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February 11, 2013

Hon. Chris Smith
Hon. Grace Meng
U.S. House of Representatives
Washington, DC
by electronic mail

RE: Fair Treatment for Houses of Worship Damaged in Hurricane Sandy (HR 592)

Dear Representatives Smith and Meng,

We write to express our strong **support for the Federal Disaster Assistance Nonprofit Fairness Act of 2013**. Your legislation will **ensure the fair and equal treatment for houses of worship** damaged in Hurricane Sandy and future natural disasters.

The Stafford Act provides that private nonprofit entities – such as schools, hospitals, museums and community centers – damaged in a natural disaster may receive financial grants from FEMA to repair their buildings. The Act does not list houses of worship among its list of examples of nonprofits so eligible; neither does the Act exclude houses of worship in any way.

In the aftermath of Sandy, as with so many other natural disasters, churches, synagogues and other houses of worship have been places offering essential response services to people in need – even while the church or synagogue itself is damaged.

It is, therefore, entirely appropriate for FEMA's aid program for private nonprofits to assist houses of worship with their rebuilding needs. Moreover, if houses of worship are excluded from this otherwise religion neutral program – that unfair treatment would be improper anti-religious discrimination.

Current Supreme Court jurisprudence makes clear that religious institutions may receive government financial aid in the context of a broad program administered on the basis of religion neutral criteria. This is why houses of worship and other religious nonprofits can, for example, currently receive grants from DHS to improve their security and the Interior Department for historic preservation.

Your legislation clarifying the Stafford Act is consistent with these precedents and policies and we urge the House of Representatives to pass this measure as soon as possible.

Thank you,

Yehuda Neuberger

Nathan Diament

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