

**H. R. 592**  
**FEDERAL DISASTER ASSISTANCE NONPROFIT FAIRNESS ACT OF 2013**  
**February 15, 2013**

SPEECH OF  
**HON. RUSH HOLT**  
OF NEW JERSEY  
IN THE HOUSE OF REPRESENTATIVES  
WEDNESDAY, FEBRUARY 13, 2013

Mr. HOLT. Madam Speaker, of course Congress should make sure the Federal Emergency Management Agency, the Small Business Administration and other government agencies are funded sufficiently to help communities recover from natural disasters like Sandy. H.R. 592, the Federal Disaster Assistance Nonprofit Fairness Act of 2013, would add "houses of worship" to the list of eligible entities that can receive direct government assistance from FEMA. Religious institutions are important to our communities. Unfortunately, as drafted H.R. 592 is unconstitutional.

In 1971, the Supreme Court unanimously held that a government subsidy used to construct buildings at colleges and universities was constitutional only if the buildings could never be used for religious activities. Two years later, the U.S. Supreme Court held that no taxpayer funds could be used for maintenance and repair of facilities in which religious activities take place. The types of buildings that this bill seeks to make eligible for direct government funding--houses of worship--are inherently used for religious activities and the bill would have the effect of unconstitutionally funneling taxpayer money for religious activities. Under current law, houses of worship are eligible for Small Business Administration loans to help rebuild in the wake of a disaster like Sandy. Thus, there is already federally available aid that is neutral in its application that churches, synagogues and other houses of worship can avail themselves of without implicating the government in providing direct support to religious institutions. And private insurance companies have long provided such policies for houses of worship.

As I have since Hurricane Sandy devastated New Jersey, I will continue to push for the maximum possible funding--including disaster recovery loans--for all New Jersey communities impacted by this and future storms.

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