to compete on equal footing with other organizations for USAID funding within the framework of constitutional guidelines.

2005-2006: Collecting and Reporting on the Results

Date	Event/Document	Summary
Jan. 10, 2005	Attach memo to the President re Status of the FBCI and proposed plan for 2005	Memo to the President providing an update on the progress and successes of the FBCI and submitting a proposed plan of action for 2005.
Feb. 2, 2005	<u>State of the Union Address</u>	In his State of the Union, President Bush shows his continued support for faith-based and community groups through a proposed three-year initiative that will specifically reach out to at-risk youth and help FBCOs keep young people out of gangs.
Feb. 3, 2005	<u>President Delivers Remarks at Annual National Prayer Breakfast</u>	At the National Prayer Breakfast, President Bush remarks that "millions of people across this Earth get the help they need only because faith-based institutions live the commandment to 'love thy neighbor as thyself.'"
July 14, 2005	<u>http://www.whitehouse.gov/news/releases/2005/07/20050714-4.html</u>	President Bush discusses education, entrepreneurship, and home ownership and the central role that FBCOs play in these key issues at the Indiana Black Expo in Indianapolis, Indiana.
April 1, 2005	<u>http://www.whitehouse.gov/news/releases/2005/04/20050401-1.html</u>	President and Mrs. Bush Discuss Helping America's Youth Initiative at Paul Public Charter School in Washington, D.C. and participate in a roundtable with children of prisoners and their mentors. They discuss how initiatives—like the FBCI, HAY, Fatherhood Initiative, MCP, and Healthy Marriage Programs—are shaping public policies that encourage FBCOs to do a better job of saving lives.
Mar. 1, 2005	<u>Fact Sheet: Compassion in Action: Producing Real Results for Americans Most in Need</u>	President Bush addresses the White House Faith-Based and Community Initiatives Leadership Conference, hailing the progress being made to help Americans most in need.
Mar. 7, 2005	<u>http://www.whitehouse.gov/news/releases/2005/03/20050307-6.html</u>	President Bush and Mrs. Bush discuss Helping America's Youth, a program for at-risk youth that works closely with faith-based and community organizations to ensure a successful future for America's children.
June 30, 2005	<u>http://www.whitehouse.gov/news/releases/2005/06/20050630.html</u>	President Bush announces the President's Malaria Initiative (PMI). The \$1.2 billion, five-year initiative aims to cut malaria-related deaths by 50 percent in 15 target countries in Africa.

Sept. 5, 2005	http://www.whitehouse.gov/news/releases/2005/09/images/20050905-9_flg5950-515h.html	The President and Mrs. Bush visit the Bethany World Prayer Center shelter in Baton Rouge, Louisiana to thank volunteers for their efforts in the aftermath of Hurricane Katrina.
Dec. 5, 2005	Memo to the President re the Expansion of Individual Choice in Federally Funded Social Service Programs	Memo to the President identifying and recommending Federally-funded social programs that could be converted to permit individual choice by beneficiaries, providing market mechanisms that promote program effectiveness and better results.
Date	Event/Document	Summary
March 6, 2006	Memo to the President re FY2005 Social Service Grants to Faith-Based Organizations (FBOs)	Memo to the President reporting on the numbers for FY2005 Social Service Grants to Faith-Based Organizations (FBOs).
Mar. 7, 2006	<u>Executive Order: Responsibilities of the Department of Homeland Security with Respect to Faith-Based and Community Initiatives</u>	President Bush signs an Executive Order establishing a Center for Faith-Based and Community Initiatives at the Department of Homeland Security to help integrate FBCOs into Federal, State, and local emergency response plans and disaster response efforts.
Mar. 9, 2006	<u>Fact Sheet: Compassion in Action: Producing Real Results for Americans Most in Need</u> <u>President Highlights Faith-Based Results at National Conference</u>	President Bush addresses the second FBCI National Conference, reporting results that show how the Initiative is helping to meet America's greatest needs and highlighting the important role corporations and foundations play in funding social services.
April 27, 2006	http://www.whitehouse.gov/news/releases/2006/04/20060427-11.html	President Bush visits a damaged home in New Orleans, Louisiana and thanks Catholic Charities for providing the volunteers to help rebuild damaged homes post-Katrina.
June 7, 2006	http://www.whitehouse.gov/news/releases/2006/06/20060607.html	In Omaha, Nebraska, President Bush visits the Juan Diego Center, run by Catholic Charities, a place where people are learning to speak English and are learning the civic lessons of what it means to be an American citizen. He stresses the importance of grassroots organizations in helping assimilate new immigrants to the States, and he announces the Task Force on New Americans, an initiative that will help programs expand the teaching of English and civics and history instruction at the grass roots level.

August 28, 2006	http://www.whitehouse.gov/news/releases/2006/08/20060828-5.html	President and Mrs. Bush remember the one year anniversary of Hurricane Katrina by visiting the town of Biloxi, Mississippi. The President specifically thanks and gives credit to FBCOs for their volunteer work in the aftermath of the storm.
August 29, 2006	http://www.whitehouse.gov/news/releases/2006/08/20060829-2.html	At Warren Easton Senior High School in New Orleans, Louisiana, Mrs. Bush discusses how the Bush-Clinton Fund has helped to fund churches, synagogues, and other houses of faith across the Gulf Coast as they rebuild. President Bush credits much of the effort, and the results achieved post-Katrina to FBCOs.
Sept. 27, 2006	http://www.eda.gov/ImageCache/EDAPublic/documents/pdfdocs2006/2006final_20rule_2epdf/v1/2006final_20rule.pdf	Commerce amends Economic Development Administration rules to clarify eligibility of faith-based organizations.

2007: Victory in the Courts

Date	Event/Document	Summary
January 16, 2007	http://innovationincompassion.hhs.gov/historical_docs/CIA_reports.html	The FBCI launches a series of monthly <i>Compassion in Action Roundtable</i> meetings to highlight organizations, programs and policies addressing critical social needs. The roundtables convene and facilitate discussion between policymakers, government officials, philanthropists and faith-based and community service providers around targeted issues (i.e. youth violence, HIV/AIDS, high school drop out rate, homelessness, substance abuse, etc.). The events reveal the President's Initiative as a broad-based, community-centered reform agenda, showcase innovative projects and promising practices, and draw attention to government efforts to expand and support the work of FBCOs actively engaged in serving their neighbors and communities.
Apr. 13, 2007	<u>President Bush Meets with Parochial Education Leaders and Parents</u> <u>President Bush Attends National Catholic Prayer Breakfast</u>	The President promotes school choice by calling on the Federal Government to provide opportunity scholarships that parents can then redeem at a school of their choice.

- Feb. 28, 2007 Attach summary: Supreme Court Hears Oral Arguments in Hein v. Freedom From Religion Foundation
- http://www.oyez.org/cases/2000-2009/2006/2006_06_157/
- The Supreme Court hears oral arguments in *Hein v. Freedom From Religion Foundation (FFRF)*. The case marks the first opportunity for the newly-constituted Roberts Court to take up a complicated issue of church-state separation. The question in *Hein* focuses on a narrow, jurisdictional matter—whether or not taxpayers have the appropriate legal standing to challenge the activities of the OFBCI where they have suffered no direct legal injury.
- May 20, 2007 <http://www.whitehouse.gov/news/releases/2005/05/20050520.html>
- President Bush attends the National Catholic Prayer Breakfast and highlights the acts of compassion of faith-based institutions and Catholic schools that educate millions, delivering hope to inner-city children of all faiths.
- Jun. 25, 2007 Statement by the President
- The Initiative realizes a major legal victory when the Supreme Court rejects a constitutional challenge to the FBCI's regional conferences. The original suit brought by the Freedom From Religion Foundation (FFRF) alleged that the Administration was promoting funding for faith-based groups through its regional conferences, thereby violating the Establishment Clause of the Constitution. However, the Establishment Clause requires neutrality toward religion, not a prohibition on involvement of faith-based organizations in Federal programs because of their religious character. This interpretation of the Establishment Clause was upheld in this Supreme Court decision. In fact, the trial court was not convinced that FFRF even had a legal standing to bring such a complaint to court since none of the plaintiffs could point to a specific injury that they encountered as a result of these conferences.

Dec. 5, 2007

<http://www.whitehouse.gov/news/releases/2007/12/20071205-2.html>

President Bush visits OneWorld Community Health Centers in Omaha, Nebraska and discusses the success of Community Health Centers to provide health care to medically underserved and low-income individuals. The Administration has exceeded its goal of impacting 1,200 communities by funding 1,236 new or expanded health center sites. There are now over 4,000 comprehensive sites across the country. Since 2001, the number of patients treated at Health Centers has increased by 60 percent to an estimated 16.25 million. Over 92 percent of these patients are low-income individuals.

Dec. 6, 2007

Attach Memo to the President re Action Strategy for the FBCI

Memo to the President highlighting various successes of the Initiative over the past seven years, including: the leveling of the playing field for FBCOs, victory in the Supreme Court affirming Equal Treatment principles, aggressive replication of the FBCI at the state level, and effective compassion via Presidential initiatives and agency-driven efforts active in all 50 States (PRI, ATR, MCP, capacity building and training, etc.). The memo also presents recommendations for Presidential involvement with the FBCI in 2008.

2008: Relaying the Successes of the FBCI

Date

Jan. 28, 2008

Event/Document

President Bush Delivers State of the Union Address

Summary

During the State of the Union, President Bush announces plans to convene a White House summit promoting the work of inner city private and faith-based schools. He asks for the support of a new \$300 million program called Pell Grants for Kids. He also calls for permanent extension of Charitable Choice to help guarantee equal treatment of faith-based organizations when they compete for federal funds.

Jan. 29, 2008

President Bush Discusses the Faith-Based and Community Initiative

President Bush celebrates the seventh anniversary of the FBCI at the Jericho Prisoner Reentry program in Baltimore, MD.

Announced by President Bush in 2004, the Prisoner Reentry Initiative (PRI) operates at 30 FBCO sites in 20 states, serving more than 11,500 participants. Released inmates who participate in PRI programs are returning to prison at less than half the national rate.

Feb. 25, 2008

Fact Sheet: The Quiet Revolution: A Seven-Year Progress Report

President Bush participates in a briefing on "The Quiet Revolution" report and releases this report at the National Governors Association. The report offers a portrait of the successful implementation of President Bush's vision to reshape government's approach to addressing human need. He also releases a companion report "The President's Faith-Based and Community Initiative in 50 States," detailing the remarkable diversity of the FBCI at work in every State.

President Bush Meets with National Governors Association

Mar. 31, 2008

Statement by Office of Faith-Based and Community Initiatives Director Jay Hein Recognizing Award of New Partners Initiative Grant

The OFBCI showcases the international work of the Initiative through conferences in Rwanda and Zambia that highlight the importance of involving all sectors of society to address health crises and development issues. Over 80 percent of PEPFAR grantees are small, indigenous organizations, more than 20 percent of which are faith-based. Director Hein specifically celebrates the milestone of 50,000 persons now receiving life-saving antiretroviral treatment in Rwanda (estimated only 50,000 people in all of sub-Saharan Africa were on antiretroviral treatment five years earlier). He also announces one of the 14 grantees in the second round of the New Partners Initiative.

Statement by Office of Faith-Based and Community Initiatives Director Jay Hein Honoring PEPFAR Achievement in Rwanda

Apr. 9, 2008

President Bush Signs H.R. 1593, the Second Chance Act of 2007

President Bush signs the Second Chance Act of 2007, authorizing important components of the Prisoner Re-entry Initiative (PRI) by expanding job training and placement services and improving newly released prisoners' abilities to find transitional housing. The Act also supports the DOJ's ongoing work to support state and local governments, Indian tribes, and non-profit groups in implementing programs that provide former prisoners with essential services, like housing and medical care. It helps develop prisoner drug treatment programs, support prisoner mentoring initiatives, and support family counseling and other services to help prisoners re-establish their place in the community.

Apr. 24, 2008

http://www.whitehouse.gov/government/fbci/pdf/preserving_a_critical_national_asset.pdf
<http://www.whitehouse.gov/infocus/education/whschoolsusummit/index.html>

President Bush convenes the White House Summit on Inner-City Children and Faith-Based Schools in Washington, DC, to address the rapid disappearance of faith-based schools in America's cities. Through the event, he raises public awareness of the crisis and shows his continued support through initiatives supported by his Administration that include: Promise Scholarships, Opportunity Scholarships, Pell Grants for Kids, and the Washington, DC Opportunity Scholarship Program.

Jun. 26, 2008

President Bush Attends Office of Faith-Based and Community Initiatives' National Conference

President Bush addresses the OFBCI "Innovations in Effective Compassion" National Conference, discussing the initiative's record over the past eight years and how it has transformed the way America addresses human need.

September 19, 2008

Attach Memo to the President re Mentoring Children of Prisoners Achievements

Memo to the President reporting the milestone achieved in the Mentoring Children of Prisoners (MCP) initiative. To address the more than two million children of prisoners across the Nation, President Bush pledged to match 100,000 children of prisoners with mentors during his Administration through partnerships with FBCOs. As of July 31, 2008, 101,847 mentor matches were achieved.

October 3, 2008

<http://www.hud.gov/news/speeches/2008-10-03.cfm>

FBCI holds its final in a series of 40 regional conferences in Dallas, TX. Secretary Preston and Secretary Leavitt deliver keynote remarks.

THE WHITE HOUSE

WASHINGTON

INFORMATION

MEMORANDUM FOR THE PRESIDENT

THROUGH: Karl Zinsmeister

FROM: Ryan Bounds
Ryan Smith

SUBJECT: Civil Justice Reform Legacy

President Bush has pursued the reform of the nation's civil justice system throughout his career in public service. As governor of Texas, he secured enactment of seven major tort reform laws during his first legislative session, saving Texans billions of dollars in legal fees, court costs, and higher prices for goods and services. During his first presidential campaign, he released a position paper emphasizing the resistance of "entrenched special interests" to common-sense legal reforms, identifying an ambitious series of proposals that his administration would pursue, and laying out five overarching goals toward which those proposals were directed. President Bush's five goals were: (1) protecting the innocent by deterring frivolous litigation, (2) encouraging timely, good-faith settlements, (3) curbing "forum shopping" by improving access to federal courts, (4) protecting clients from unscrupulous attorneys, and (5) requiring lawyers representing governmental agencies to be compensated at levels commensurate with public service. The administration made significant advances toward these objectives, but resistance from trial lawyers and Democratic members of Congress would delay several of the President's favored reforms for years and block others entirely.

An Early Bipartisan Effort for Reform (2001)

The earliest significant legislative efforts with substantial implications for civil justice reform were a number of bipartisan proposals to establish a federal Patients' Bill of Rights with constraints on litigation over patient coverage. At the outset of his administration, the President wrote to the leadership of both parties in both chambers of Congress, calling for a bipartisan Patients' Bill of Rights that would ensure that all patients could receive needed medical care and that doctors would be free to make decisions based on medical necessity. The President advocated ensuring patients' access to independent medical review of coverage denials but emphasized that he opposed "[e]xpensive litigation" that would result in a "rise in health care costs." The President transmitted a series of principles for reform with his letter. That day, Senators McCain and Kennedy introduced the Bipartisan Patient Protection Act of 2001, which reflected several of the President's principles. The McCain-Kennedy bill offered employers inadequate protections from increased and costly litigation, however, and the President did not support it. On May 15, Senators Frist, Breaux, and Jeffords introduced the Bipartisan Patients' Bill of Rights Act of 2001. President Bush issued a statement the same day applauding the bill and renewing his call for Congress to pass such legislation by the end of the year.

On June 29, 2001, the Senate passed the McCain-Kennedy bill by a vote of 59-36. The bill, which was ultimately supported by only nine Republicans, was improved during Senate consideration by a number of compromise amendments but still left employers overly exposed to litigation. The President issued a statement lauding the improvements to the McCain-Kennedy bill but lamenting its insufficient curbs on litigation.

In July, attention turned to consideration of Patients' Bill of Rights legislation in the House. The President had met on June 27 with Republican leaders from the House to discuss efforts in that chamber. During the discussion, the President commended the bipartisan bill recently introduced by Representatives Fletcher, Peterson, and Johnson. (The bill mirrored the Frist-Breaux-Jeffords bill in the Senate.) To maintain political momentum for passage of a good bill, President Bush made a public visit to a hospital in Fairfax, Virginia, on July 9, where he commended the ongoing efforts in the House and called for a bill "that honor[ed] patients, not trial lawyers; a bill that makes it easier for docs to do their jobs, as opposed to a bill that encourages excessive litigation." Two days later, the President delivered remarks in Washington to a large audience of medical specialists and members of Congress. He once again commended the Fletcher bill moving through the House, noting the bill's safeguards to ensure that "the cost of medicine [would] not to be driven up by unnecessary litigation." The House continued to consider legislation through July, and on August 2, 2001, the House passed the Bipartisan Patient Protection Act on a largely party-line vote of 226—203 (five Democrats voted in support). The President issued a statement looking forward to the final negotiation of a bill in conference. It was not to be: Democrats, in control of the Senate since Senator Jeffords's realignment in June, objected to efforts to curb lawsuits against HMOs for denials of care and blocked the bill in conference for the remainder of the 107th Congress.

Maintaining Momentum for Civil Justice Reform in Other Areas (2002)

As the Patients' Bill of Rights legislation awaited resolution in conference, the administration identified other potential vehicles for civil justice reform. In March, the House took up the Class Action Fairness Act of 2002. The bill would have curbed forum shopping by allowing most interstate class actions to be removed by a defendant from state court to federal court. The President had called for such changes during his campaign. (Improving access to federal courts was the third of his five enumerated goals for civil justice reform.) In addition, the bill would have enhanced protections in federal court against trial lawyers' abuses of class action plaintiffs, such as the collection of extravagant attorneys' fees for the recovery of mere "coupons" and other forms of non-cash compensation for the injured class. On March 12, the administration issued a statement of strong support for the bill, and it passed the House on March 14. Although the President's advisors did not expect that the Democratically controlled Senate would take up the legislation, there was some thought that the House bill could be attached to a moving vehicle in the Senate, but no such effort succeeded.

That summer, the administration returned its attention to efforts to drive down litigation expenses in the health care system. On July 25, Secretary of Health and Human Services Tommy Thompson released a report entitled *Confronting the New Health Care Crisis: Improving Health Care Quality and Lowering Costs by Fixing Our Medical Liability System*. The same day, the President spoke at High Point University in North Carolina about the need to reform the medical

liability system in order to reduce insurance premiums, attrition among doctors, and the practice of “defensive medicine” (ordering tests and procedures with a low probability of therapeutic value in order to avoid potentially disastrous liability for an allegedly wrongful omission). The President emphasized that these outcomes would reduce the cost and expand the availability of health care. The administration highlighted several specific proposals to curtail medical malpractice litigation through federal regulations, including (1) capping punitive and non-economic damages for medical malpractice claims at \$250,000, (2) requiring such claims to be filed within more predictable periods of time, and (3) limiting doctors’ and hospitals’ liability for injuries that were caused in part by other defendants. On August 7, the President took the message to Madison, Mississippi, where he highlighted the deleterious effects of “the lawsuit industry” on health care in that State and called again for congressional action on medical liability reforms such as those the Administration had identified on July 25. No such legislation made it to the floor.

Hopes for civil justice reforms in the next Congress, however, were raised by the Republican’s recapture of the Senate in the 2002 midterm elections.

Renewed Efforts for Reform (2003--2004)

The President redoubled his efforts for medical liability reform from the outset of the 108th Congress. On January 16, the President convened a roundtable on medical liability in Scranton, Pennsylvania, where medical services had declined amid rising litigation and medical insurance premiums. The President reiterated calls for reforms such as those he had identified the previous July in North Carolina. On February 5, Representative Greenwood of Pennsylvania introduced the Help Efficient, Accessible, Low-Cost, Timely Healthcare (HEALTH) Act of 2003, which included many of the President’s reform proposals. On March 13, the administration issued a statement strongly supporting passage of the bill, which passed that day by a vote of 229-196 (including nine Democrats). The President lauded the House’s bipartisan action and called on the Senate to act on the bill. Medical liability reform legislation did not make it to the Senate floor until July, however, and ultimately failed to pass.

Meanwhile, the House continued to act on civil justice reform in other areas. The Protection of Lawful Commerce in Arms Act of 2003 was introduced in the House on February 27. The bill would have insulated law-abiding manufacturers and dealers of firearms from civil liability for losses resulting from the criminal misuse of their products. It was a response to the rising tide of lawsuits by municipalities and other plaintiffs who sought to shift the cost of gun crime onto the firearms industry. The administration issued a statement of strong support for the legislation on April 9, noting that it would curb the “growing problem of frivolous lawsuits in the United States”—one of the President’s five goals for civil justice reform. The House passed the bill the same day by a vote of 285 to 140 (63 Democrats supported the measure). A companion measure was considered in the Senate in March of 2004. The administration issued a statement on February 24, 2004, strongly supporting prompt passage of a clean version of the bill in the Senate, but the legislation was undercut by amendments and failed to pass.

The House also took up and passed a new Class Action Fairness Act on June 12, 2003, with the administration expressing its strong support for the measure (as it had the previous March). Throughout the remainder of the summer, the President maintained a steady call for civil justice

reform with the aim of focusing political pressure on the Senate to act. On June 23, the President addressed a national biotechnology conference in Washington, D.C., closing his remarks by noting that both the class action reform bill and medical liability reform bill were “stuck” in the Senate and calling upon the Senate to act. At a press conference on July 30, the President noted once again that the Senate should pass the class action reform bill. He went on to call for legal reforms as essential means of encouraging economic growth during his radio addresses on August 4, August 30, and September 20. In October, the Senate finally considered the Class Action Fairness Act of 2003. The administration issued a statement of strong support, mirroring the June 12 SAP in the House. The bill failed on a cloture vote on October 22. Another version of the bill would be taken up in July 2004, and again the administration would issue a statement strongly supporting the measure. It too would fail on a cloture vote, however, and no class action reform measure would pass the Senate in the 108th Congress.

At the outset of 2004, the President once again called on Congress to address medical liability reform. In a special address to the Nation on January 24, the President laid out a five-step plan to address the spiraling costs of health care in the United States. The first element of the plan was cutting down on “frivolous lawsuits against doctors and hospitals.” Noting that “no one was ever healed by a junk or frivolous lawsuit,” the President emphasized that increasing medical liability was triggering higher malpractice premiums and deterring doctors from performing risky procedures—if not driving doctors out of the medical profession altogether. The President would forcefully reiterate these points throughout the remainder of the winter and through the spring at events from Arkansas and North Carolina to Ohio, New York, and Wisconsin. The President grew increasingly direct in pointing out to audiences and voters that the necessary reforms were being blocked by the “ultimate entrenched interests...the lawyers who love the fact that you can sue right and left in America” and their allies in the Senate. He told voters at the Women’s Entrepreneurship Forum in Cleveland on March 10 that the “trial lawyers are tough” in Washington and that “the Senate has got to hear from you.”

The Senate did take the lead in one substantial area of legal reform in the 108th Congress. In April, Senator Hatch introduced a complex bill (in close cooperation with Senator Frist) to address tort claims for exposure to asbestos. Such claims were congesting federal and state courts and had already resulted in the bankruptcies of dozens of American companies and losses of tens of thousands of jobs. In addition, some actuaries were predicting that hundreds of thousands of new claims could yet arise. The bill, the Fairness in Asbestos Injury Resolution (FAIR) Act of 2004, would have established a giant trust fund (to be funded by defendants and insurers) and would have created a federal administrative compensation system to make awards of up to approximately \$1 million from the fund to plaintiffs who satisfied statutorily identified injury criteria. The bill was reported out of the Senate Judiciary Committee, and the administration issued a statement on April 19 supporting passage but noting concerns with certain provisions. Among the more contentious issues surrounding the proposal was the ultimate amount to be set aside for the trust fund (and to be collected from defendants and insurers). No deal was reached, and the bill failed on a cloture vote on April 22.

The President maintained his calls for medical liability reform, asbestos reform, and civil justice reform generally through the remainder of 2004, consistently emphasizing the importance of such reforms in creating jobs and lowering the costs of health care. As the presidential election

approached, the President made it a campaign issue (noting on occasion that his opponent not only opposed such reforms but put a trial lawyer on the Democratic ticket). Congressional action, however, remained stalled in the Senate. The President was decisively reelected in November, however, and he bucked the historical trend by adding to his party's margin in the Senate, which further enhanced the prospects for reform. In his closing remarks at the White House Economic Forum on December 16, the President made clear that he intended to renew efforts for civil justice reform in the next Congress. He observed that "the people in Congress must know that excess litigation is not only a drag on our economy, but is a constant source of fear and uncertainty" and called specifically for medical liability reform, class action reform, and asbestos liability reform.

The Watershed Year for Civil Justice Reform (2005)

The President greeted the 109th Congress with a renewed focus on civil justice reform. On January 5, he held an event in Madison County, Illinois, long known as a magnet jurisdiction for nationwide class actions and large damages awards to plaintiffs. At the event, the President underscored once again the impact of litigation on the costs of health care, noting that "[m]any of the [increasing health care] costs that we're talking about don't start in an examining room or an operating room. They start in a courtroom." He observed that Madison and St. Clair Counties in Illinois had together lost about 160 physicians as a result of the "medical liability crisis" and called on Congress to pass medical liability reform legislation that incorporated the proposals that he had first outlined in July 2002: capped non-economic damages, restrictions on punitive damages and joint-and-several liability, clearer deadlines for bringing claims, and provisions for the payment of damages awards over time. The President also called for asbestos liability reform and class action reform, observing that Madison County had posted a 5,000% increase in class action filings between 1998 and 2003. Noting that the Senate had failed to get the job done, he expressed optimism about the prospects for reform in the coming months, saying "the new Congress is starting over [and] we've got a new chance to get something done . . . on behalf of the American people."

The next day, the President convened a bipartisan meeting of members of Congress in the Cabinet Room of the White House to discuss the prospects for the Class Action Fairness Act in the 109th Congress. He concluded the meeting on a positive note, sharing his assessment that reform could move through both chambers in 2005. On January 7, the President participated in panel discussion of asbestos liability reform in Michigan. At the event, the President delivered his most extensive comments to date on the issue of asbestos liability and outlined the three principles that should inform reform measures: (1) funds should be concentrated on those claimants who are actually sick as opposed to lawyers or claimants who are not yet ill, (2) the process for distributing awards to injured claimants should be accelerated, and (3) the scope and extent of liability should be fixed with substantial certainty as soon as possible in order to free employers to focus on job creation. On February 2, the President emphasized the urgent need for reforms to class action litigation and asbestos and health care liability in his State of the Union address.

The day after the State of the Union, the Senate Judiciary Committee reported the Class Action Fairness Act of 2005 as introduced by Senator Grassley. The bill permitted defendants to remove most interstate class actions against them from a State court to federal court if at least

one plaintiff lived in a different State, the total damages claimed by all plaintiffs exceeded \$5 million, and fewer than two-thirds of all plaintiffs resided in the State in which the action was filed. On February 7, the administration issued a statement strongly supporting passage of the bill without amendments to the carefully negotiated jurisdictional compromise. The Senate passed the bill on February 10 by a lopsided vote of 72-26, leading the President to applaud the "strong bipartisan majority" that supported the bill and to call on the House to take up and pass the bill promptly. One week later, the House passed the Senate bill without amendment, allowing the President to sign the first civil justice reform legislation of his administration the next day, February 18, 2005.

Work was also underway on a new asbestos reform bill. Senator Specter had assumed the lead in preparing a Senate bill with a trust-fund approach that echoed the bill introduced by Senator Hatch the previous year. The President followed Senator Specter's progress and repeated his calls throughout the remainder of the winter and spring for asbestos liability reform. The size of the proposed trust fund, however, remained a central point of contention. Senator Specter's proposal provided for a \$140 billion fund to be endowed by contributions over thirty years from defense insurers, defendants, and existing asbestos liability trust funds. Defendants and insurers were balking at their potential contributions to the fund, particularly in the absence of any guarantee of finality with respect to their ultimate liabilities, while Senate Democrats were opposing proposals that could leave claimants without recourse if the fund were prematurely exhausted. The administration, for its part, focused on the risk that future shortfalls in the fund could result in calls for a taxpayer bailout. Other contentious issues included the medical criteria for eligibility (particularly for smokers with claims based on lung cancer), the amounts to which successful claimants would be entitled, and the treatment of cases already pending in court. Trial lawyers, who could recover fees of 40% or more for low-risk, high-volume asbestos-related cases, opposed the effort. After months of negotiations, Senator Specter introduced his bill in April, and it was reported out of the Judiciary Committee in May. Republicans on the Committee made clear, however, that they supported the bill only with the expectation that it would be improved through amendments on the floor. The bill languished in ongoing negotiations for the rest of the year. As late as January 2006, it was clear that the President's advisors had grave misgivings about the bill despite the President's stated desire for asbestos liability reform. No asbestos reform bill would pass the Senate in the 109th Congress, and the House did not take up the issue.

In July, the Senate again took up the Protection of Lawful Commerce in Arms Act, which Senator Craig had re-introduced in February. The administration issued a statement on July 26 echoing its SAP of the previous March and strongly supporting passage of the bill without amendments. The administration argued that "imposing liability on an entire industry for harm that is solely caused by others is an abuse of the legal system, erodes public confidence in our Nation's laws, threatens the diminution of a basic constitutional right and civil liberty, sets a poor precedent for other lawful industries, will cause a loss of jobs, and burdens interstate and foreign commerce." The Senate finally passed the bill just before the August recess by a lopsided vote of 65-29. The House took up the Senate bill in the fall and passed it on October 20, giving the President his second legislative victory on civil justice reform.

With the Class Action Fairness Act of 2005 and the Protection of Lawful Commerce in Arms Act of 2005 enacted and with asbestos reform stalled in stakeholder negotiations, the President continued to seek enactment of medical liability reform. On July 21, the Senate passed by unanimous consent the Patient Safety and Quality Improvement Act of 2005, which authorized the voluntary creation of “patient safety organizations” to collect and analyze confidential data from physicians in order to identify best practices for patient safety. The principal purpose of the bill was to insulate the data collected by patient safety organizations from compelled discovery, so that doctors could disclose potentially adverse information without fear of lawsuits. The administration urged quick House passage of the measure as an important step in the right direction, arguing in a July 27 SAP that the bill would “reduce the number of lawsuits resulting from medical errors.” The House overwhelmingly passed the measure the same day.

On the following day, the House passed the Help Efficient, Accessible, Low-Cost, and Timely Healthcare (HEALTH) Act of 2005 as well. As with earlier versions of the HEALTH Act, the bill incorporated the medical liability reform proposals that had been advocated relentlessly by the President since July 2002. Medical liability reform in the Senate would prove more elusive.

The administration also focused on civil justice reforms that did not require legislation. Among the more promising efforts involved promulgating safety regulations that would preempt product-liability lawsuits by, in effect, defining standards of care for manufacturers and other regulated parties. Accordingly, the Department of Transportation’s National Highway Traffic Safety Administration (NHTSA) published a proposed rule on August 5 that would prescribe roof-crush standards for passenger vehicles. NHTSA indicated that the proposed standards reflected its assessment of the reasonable strength for vehicle roofs in light of the marginal costs and benefits of alternative standards and invoked its authority to preempt conflicting state regulations and standards. By extension, NHTSA concluded that automobile manufacturers producing vehicles in compliance with the proposed standards would also be immune from liability under state common law for failing to meet higher standards that state courts might conclude (after the fact) to have been warranted in individual cases. In effect, tort claims against manufacturers for damages allegedly resulting from a roof’s caving in during a roll-over incident would be a thing of the past. Because many statutes that conferred regulatory authority on other Executive Branch agencies did not create preemption authority as broad as NHTSA’s, however, relatively few efforts to craft similarly preemptive regulations were successfully pursued.

Reform Stalls in the Senate (2006)

In his State of the Union Address on January 31, 2006, President Bush left no doubt that he would continue to press for medical liability reform legislation. After observing that women in 1,500 counties in the United States had no local OB/GYN specialists “because lawsuits [we]re driving good doctors out of practice,” the President called on the Congress once again to pass a reform bill by the end of the year. The President also continued to stress the importance of medical liability at numerous events, including a February address on the federal budget in New Hampshire, a March event on the proposed Prescription Drug Benefit in Maryland, and a healthcare event in May in Washington, D.C.

On May 3, Senator Ensign introduced the Medical Care Access Protection Act of 2006 and Senator Santorum introduced the Healthy Mothers and Healthy Babies Access to Care Act of

2006. Both bills incorporated liability reforms advocated by the President and passed by the House in the HEALTH Act of 2005, but the scope of Senator Santorum's bill was limited to claims arising from obstetric and gynecological services. Cloture votes on both bills failed in the Senate on May 8. The failure to take up either bill led the President to issue a statement expressing his disappointment that the Democrats had blocked the reforms because they were "unwilling to take on their trial lawyer supporters." Despite the President's subsequent calls for medical liability reform, neither of those bills—nor any other medical liability reform bill—would receive an up-or-down vote in the Senate during the remainder of the 109th Congress.

In the midterm elections, the Democrats won control of both chambers of the 110th Congress and effectively ended any realistic prospects for civil justice reform legislation.

Administrative Efforts (2007—2009)

Although the President repeated his call for medical liability reform in his State of the Union address on January 27, the administration turned its focus to the limited civil justice reforms that could be implemented without legislation.

In the spring, the Domestic Policy Council coordinated the development of a proposed Executive Order to preclude Executive Branch agencies from retaining lawyers or expert witnesses through contingency fee agreements. Such agreements can induce unwarranted litigation by giving lawyers and experts stakes in the outcomes of the lawsuits on which they work. In addition, because those stakes are typically percentages of amounts recovered, the agreements can result in windfalls to lawyers and experts working on cases with large amounts at issue (if the time and effort expended are not proportional to the amount in controversy). As a result, the President had expressed a desire to cut down on the use of contingency fee agreements for lawyers and experts representing the government since his first presidential campaign, pledging in 2000 to require that lawyers for the government "be compensated at levels commensurate with public service."

Making good on his pledge, the President signed Executive Order No. 13433 on May 16, 2007, pronouncing the policy of the United States that "legal and expert witness services to . . . the United States shall be compensated in amounts that are reasonable [and] not contingent on the outcome of litigation or other proceedings." The Order bars the heads of Executive Branch agencies from entering into contingency fee agreements unless the Attorney General concludes that such agreements are required by law.

The administration also considered a similar Executive Order to preclude grantees of federal funds from using contingency agreements in any litigation relating to the subject of any federal grant. Doubts about the efficacy and scope of such an order, however, delayed the preparation of a draft for the President's consideration.

Toward the end of the President's second term, the administration's focus turned to finalizing regulations, including those (such as the NHTSA roof crush rulemaking) that would have the effect of preempting state tort litigation.

Legal Reform (2001-2008)

<u>Date</u>		<u>Tab</u>
<u>2001</u>		
Feb. 7	<u>Text of a Letter from the President to the House and Senate Democratic Leaders</u> <u>Press Release: Principles for a Bipartisan Patients' Bill of Rights</u> <i>The President writes to House and Senate Democratic Leaders to encourage passage of a Patients' Bill of Rights and establishes six principles that the bill should adhere to, including preventing unnecessary or frivolous litigation.</i>	1
May 15	<u>Statement by the President: Patients' Bill of Rights</u> <i>The President praises the introduction in the Senate of Patients' Bill of Rights legislation, which includes protection for employers and their employees from unnecessary litigation.</i>	2
Jun. 29	<u>Statement by the President: Patients' Bill of Rights</u> <i>The President states that he would not sign the Senate passed version of the Patients' Bill of Rights because it fails to include litigation reform.</i>	3
Jul. 2	<u>Memorandum to the President re: Patients' Bill of Rights</u> <i>This memorandum briefs the President on the lack of litigation-control provisions in the McCain-Kennedy bill that had recently passed the Senate and lays out plans to encourage support for an alternative bill in the House, sponsored by Reps. Fletcher and Peterson, that preserved federal preemption of state causes of action for wrongful denials of medical coverage, barred punitive damages and capped non-economic damages in federal lawsuits, and precluded class actions other than those brought under ERISA by participants in the plan of a single sponsor.</i>	4
Jul. 9	<u>President Bush Discusses Patients' Bill of Rights at Hospital</u> <i>The President spoke to hospital officials, nurses, and former patients at Inova Fair Oaks Hospital in Fairfax, Virginia, on the need to pass a Patients' Bill of rights that does not encourage excessive litigation.</i>	5
Jul. 11	<u>President Speaks to Specialty Doctors and Patients on Patients' Bill of Rights</u> <i>In a speech to doctors and patients in the EEOB, the President promotes passage of a Patients' Bill of Rights that includes protections against excessive litigation.</i>	6
Aug. 1	<u>President Announces Agreement of Patients' Bill of Rights</u> <i>The President announces agreement with a House negotiator on a Patients' Bill of Rights that conforms to his principles, including frivolous lawsuits protection.</i>	7
Aug. 2	<u>Statement by the President: Patients' Bill of Rights</u> <i>The President praises House passage of the Patients' Bill of Rights.</i>	8
<u>2002</u>		
Feb. 11	<u>President Bush Outlines Health Care Agenda</u> <u>Key Components of the President's Health Care Reform Agenda</u> <i>In a speech on healthcare at the Medical College of Wisconsin, the President urges Congress to pass a Patients' Bill of Rights that includes frivolous lawsuits protection.</i>	9
Mar. 12	<u>SAP: H.R. 2341 - Class Action Fairness Act of 2002</u> <i>The Administration issues a Statement of Administration Policy in strong support of H.R. 2341, a bill to reform class action litigation.</i>	10
Apr. 2	<u>Memorandum to the President re: Class Action Fairness Act of 2002</u> <i>This memorandum briefs the President on the problems of forum shopping in class action litigation and the disadvantages to out-of-state defendants in proceedings that are brought in state courts. The memorandum also lays out the prospects for enactment of the</i>	11

legislation, which had already passed the House.

Jul. 24	<u>Fact Sheet: President Proposes Minimum Standards for Medical Liability</u>	12
Jul. 25	<u>President Proposes Major Reforms to Address Medical Liability Crisis</u> <i>The President proposed major legislative reforms to establish national minimum standards for medical liability reforms and new protections for good-faith efforts by health professionals to improve health care quality and safety through new Patient Safety Organizations in a speech at High Point University in Greensboro, North Carolina.</i>	13
<u>2003</u>		
Jan. 16	<u>Fact Sheet: President Calls for Medical Liability Reform</u>	14
Jan. 18	<u>President's Radio Address</u> <i>President Bush urges Congress to enact legal reform to curtail frivolous lawsuits that impose unfair costs on businesses and their customers.</i>	15
Mar. 13	<u>President Applauds House Vote on Medical Liability, Urges Senate Vote</u>	16
Apr. 9	<u>SAP: H.R. 1036 - Protection of Lawful Commerce in Arms Act</u> <i>The Administration issues a Statement of Administration Policy that strongly supports House passage of H.R. 1036, a bill to prevent the manufacturer or seller of a legal, non-defective product from being held liable for the criminal or unlawful misuse of that product by others.</i>	17
Jun. 12	<u>SAP: H.R. 1115 - Class Action Fairness Act of 2003</u> <i>The Administration issues a Statement of Administration Policy that strongly supports passage of this bill to reform class action litigation.</i>	18
Jul. 9	<u>President Disappointed with Senate's Failure to Pass Medical Liability Bill</u> <i>The President issues a statement expressing disappointment in the Senate for its failure to pass medical liability reform legislation.</i>	19
Aug. 30	<u>President's Radio Address</u> <i>In a Labor Day weekend radio address, the President calls for legal reform dealing with junk lawsuits that destroy business and raise healthcare costs.</i>	20
Sept. 20	<u>President's Radio Address</u> <i>In a radio address dedicated to small business, the President proposes a six-point plan to benefit small business that includes reforms to address frivolous litigation.</i>	21
Oct. 21	<u>SAP: S.1751 - Class Action Fairness Act of 2003</u> <i>The Administration issues a Statement of Administration Policy that strongly supports Senate passage of S. 1751 as an important step in class action litigation reform.</i>	22
Oct. 23	<u>Statement on Class Action Fairness Act</u> <i>Following the Senate's failure to invoke cloture on S. 1751, the President issues a statement urging those Senators who stood in the way to let the voice of the people be heard.</i>	23
<u>2004</u>		
Jan. 24	<u>The President's Address to the Nation</u> <i>Acting on his State of the Union proposal to confront the rising cost of health care, the President outlines five steps that Congress can take in 2004. The first step is to cut down on frivolous lawsuits against doctors and hospitals by passing medical liability reform.</i>	24
Jan. 26	<u>President Bush Calls for Medical Liability Reform</u> <i>In a speech on healthcare at Baptist Health Medical Center in Little Rock, Arkansas, the President argues that enactment of medical liability reform is necessary to address rising healthcare costs.</i>	25
Jan. 28	<u>President Bush Discusses Quality, Affordable Health Care</u> <i>In a speech on healthcare in the EEOB, the President argues that enactment of medical liability reform is necessary to address rising healthcare costs.</i>	26
Feb. 24	<u>SAP: S. 1805 - Protection of Lawful Commerce in Arms Act</u> <i>The Administration issue a Statement of Administration Policy that strongly supports</i>	27

	<i>Senate passage of S. 1805, the Protection of Lawful Commerce in Arms Act, a bill to prevent frivolous lawsuits against manufacturers and sellers of legal, non-defective products from liability for the criminal or unlawful misuse of that product by others.</i>	
Mar. 16	<u>President Discusses Health Access and Affordable Health Care</u> <u>Fact Sheet: Affordable Health Care for America's Families</u> <i>In a speech on healthcare to the U.S. Chamber of Commerce in Washington, DC, the President argues that enactment of medical liability reform is necessary to address rising healthcare costs.</i>	28
Apr. 19	<u>SAP: S. 2290 - Fairness in Asbestos Injury Resolution Act of 2004</u> <i>The Administration issues a Statement of Administration Policy that supports Senate passage of S. 2290, a bill to provide a fair and efficient system for providing compensation to individuals harmed by exposure to asbestos.</i>	29
Jul. 7	<u>SAP: S. 2062 - Class Action Fairness Act of 2004</u> <i>The Administration issues a Statement of Administration Policy that strongly supports S. 2062, a bill that will remove significant burdens on class action litigants and provide greater protections for the victims whom the class action device originally was designed to benefit.</i>	30
Oct. 21	<u>President Discusses Medical Liability Reform and Health Care in Pennsylvania</u> <i>In a speech at the United Sports Training Center in Downingtown, Pennsylvania, the President argues that enactment of medical liability reform is necessary to address rising healthcare costs.</i>	31
Dec. 14	Memorandum to the President re: White House Economic Conference Panel on the High Cost of Lawsuit Abuse <i>In preparation for the White House Economic Conference at the Ronald Reagan Center, the Domestic Policy Adviser prepared a memorandum describing the need for and prospects of three high-priority pieces of civil justice reform legislation pending in the 108th Congress: the Class Action Fairness Act, the Fairness in Asbestos Injury Resolution (FAIR) Act, and various medical liability reform bills. The memorandum predicts that the Class Action Fairness Act will be one of the first bills considered by the Senate in the next Congress and that medical liability reform "will continue to be difficult," given opposition even from some Senate Republicans. With respect to asbestos liability reform, the memorandum notes the historic difficulties with negotiating a funding level for any trust fund and reiterates that the administration's primary concern is with avoiding taxpayers' assumption of industry's liability.</i>	1
Dec. 15	<u>President Discusses Lawsuit Abuse at White House Economy Conference</u> <u>Fact Sheet: Securing Our Economic Future</u> <i>The President discusses the cost of litigation in the U.S. compared to the rest of the world. He encourages Congress to reduce this economic burden by passing medical liability, class action, and asbestos litigation reform.</i>	2
Dec. 16	<u>President Bush Closes the White House Economic Conference</u> <i>The President urges Congress to pass medical liability, class action, and asbestos litigation reform.</i>	3
<u>2005</u>		
Jan. 3	Memorandum to the President re: Asbestos Reform <i>The memorandum recites the substantial costs of civil litigation of asbestos-related claims (including \$33 billion in transaction costs) and identifies the two predominant alternatives to the tort system: either a modification to the existing tort system with the establishment of federally defined "medical criteria" that preclude anticipatory and less clear-cut claims, or the wholesale withdrawal of asbestos claims from the tort system with the establishment of a federal trust fund and an administrative compensation scheme. The memorandum defers to congressional action but recommends that any trust fund should not be administered by the Executive Branch in light of the potential for taxpayers to be called</i>	4

	<i>upon to replenish the fund if it is depleted before all claims are paid.</i>	
Jan. 3	Memorandum to the President re: Class Action Litigation Reform <i>This memorandum describes the latest version of the Class Action Fairness Act to be considered by the Congress and predicts that the reintroduced bill will be among the first bills taken up in the Senate. The memorandum notes the greater access that out-of-state defendants would have to federal court when named in interstate class actions but notes that defendants would have less latitude to remove cases than in previous versions of the legislation: when two-thirds of plaintiffs are from the defendant's home state, there would be no diversity jurisdiction; when at least one third of plaintiffs are from the defendant's state, the court would rely on discretionary considerations; when fewer than one-third of plaintiffs are from the defendant's home state, the defendant would be entitled to remove to federal court. This compromise substantially expands access to federal courts for nationwide class actions but is not as expansive as the President's call for federal court jurisdiction whenever minimal diversity exists.</i>	5
Jan. 5	<u>President Discusses Medical Liability Reform</u> <u>Legal Reform: The High Costs of Lawsuit Abuse</u> <i>In a speech on medical liability reform in Collinsville, Illinois, the President calls on Congress to pass medical liability, class action, and asbestos litigation reform.</i>	6
Jan. 6	<u>President Meets with Members of Congress on Class-Action Reform</u>	7
Jan. 7	<u>President Participates in Asbestos Litigation Conversation</u> <i>In a speech on legal reform at Macomb Community College in Clinton Township, Michigan; President Bush urges Congress to pass medical liability, class action, and asbestos litigation reform.</i>	8
Feb. 2	<u>State of the Union Address</u> <u>Fact Sheet: The State of the Union</u> <u>Fact Sheet: Ensuring Justice and Fairness for All Americans</u> <i>President Bush calls for Congress to pass legal reforms to address irresponsible class-actions and frivolous asbestos claims.</i>	9
Feb. 7	<u>SAP: S. 5 - Class Action Fairness Act of 2005</u> <i>The Administration issues a Statement of Administration Policy that strongly supports the enactment of S. 5 as an important step in reforming class action litigation.</i>	10
Feb. 9	<u>President Participates in Class-Action Lawsuit Reform Conversation</u> <i>The President hosts a roundtable on legal reform at the U.S. Department of Commerce and calls on Congress to pass class action, medical liability, and asbestos litigation reform.</i>	11
Feb. 10	<u>President Participates in Social Security Conversation in Pennsylvania</u> <u>President's Statement on Class Action Bill</u> <i>The President applauds Senate passage of class action reform and urges the House to act promptly to send the bill to his desk.</i>	12
Feb. 15	Memorandum to the President re: Issues Presented by the Proposed Asbestos Trust Fund <i>The memorandum from the Domestic Policy Council reports that Senator Specter, chairman of the Judiciary Committee, is managing the creation of an asbestos reform bill after the effort of Senators Frist and Hatch in the prior Congress failed on a cloture vote. The Specter bill, like the earlier proposal, would create a massive privately endowed trust fund and an administrative claims procedure that would supersede tort claims. The memorandum identifies three unresolved issues: (1) Senate conservatives fear the proposal inadequately guards against a risk that the fund would be swamped by smokers claiming that their lung cancer was caused by asbestos exposure (the proposal would merely require smokers with lung cancer to prove 15 years of occupational asbestos exposure); (2) conservatives also feared that the proposed \$140 billion in private funding would prove inadequate, leading ultimately to a reversion to the tort system or to a taxpayer bailout of the fund (the administration had opposed Executive Branch management of the fund in order to reduce the prospect of a bailout); and (3) Senate Republicans wanted to sweep all</i>	13

pending tort claims for asbestos exposure into the administrative compensation system, but Democrats were resisting the effort—particularly for claims that were near resolution in the courts.

Feb. 17	<u>President's Statement on House Passing Class Action Reform Bill</u>	14
	<i>The President commends the House for passing class action reform and states that he looks forward to signing it into law.</i>	
Feb. 18	<u>President Signs Class-Action Fairness Act of 2005</u>	15
May 19	<u>Memorandum to the President re: Legal Reform</u>	16
	<i>The memorandum drafted by the Domestic Policy Council surveys the ongoing efforts to secure congressional passage of medical liability and asbestos liability reforms and identifies potential next steps for the administration to take in pursuing other civil justice reforms. The memorandum notes the President's three publicly announced principles for asbestos liability reform (concentrating funds on claimants who are sick, expediting the process of compensating injured claimants, and providing certainty to industry to promote investment and job creation) and reports that Senator Specter has introduced a new iteration of the Fairness in Asbestos Injury Recovery (FAIR) Act, which could be radically revised through amendments. With respect to medical liability reform, the memorandum recounts prior House passage of bills that include the President's proposed reforms (such as capping all non-economic damages and limiting eligibility for punitive damages) and reports that the Senate has failed—and is likely to continue to fail—to move on the legislation despite the House's anticipated passage of a new bill after advocacy groups have built momentum. With respect to next steps, the memorandum advises that the administration should (1) advocate a modified version of the English rule that the loser pays the prevailing party's attorneys' fees in litigation, such as deeming attorneys' fees "costs" that can be recovered under the Federal Rules of Civil Procedure from a party who declines an offer of judgment exceeding actual recovery; (2) champion extending authority to the Federal Trade Commission to regulate the business practices of trial lawyers, including their disclosures and fee structures; (3) advocate strengthening penalties under Federal Rule of Civil Procedure 11 to deter unsubstantiated claims and abusive filings, consistent with a proposal the President advocated during the 2000 campaign; (4) support passage of the Multidistrict Litigation Restoration Act of 2005, which would permit federal judges to which common claims are transferred for pretrial management to handle trials of all common claims as well in order to minimize redundant litigation; and (5) consider additional class action reforms in the wake of the February enactment of the Class Action Fairness Act.</i>	
Jul. 13	<u>President Meets with Cabinet, Discusses Economy, Energy, Trade</u>	17
	<i>At the conclusion of the cabinet meeting, the President calls on Congress to pass legal reform bills that help job creators and small-business owners.</i>	
Jul. 26	<u>SAP: S. 397 - Protection of Lawful Commerce in Arms Act</u>	18
	<i>The Administration issues a Statement of Administration Policy that strongly supports Senate passage of the Protection of Lawful Commerce in Arms Act.</i>	
Jul. 27	<u>SAP: S. 544 - Patient Safety and Quality Improvement Act of 2005</u>	19
	<i>The Administration issues a Statement of Administration Policy that strongly supports Senate passage of S. 544, the Patient Safety and Quality Improvement Act of 2005, a bill to help reduce the number of medical errors by authorizing the establishment of patient safety organizations to collect and analyze confidential data that can help avoid errors, complications, and suboptimal care.</i>	
Jul. 28	<u>President Pleased by House Passage of Medical Liability Reform</u>	20
	<i>The President applauds House passage of a medical liability reform bill and urges the Senate to do the same.</i>	
Jul. 29	<u>President Signs Patient Safety and Quality Improvement Act of 2005</u>	21
	<u>Statement on Patient Safety and Quality Improvement Act of 2005</u>	
Aug. 3	<u>President Discusses Second Term Accomplishments and Priorities</u>	22
	<u>Fact Sheet: President Bush's Second Term Accomplishments and Agenda</u>	

	<i>In a speech to the American Legislative Exchange Council in Grapevine, Texas, the President celebrates the passage of class action reform and pushes for asbestos reform in the upcoming months.</i>	
Aug. 6	<u>President's Radio Address</u> <i>In a radio address on the economy, the President pledges to continue to press for legal reform to protect small businesses, doctors and hospitals from junk lawsuits.</i>	23
Oct. 20	<u>President Commends House for Passing the "Protection of Lawful Commerce in Arms Act"</u>	24
Oct. 26	<u>Statement on S. 397, the "Protection of Lawful Commerce in Arms Act"</u> <i>The President signs the bill into law.</i>	25
Dec. 22	<u>Fact Sheet: President Bush's Accomplishments in 2005</u> <i>Class action reform listed as a 2005 accomplishment and medical liability and asbestos litigation reform are listed as priorities for 2006.</i>	26
	<u>2006</u>	
Jan. 21	<u>President's Radio Address</u> <i>The President urged Congress to curb abusive asbestos litigation, pass medical liability reform, and penalize those who repeatedly file junk lawsuits.</i>	27
Jan. 29	<u>Memorandum to the President re: Update on Asbestos Litigation Reform</u> <i>The memorandum from the Domestic Policy Council updates the President on Senator Specter's ongoing but thus far unavailing efforts to negotiate a version of the FAIR Act that was reported out of the Judiciary Committee in May 2005 but expected to face stiff opposition from Republicans (including those who supporting reporting the bill out of Committee) on the Senate floor. The memorandum advises that trial lawyers uniformly oppose the bill and that other stakeholders are divided on issues relating to the size of the proposed trust fund, potential federal liability for a bailout of the fund, and the eligibility of exposed but asymptomatic individuals for compensation. Chances of Senate passage of a bill are assessed as "uncertain at best," and the House is not expected to act without a Senate bill.</i>	28
Jan. 31	<u>State of the Union</u> <u>State of the Union: Affordable and Accessible Health Care</u> <i>In the State of the Union, the President urged Congress to pass medical liability reform in 2006.</i>	29
Feb. 2	<u>President Discusses American Competitiveness Agenda in Minnesota</u> <i>In a speech on American competitiveness at 3M Headquarters in Maplewood, Minnesota, the President urges Congress to pass medical liability and asbestos litigation reform.</i>	30
Feb. 8	<u>President Discusses 2007 Budget and Deficit Reduction in New Hampshire</u> <i>In a speech on the 2007 Budget in Manchester, New Hampshire, the President urges Congress to pass medical liability reform.</i>	31
May 1	<u>President Discusses Health Care Initiatives</u> <u>Fact Sheet: Making Health Care More Affordable and Accessible for All Americans</u> <i>In a speech to the American Hospital Association, the President urges Congress to pass medical liability reform.</i>	1
May 8	<u>Statement by the President: Disappointment with Senate's Failure to Pass Medical Liability Reform</u> <i>The President criticizes Democrats for leading an effort to block medical liability reform on behalf of trial lawyers.</i>	2
May 9	<u>Fact Sheet: Medicare Prescription Drug Coverage</u> <i>The fact sheet expresses disappointment by the President in the Senate's failure to pass medical liability reform legislation.</i>	3
Aug. 22	<u>Fact Sheet: Health Care Transparency: Empowering Consumers to Save on Quality Care</u>	4

The fact sheet highlights medical liability reform as a component of the President's health care agenda.

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- Jan. 20 President's Radio Address 5
In a radio address dedicated to healthcare, the President reiterated the need to pass medical liability reform to stop the junk lawsuits that increase costs and put good doctors out of practice.
- Jan. 22 State of the Union 6
2007 State of the Union Policy Initiatives
Fact Sheet: Affordable, Accessible, and Flexible Health Coverage
The President urges the passage of medical liability reform to prevent wasting scarce resources, increasing health care costs, and driving doctors out of business.
- May 9 Memorandum to the President re: Proposed Executive Order Entitled 7
"Protecting American Taxpayers from Payment of Contingency Fees"
The memorandum from OMB describes the proposed EO, notes that contingency fee agreements may induce lawyers and expert witnesses to pursue litigation out of self-interest and without regard to the objectives of the retaining agency, reports that Executive Branch agencies and White House offices are unanimous in supporting the proposed order, and recommends that the President sign the order.
- May 16 Executive Order: Protection American Taxpayers From Payment of 8
Contingency Fees
The President issued an Executive Order generally prohibiting Federal agencies from entering into contingency fee agreements for legal or expert witness services.
- Oct. 19 Memorandum to the President re: The President's Export Council Letter of 9
Recommendation
The memorandum from Commerce Secretary Gutierrez transmits a letter from the President's Export Council, housed in the Department of Commerce, recommending that the administration propose legislation to (1) require a party seeking discovery of information not readily accessible in the normal course of business to pay the costs of production, (2) permit expert testimony to be admitted in court only if based on valid analysis and methodologies that are "generally accepted in the relevant area of expertise," and (3) establish an affirmative defense of compliance with federal standards so as to preempt state common law standards of care for design, labeling, and manufacture. In addition, the Council recommends continued filing of statements of interest in federal court actions against foreign parties for foreign conduct so as to deter American courts from exercising jurisdiction over cases better resolved in foreign tribunals.