



Talking Points Against Barry Bill B17-0788

- The Barry Bill threatens DC's religious heritage by giving our sacred places second class status. This bill makes religious properties the least protected historic sites in our city.
- The bill would enable the exemption of all buildings (not just churches) owned by religious institutions from the District of Columbia Historic Preservation Act (HPA) if designated after November 16, 1993. This includes individual landmarks or contributing buildings in historic districts.
- No distinction is made between currently owned property or newly acquired property.
- To qualify for the exemption, a religious institution would merely draft a "substantial religious burden statement." In other words, the institution need only *claim* a substantial burden of its exercise of religion and it would be exempt from DC historic preservation protections without having to provide evidence of the burden. What constitutes a "substantial burden" is not defined and the statement would not be subject to review.
- The bill claims to "conform" the HPA with the Religious Land Use and Institutionalized Persons Act (RLUIPA) and the Religious Freedom Restoration Act (RFRA). However, the HPA already complies with these laws. The HPA is a neutral law that does not discriminate against or impose special burdens on religious institutions.
- The Barry Bill is unnecessary because the existing act already allows exemptions from the HPA for projects of special merit or for unreasonable economic hardship.
- In short, this bill would permit any religious institution to demolish any property they own for any purpose that they can tie to their mission. Since no distinction is made between currently owned property or newly acquired property, this could mean the demolition of property for parking lots, the demolition of sanctuaries in favor of new construction exempt from historic preservation design review, and any number of other neighborhood destabilizing activities.

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