



Faith-Based Organizations' Rights Report to Congress

Introductions & Background on Faith-Based Partnerships at USAID

This report is submitted pursuant to Section 7019(e) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2024 (Div. F, P.L. 118-47) and House Report 118-146, which states:

“The Committee recognizes the important role that FBOs play in the delivery of foreign assistance and expects USAID to ensure compliance with existing Federal laws protecting the rights of FBOs, including rights related to employment practices, from discrimination in competing for and administering projects funded with United States foreign assistance. Not later than 90 days after the date of enactment of this Act, the Administrator of USAID shall submit a report to the appropriate congressional committees on such efforts at USAID.”

USAID has a long history of partnering with and alongside faith-based and community organizations advancing sustainable development and humanitarian outcomes. USAID recognizes that religious actors in many countries where the Agency operates are key parts of the backbone of local communities and have a presence that predates USAID and development professionals. This presence yields trust, access, and influence in ways that governments often cannot, making local faith-based organizations critical partners in development. While faith-based organizations are valued partners and eligible to apply for government awards on an equal footing with secular organizations, USAID does not track awards based on religious affiliation, or lack thereof, in our internal systems.

Recognizing the invaluable contributions of faith-based organizations and religious communities, USAID has housed a dedicated office for faith and community engagement since 2002 when the George W. Bush Administration established USAID’s Center for Faith-Based and Community Initiatives (“Center”). Reestablished by every administration since its inception, USAID’s Center has an over 22 year bipartisan history working to build bridges between the Agency and faith-based organizations and religious communities.

USAID’s Center for Faith-Based and Neighborhood Partnerships (FBNP) draws its mandate from executive orders from presidents of both political parties, including Executive Order 13279 and Executive Order 14015. These executive orders reaffirm the U.S. government’s longstanding and

bipartisan commitment to partnering with faith-based and community organizations to advance shared diplomatic, development, and humanitarian goals worldwide.

Faith-Based Organizations' Rights

Consistent with the First Amendment and other Federal protections for religious liberty, it has long been Federal policy that faith-based organizations are eligible to participate in Agencies' assistance programs on the same basis as any other organization, that Agencies will not discriminate for or against faith-based organizations in the selection of implementing partners, and that faith-based and other organizations may request accommodations from program requirements and may be afforded such accommodations in accordance with Federal law.

On March 4, 2024, USAID joined the United States Departments of Health and Human Services, Agriculture, Education, Homeland Security, Housing and Urban Development, Justice, Labor, and Veterans Affairs by jointly publishing a final rule, "[Partnerships With Faith-Based and Neighborhood Organizations](#)." The final rule, [22 CFR § 205.1](#), updated USAID's existing regulations and reaffirmed the Agency's long-standing commitment to upholding existing Federal laws and regulations protecting the rights of Faith Based Organizations (FBOs), including rights to be free from discrimination in receiving and administering USAID foreign assistance and rights related to employment practices.¹ These regulations also underscored the right of organizations to request religious accommodations with respect to award requirements. Some key highlights of USAID's regulation include:

- Affirmation that FBOs are eligible on the same basis as any other organization to receive any USAID award for which they are otherwise eligible and requirement that notices of funding opportunities include language to this effect;
- Prohibition against discriminating in the selection of recipients and subrecipients on the basis of an organization's religious character, motives, or affiliation, or lack thereof;
- Clarification that FBO recipients retain their autonomy, religious character, and independence, and may continue to carry out their respective missions consistent with religious freedom protections in Federal law;
- Confirmation that religious organizations do not forfeit their exemptions from Federal prohibition on employment discrimination on the basis of religion under Title VII of the Civil Rights Act when receiving USAID funding;
- General clarification on use of terminology, consistent with 2 CFR [§ 200](#) and 2 CFR [§ 700](#); and
- Updated language regarding accommodations, including to clarify that the rule does not preclude USAID from granting an accommodation for religious exercise with respect to one or more award requirements.

In June 2024, USAID's Bureau for Management's Office of Acquisitions and Assistance Policy revised USAID's Automated Directives System (ADS), the policies and procedures that guide the Agency's programs and operations, to align with the changes to the underlying regulation.

¹ <https://www.ecfr.gov/current/title-22/chapter-II/part-205>

FBNP is the process of developing a guide for partners to understand the rules and regulations that apply to faith-based organizations looking to partner with USAID. This document will answer frequently asked questions pertaining to faith-based organizations about eligibility, pre-award planning, and post-award activities. The guide will be available on the USAID website and disseminated widely by the Center through electronic correspondence, partner meetings, and external engagements.

Strategic Religious Engagement at USAID: Looking Ahead

In September 2023, USAID became the first federal agency to launch a dedicated policy for engagement with religious actors—“[Building Bridges In Development: USAID’s Strategic Religious Engagement Policy](#).”² The Policy affirms religious actors’ important role in development and humanitarian assistance. Additionally, it represents USAID’s commitment to working with faith communities to ensure U.S. foreign assistance efforts are more effective, locally responsive, and sustainable. With ever-evolving challenges, from environmental disasters to global pandemics to rising authoritarianism, building bridges with local religious communities is key to achieving USAID’s goal of advancing a free, peaceful, and prosperous world. Coordinated by FBNP, policy implementation efforts are working to institutionalize strategic religious engagement across USAID’s operating units and strengthen the capacity of USAID’s workforce to partner with local faith-based organizations and religious communities. Areas of ongoing progress include:

- a) Reducing barriers to entry for local faith-based organizations through increased outreach, expanded use of local languages, more flexible and tailored pre-award assessments for local partners, and amplification of resources designed for local organizations.
- b) USAID is developing new tools and resources to strengthen the capacity of the Agency’s workforce to engage religious communities and faith-based organizations in the countries where we work. This includes offering the newly-developed training program “Working with Religious Actors in Development and Diplomacy,” which was co-designed and co-delivered with the Department of State. The program provides investments in research at the intersection of religion and development; and has created a dedicated community of practice to equip the USAID workforce staff with tools to integrate strategic religious engagement into their daily work and promote ways to advance the Agency’s localization agenda.
- c) The Agency is also developing, in collaboration with its regional and technical bureaus, sector policy guidance to support the integration of strategic religious engagement across the Agency as an evidence-based, principled approach to addressing humanitarian and development challenges.

² <https://www.usaid.gov/policy/strategicreligiousengagement>