

Pentecostal Churches Receive Incredible 2018 Miracle

FEMA announced a new policy today that ought to put an end to its discrimination against churches, synagogues, and other houses of worship. The new policy comes in response to two lawsuits brought by three Texas churches and two Florida synagogues seeking immediate and equal access to disaster relief aid.

FEMA says that the new policy is required by the Supreme Court's June 2017 decision in *Trinity Lutheran Church of Columbia, Inc. v. Comer*, which ruled that the First Amendment requires religious groups to receive equal access to widely available public programs. FEMA announced in its new policy that "houses of worship will not be singled out for disfavored treatment" any longer.

"What a way to start 2018!" said Pastor Charles Stoker of Hi-Way Tabernacle, who received the news while finishing a day of distributing meals at the church to about 200 local recipients. "It's been a cold day, and this news will warm us all up here! We're delighted that FEMA will start treating us like other charitable groups. And we look forward to continuing to help our neighbors as they recover from Harvey."

Houses of worship were among the first to respond in the aftermath of both Hurricane Harvey and Hurricane Irma and they continue to provide aid to help their communities recover. Yet FEMA's policy discriminated against churches and synagogues, while at the same time using them for its own relief efforts. In September, in *Harvest Family Church v. FEMA*, Harvest Family Church, Hi-Way Tabernacle, and Rockport First Assembly of God sued FEMA for denying houses of worship access to federal disaster aid grants on equal footing with secular non-profits. A parallel lawsuit, *Chabad of Key West v. FEMA* was later filed

by two Florida synagogues hit by Hurricane Irma.

After being denied aid for months, the three Texas churches asked U.S. Supreme Court Justice Alito for emergency relief. Justice Alito asked FEMA to respond to the churches' request, and FEMA published its new policy before its deadline to respond at the Supreme Court.

"Better late than never," said Daniel Blomberg, counsel at Becket, the non-profit religious liberty law firm that represents the Texas churches and the Florida synagogues. "By finally following the Constitution, FEMA is getting rid of second-class status for churches, which in the words of the Supreme Court was 'odious' to the First Amendment. We will watch carefully to make sure that FEMA's new policy is implemented to provide equal treatment for churches and synagogues alongside other charities."

The three churches' case is currently on appeal at both the U.S. Court of Appeals for the Fifth Circuit and the Supreme Court. The Florida synagogues' case is pending in federal district court in Key West.