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**Testimony of Eric Fingerhut
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**Before the Subcommittee on Emergency Preparedness, Response, and
Recovery and the Subcommittee on Intelligence and Counterterrorism**

**Committee on Homeland Security
U.S. House of Representative**

***The Nonprofit Security Grant Program and Protecting Houses of Worship:
A View from the American Jewish Community***

February 8, 2022

Chair Demings, Ranking Member Cammack, Chair Slotkin, Ranking Member Pfluger, and members of the esteemed Subcommittees on Emergency Preparedness, Response, and Recovery and on Intelligence and Counterterrorism, thank you for convening this morning's hearing on protecting faith-based and charitable communities from terrorist and terroristic threats and the Jewish communal response.

My name is Eric Fingerhut. I am a former Member of Congress from Ohio. I now serve as President and CEO of the Jewish Federations of North America, the umbrella organization for 146 Jewish Federations and over 300 smaller "networked" communities. The Jewish Federation system represents and speaks for essentially every organized Jewish community in the United States.

Jewish Federations are the engines that build and sustain flourishing Jewish communities—by helping them remain healthy, safe, caring, welcoming and inclusive, educated and engaged, involved in their broader communities, and connected to Israel and the global Jewish people. To accomplish this sacred work, we raise the necessary funds to support social services, educational and cultural programming of all kinds, and we are proud to partner with our local, state, and federal representatives to help meet the vital needs of our Jewish communities and their neighbors. Collectively, our system is one of the ten largest philanthropic bodies in the United States.

We are strong and present advocates on the national, state, and local levels. We know that the distinguished members of this committee are familiar with the work of the Jewish Federations and with our volunteer and professional leadership in your respective states. We thank you for the many ways in which you have supported and enhanced our mission across the full spectrum of communal life.

Security has always been a core concern of Jewish Federations and in the present climate, a central tenet of our work. We know that the ability and confidence of our community to participate fully in Jewish religious and cultural life depends on feeling safe--safe to attend synagogue, safe to drop our children off at the Jewish Community Center for pre-school or day camp, safe to walk down the street wearing visibly Jewish head coverings and clothing, safe to gather in groups to celebrate, to mourn, to support our brothers and sisters in the State of Israel, and to be active in the life of our communities, our campuses, and our civic associations.

The United States of America has historically been the most welcoming nation in history with respect to the protection and safety of the Jewish people. Nevertheless, we Americans are not immune to the viruses of hate that remain in the world, and that are dramatically on the rise at this very moment at home and abroad. We are so grateful that your subcommittees are meeting this morning to assess the complex, diffuse, and dynamic impact of terrorism on the American Jewish community and the lessons we can share to help protect other at-risk communities, and that you are cognizant of the crucial importance of strong and capable federal support to better secure places of worship and the entire at-risk charitable sector from targeted acts of violence.

At a hearing of the Senate Homeland Security and Governmental Affairs Committee more than twenty years ago, we first shared our perspectives on how Congress could direct and coordinate federal resources and expertise to local communities in the wake of 9/11. The September 11th attacks were an abrupt wake-up call for our entire country. We in the Jewish community became acutely and frighteningly aware that our own institutions were vulnerable and at-risk, based on the antisemitic rhetoric of those who committed those attacks.

As the recent armed hostage crisis at the Congregation Beth Israel synagogue in Colleyville, Texas underscored, in the twenty years since the 9/11 attacks, the terrorism landscape for faith-based institutions has become significantly more complicated and challenging. We now need to defend ourselves against multiple fronts: foreign terrorist organizations, homegrown violent extremists and domestic violent extremists. These actors, while motivated by disparate ideologies of hate, share common cause in their violent

antisemitism. As you are well aware, extremism of all kinds is spiking across the country, manifesting in bombings and bomb threats, arsons, assaults, intimidation, trespass and property damage. The consequences are increasingly deadly.

The attack on Colleyville is not just another statistic to us. Rabbi Cytron-Walker will obviously share his harrowing experience. The event is reminiscent, in all the most horrifying ways, of the 2006 deadly attack at the Jewish Federation of Greater Seattle, the 2009 deadly attack on the United States Holocaust Memorial Museum, the 2012 deadly attack on the Sikh Temple of (Oak Creek) Wisconsin, the 2014 deadly attack on the Jewish Community Center and retirement community in Overland Park, Kansas, the 2015 deadly attack on the Emanuel African Methodist Episcopal Church, in Charleston, South Carolina, the 2018 deadly attack on the Tree of Life Synagogue in Pittsburgh, Pennsylvania, and the 2019 deadly attack on the Congregation Chabad in Poway, California. In recent weeks, HBCUs have been subjected to a series of bomb threats and harassment. And even as law enforcement and counterterrorism agencies strive to identify and respond to incidents before they occur, they know that the next strike could happen anywhere, and often without any advance warning whatsoever.

The significance of the armed standoff at Congregation Beth Israel reverberated throughout every Jewish community across the country. While attacks on faith institutions are not only the experience of the Jewish community, as I have noted, it is nevertheless the case that, since the attacks on the Tree of Life synagogue building in September 2018, we have experienced the most intense period of violent attacks on Jews in the history of this

country – from Pittsburgh to Poway to Monsey to Jersey City to Denver to Boston to Brooklyn and now to Colleyville. This is a crisis moment for our community.

After 9/11, the U.S. went on the offense against terrorists around the world. But we also built a homeland security infrastructure that has protected us from those who take steps to plan attacks here at home. Similarly, the Jewish community must do two things to respond to this wave of violence. We must fight antisemitism in all its forms, wherever it appears. But we must also urgently build the security infrastructure that will prevent those who plan violent attacks from succeeding.

It is, of course, the responsibility of government to keep all its citizens safe in their places of worship and other spaces for gathering. But we also have accepted the collective communal responsibility to ensure that all Jewish organizations are fully protected. While we have raised and will continue to raise significant philanthropic funding, the resources needed are vast and ever-increasing. We need governmental support to fill the gap. Individual synagogues, JCCs, Hillels, Family Services Agencies, Hebrew Homes, day schools, and pre-schools are all increasingly vulnerable, and their ability to detect, deter, mitigate and recover from these attacks cannot fall on their shoulders alone.

The Jewish Federations of North America has been a crucial catalyst and coordinating body to bring about a needed shift in the Jewish community's security posture and to offer assistance, advice, and advocacy to other faith and cultural groups who are also at heightened risk of attack. We have focused on two major areas: 1) Providing expert professional security guidance throughout our system, and 2) Ensuring the physical security of our institutions and enhancing their preparedness posture against future

attacks. In 2004, JFNA created the Secure Community Network (SCN) and proposed and worked with Congress to create the federal Nonprofit Security Grant Program (NSGP). Both are now crucial pillars of safety and security in the Jewish community.

Secure Community Network

SCN serves as the central organization dedicated exclusively to the safety and security of the American Jewish community. It works in tandem with the Jewish Federations in organizing local Community Security Initiatives, led by experienced and trained local Community Security Directors, that are designed to create a comprehensive and best practices-based security plan for each of the synagogues and other Jewish institutions in their communities. SCN also partners with and serves as the community's formal liaison with federal law enforcement, as well as with state and local law enforcement partners.

SCN's security experts perform an extensive review of each community's security infrastructure and protocols, pinpoint areas of vulnerability, and offer detailed recommendations for enhancements. SCN also provides ongoing, extensive, state-of-the-art training to the growing body of Community Security Directors to make sure that they are well qualified, that they are working in coordination with local, state, and federal law enforcement, and they are fully cognizant of new trends and developments that could put a community and its residents in imminent danger.

Today, JFNA is working with SCN to extend an overarching, centralized, coordinated security umbrella over every Jewish community throughout the country through our **LiveSecure campaign**. It is our contribution to the public-private partnership for protecting communities by raising one of the largest privately-funded initiatives in our

history. Unfortunately, even with this extensive fundraising, an additional infusion of significant governmental resources is necessary to achieve the level of security that we desperately need.

Right now, the Jewish community has an umbrella that is filled with holes. Those seeking to do harm to Jews will target those communities that are under-resourced and under-prepared. It is critical that we have the funds to protect all members of the Jewish community, no matter where they live. FEMA's Nonprofit Security Grant Program provides that essential public-private partnership to extend what we are already doing for ourselves and for what we expect will be growing interest in and demand for NSGP resources from other communities that are coping with their own threats.

Nonprofit Security Grant Program

Administered by the Department of Homeland Security's Federal Emergency Management Agency, the NSGP program supports the acquisition and installation of physical target hardening measures such as access controls, barriers, blast-proofing, monitoring and surveillance capability, and cyber security enhancements. It supports preparedness and prevention planning, training, exercises, and contributes toward the needs for contracted security personnel. It also provides a critical foundation for the nonprofit sector to build relationships and partnerships with federal, state, and local law enforcement agencies around the whole community approach to homeland security.

The NSGP program is critically important; however, it is not without its challenges and need for improvement.

Simply put, the program lacks sufficient annual appropriations. In its 17 years, the program has supported more than 6,500 grants, but been unable to fund an additional 11,000 grant requests that were submitted. Congress has appropriated nearly \$600 million in security investments, but that is a fraction of the nearly \$1.5 billion in investments that have been requested. In the most recent fiscal year (2021), FEMA approved only about 45% of the more than 3,300 applications it reviewed and was able to fund only \$180 million in security investments out of the nearly \$400 million that were sought.

Recommendation: Congress must stabilize NSGP funding at appropriate levels on an annual basis. And we have respectfully called on Congress to appropriate \$360 million.

The program lacks sufficient management and administrative support. While the program has quadrupled in size since 2018 and is now the third largest FEMA preparedness grant program by volume, FEMA and the State Administrative Agencies struggle to keep up with the necessary administrative oversight and infrastructure to carry out their duties to the program. They are over-extended and under-resourced, which undermines the application review and oversight processes and challenges the capacity of FEMA and the SAAs workforce to coordinate the NSGP program in an efficient and effective way.

Recommendation: We support Congress allowing the NSGP Program Office located within FEMA's Grant Programs Directorate and the State Administrative Agencies to each withhold up to 5% of the NSGP awards to cover their management and administrative costs.

The program lacks resources to assist nonprofits as they go through the complicated NSGP application process. JFNA has worked for years to help address the challenges nonprofit agencies face in navigating the NSGP application process and partners with SCN to disseminate comprehensive written guidance, tools, and webinars to assist both the Jewish community and other communities with elevated risks. Still, more nonprofits need to learn about the program and have access to good resources and technical assistance to meaningfully participate in and benefit from the program. If they cannot navigate the process, they are unlikely to be successful in their application, or even apply at all.

Recommendation: We support Congress allowing the NSGP Program Office located within FEMA's Grant Programs Directorate to withhold up to 5% of the NSGP awards to support outreach, education and technical assist to nonprofits in applying for and implementing the program.

Additionally, FEMA needs to be able to quickly provide viable application tools to the NSGP nonprofit sub-applicants to ease and streamline the application process. Under current Paperwork Reduction Act (PRA) requirements, it can take years for FEMA to receive approval even to make basic changes to the NSGP application template (Investment Justification). This has become a major issue as the program has expanded to thousands of participants annually.

Recommendation: Congress should provide FEMA with a waiver of the PRA requirements for FY 2022 and future years.

The program lacks statutory authority to respond to today's increasingly complex, diffuse, and dynamic threat landscape. Just after the attack on Congregation Beth Israel synagogue,

FBI Director Christopher Wray remarked that the Jewish community faces very real threats from across a complex spectrum of hate that includes homegrown violent extremists (often radicalized by Jihadist movements online), foreign terrorist organizations like ISIS and Hezbollah, state-sponsored groups like the government of Iran, and domestic violent extremists such as neo-Nazis and white supremacists. However, the statutes guiding DHS preparedness programs respond to “risk of terrorist attack.” This does not include hate- or grievance-based crimes, even as ethnically and racially-motivated extremism is now surging. In fact, the Colleyville attack may be the first actual terrorist attack against a faith-based institution in the US, based on what the statutes actually provide. Today’s evolving threats require an NSGP program that is a measure against both terrorist and terroristic attacks. While FEMA has to a commendable extent applied flexibility in its interpretation and application of the law to NSGP, today’s homeland security laws do not include domestic violent extremism as terrorism. The types of threats extend beyond the recourse of the NSGP program, and this needs to change.

Recommendation: Short of an unlikely change in statute, Congress should include appropriations report language allowing FEMA to include hate- and grievance based-crimes based on the ideology, belief, and mission of the applicant.

Since we first addressed the Senate Homeland Security and Governmental Affairs Committee in December 2001 on “The Role Communities Play in Homeland Security,” Congress has maintained strong bipartisan support to address the homeland security concerns of faith-based organizations and the charitable sector. This has been especially true of the NSGP program, which has been described as an efficient and effective means to

accomplish community-based security enhancement and preparedness through very modest resources. Only this past week, 174 members of the House joined on a bipartisan letter to appropriations leaders, urging them to ensure strong funding to the Nonprofit Security Grant Program in the upcoming Fiscal Year 2022 Homeland Security Appropriations package. That is a remarkable level of support.

For these reasons, we thank you for holding this hearing to discuss the implications of the dynamic terrorism landscape on the American Jewish Community and the importance of strengthening federal support to make our institutions and the communities they serve more secure. I welcome any questions you may have.