

Why This AG Church Is Headed to Court

Three Texas-based houses of worship were in federal court yesterday challenging FEMA's "no churches need apply" aid policy following the devastation of Hurricane Harvey. In *Harvest Family Church v. FEMA*, the three churches—like hundreds of flooded and damaged churches across Texas and other hurricane-devastated regions—have been denied access to FEMA's disaster relief simply because they are religious. A ruling in this case will decide whether churches, synagogues and other houses of worship across the nation will be allowed to apply for FEMA disaster relief grants.

Harvest Family Church, Hi-Way Tabernacle and Rockport First Assembly of God filed a lawsuit against FEMA in September for denying them disaster aid. Over the past several weeks, these three churches—and many others—have applied for FEMA aid and were told that they are not eligible. Today, represented by Becket, the churches went to federal district court in Houston, arguing that FEMA's discriminatory policy puts churches at the back of the line for aid, in violation of the First Amendment.

"If the church was on fire, a fire truck would come to their aid. If there was a medical emergency, an ambulance would come to their aid," said Daniel Blomberg, counsel at Becket, the nonprofit law firm representing the three churches. "A natural disaster should be no different. These three churches helped their communities without discrimination, and FEMA should do the same." (watch his full statement live from the courthouse.)

Houses of worship were among the first to respond in Hurricane Harvey's aftermath, and they continue to provide aid to their communities as they rebuild. Yet FEMA continues to

discriminate against churches while at the same time using their buildings as relief staging centers. Its discriminatory policy defies the recent Supreme Court ruling in *Trinity Lutheran v. Comer* that protects the right of religious organizations to participate in widely available programs on equal footing with secular organizations.

“Our message to FEMA is this: Don’t mess with Texas churches,” said Blomberg. “FEMA has senselessly excluded churches long enough. We hope the Court will quickly put an end to FEMA’s discriminatory policy.”

The hearing took place in the Houston federal court, and a ruling is expected in the coming month.