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Church Challenges Landmarking of 1971 Structure and Historic Preservation Review Board's Conclusion that It Operates above Civil Rights Laws

KEY POINTS

Lawsuit and other actions to preserve religious freedom

- Third Church of Christ, Scientist, located two blocks from the White House at 16th and I Streets, NW, today filed a lawsuit in federal court challenging the landmarking restrictions imposed on its church building by the District of Columbia and the Historic Preservation Review Board's (HPRB) conclusion that it is free to ignore federal civil rights law.
- The Religious Land Use and Institutional Persons Act and Religious Freedom Restoration Act state that a government entity must have a "compelling governmental interest" before interfering with a religious institution's religious exercise and that that interest must be satisfied in the least restrictive way.
- No compelling governmental interest relating to Third Church has ever been demonstrated or alleged.
- The Church is asking the court to remove the landmark designation on their building at 16th and I Streets NW, as well as issue an order requiring the District of Columbia and the Board to abide by federal civil rights laws.
- A bill, B17-788, the "Religious Freedom and Historic Preservation Conformance Amendments Act of 2008," has been introduced in the District of Columbia Council that would reinforce existing federal civil rights law and allow the constitutional rights of religious institutions to be properly considered within the landmarking process. The Bill has the wide support of DC's diverse religious community.

The landmarking decision on the church building at 16th and I Streets, NW.

- The application to landmark the building at 16th and I Streets, NW was filed by the Committee of 100 on the Federal City, a preservation advocacy group, without the knowledge or consent of Third Church.
- The application was filed in 1991, when the building was only 19 years old. At the initial hearing of the Historic Preservation Review Board in November 2007, Committee of 100 and HPRB staff acknowledged the application was full of errors and misrepresentations.
- The application has had the effect of stifling the religious exercise of the Church for 17 years.
- Of particular concern is the fact that that the Chairman Boasberg of the HPRB is listed as a current member of the Committee of 100 on that group's web site, and the D.C. Office of Planning's web site states that his "past service has included terms as . . . chair of the Committee of 100 on the Federal City."

The church building at 16th and I Streets, NW

- The building at 16th and I was built by Third Church of Christ Scientist, Washington in 1971.
- The building was designed in the fall of 1968 by Arraldo Cossutta, an architect who is identified as a member of the "Modern Brutalist" school.
- The Historic Preservation Review Board landmarked the building because it was an example of a Brutalist building. The city contains many examples of such buildings, including the Department of Labor Building, the HHS building, L'Enfant Plaza (also designed by Cossutta), Fungler Hall at GWU, and the FBI Building.
- At the November 1, 2007 hearing of the Historic Preservation Review Board, the representatives of the Committee of 100 acknowledged that many of the below features of the Third Church Building were failures:
 - The often empty, windswept plaza terminating in a high, blank, uninteresting concrete wall.
 - Lack of windows and doors facing the street giving a forbidding and secretive impression to the community.
 - The 60-foot high windowless, blank, uninsulated concrete, bunker-like walls that absorb moisture making comfort control near impossible.
 - An entrance that is unseen from 3 of the four approaching directions on this active corner.
 - A dark, cavernous worship space where scaffolding is required to change lights at an exorbitant cost.

- The architecture of the building is not representative of the Church's religious exercise, nor does it meet the needs of its religious practices. The Church seeks to replace this building with a welcoming, community-oriented, environmentally-sound, and energy-efficient building that accommodates its religious faith and practices. By landmarking the building over the Church's opposition, the city government is attempting to determine how the Church may or may not worship in the future.

Third Church and Christian Science

- The Christian Science denomination was established in the 1880s by Mary Baker Eddy. It is a Protestant Christian church that uses the King James Bible in its services.
- Mary Baker Eddy established the First Church of Christ, Scientist in Boston, MA, with branches such as Third Church around the world. The Boston Headquarters publishes the *Christian Science Monitor*, Mrs. Eddy's book *Science and Health with Key to the Scripture*, and other religious literature. It oversees educational services, deals with legislative issues, and coordinates activities that fall beyond the scope of a local church. Each local church is independently governed.
- Third Church of Christ, Scientist is a local organization and one of 6 Christian Science Churches in the District of Columbia.
- Third Church was founded in 1918 and originally met in a building that it shared with the National Woman's Party on Lafayette Square.
- Third Church is governed by a board of trustees that is elected by the local members. All major decisions are presented to the membership for a vote. All church services are run by lay members who are elected by the members.
- The building at 16th and Eye Streets was initiated and financed by the members of Third Church.