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February 12, 2013

Hon. Chris Smith
Hon. Grace Meng
United States house of Representatives
Washington, DC

RE: H.R. 592

Dear Rep. Smith and Rep. Meng:

I write to support your efforts to include places of worship in federal relief efforts in response to Hurricane Sandy. As Professor Dershowitz has already explained, there is no constitutional obstacle to including places of worship in this measure, which is entirely neutral and very broadly applicable.

The Supreme Court has permitted government funds to flow without discrimination to broad categories of schools, including religious schools (*Zelman v. Simmons-Harris*). And when a university undertook to subsidize publications, the Court has actually required government funds to flow without discrimination to a broad category that included religious publications (*Rosenberger v. University of Virginia*).

Charitable contributions to places of worship are tax deductible, without significant controversy, even though the tax benefits to the donor are like a matching grant from the government. These deductions have been uncontroversial because they are included without discrimination in the much broader category of all not-for-profit organizations devoted to charitable, educational, religious, or scientific purposes.

The neutral category here is equally broad. To include places of worship in disaster relief is neutral; to exclude them would be affirmatively hostile. There is no constitutional obstacle to including them.

Very truly yours,

Douglas Laycock