



Written by [Bob Adelman](#) on May 28, 2019

FAA to Investigate San Antonio's Ban of Chick-fil-A From Its Airport

Officials with the Federal Aviation Administration (FAA) [announced on Friday](#) that it was opening an investigation into charges of discrimination at two airports: the Buffalo Niagara International Airport (BUF) and the San Antonio International Airport (SAT). Both have been charged with denying contracts with franchisees affiliated with Chick-fil-A based on religious grounds:



The Department has received complaints alleging discrimination by two airport operators against a private company due to the expression of the owner's religious beliefs. The FAA's Office of Civil Rights has notified [the airports] that it has opened investigations into these complaints....

The FAA notes that federal requirements prohibit airport operators from excluding persons on the basis of religious creed from participating in airport activities that receive or benefit from FAA grant funding.

Until now San Antonio has certainly benefited from those grants, which amount to millions of dollars annually.

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Repercussions against the San Antonio airport were, justly, in the offing early on. If the FAA didn't get involved, a lawsuit would likely have ended in Chick-fil-A's victory. When a bill to protect companies such as Chick-fil-A from being discriminated against because of the religious beliefs of its founder and family was about to become law, David French, a senior writer for *National Review*, noted: "If Chick-fil-A chooses to sue, it will not only win, but the city council's intolerance will likely cost taxpayers hundreds of thousands (if not millions) of dollars."

Now, thanks to the FAA, Chick-fil-A won't have to sue, but instead can be content to sit back, tend to its business of serving its customers its famous and increasingly popular chicken sandwiches, and watch the proceedings unfold.

The FAA responded to at least two requests to look into the blatant religious discrimination declared by the San Antonio city council back in March: one from Texas State Attorney General Ken Paxton, the other from Keisha Russell, associate counsel with First Liberty Institute.

Six days after the San Antonio city council declared Chick-fil-A *persona non grata* at their airport, Paxton launched his own investigation into the matter. At the same time he encouraged the Department of Transportation (DOT), which oversees the FAA, to perform its own investigation. First Liberty also



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offered its assistance and invited the DOT to jump in as well. Following Friday's announcement Russell said: "We are pleased that the FAA responded to our request by opening an investigation into San Antonio for its blatant, illegal religious discrimination against Chick-fil-A." She added:

First Liberty ... launched our own investigation into the city's actions and we vow to get to the bottom of San Antonio's decision. American business owners should not have to suffer because they want to operate their businesses in accordance with their religious beliefs.

Few things are more un-American than government hostility against religion.

Chastened by all the attention, members of the San Antonio city council are backpedaling. Said Mayor Ron Nirenberg who voted against Chick-fil-A's presence at the airport: "My decision was based on the best interests of passengers, especially the 1.5 million who pass through our airport on Sundays [by company policy Chick-fil-A's restaurants are closed on Sundays]. They should have a full range of options.... Religion had nothing to do with decisions on airport retail vendors."

So did city councilman Robert Trevino who also voted to ban the franchise's presence at the airport. Following that vote back in March Trevino issued this statement:

With this decision, the City Council reaffirmed the work our city has done to become a champion of equality and inclusion. San Antonio is a city full of compassion, and we do not have room in our public facilities for a business with a legacy of anti-LGBTQ behavior.... Everyone has a place here, and everyone should feel welcome when they walk through our airport.

Now Trevino is "clarifying" his earlier remarks. On Friday he said:

This motion is not about someone's religious beliefs but rather the history of discrimination against our LGBTQ community. This is not an attack on religion. This is certainly not an attack on Christianity. This is a stand for equality.

With the FAA entering the picture, Chick-fil-A won't have to defend itself. It also portends victory for First Amendment freedoms of religion and expression — an important battle in the war against the culture being waged by LGBTQ (lesbian, gay, bisexual, transgender, and queer) groups across the land.

Image: FAA

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