

## CONTROLLING LEGAL PRINCIPLES

*Free Exercise Clause Decision – The “Contemplation of Justice”*  
*Lebron v. National R.R. Passenger Corp., 115 S.Ct. 961, 393 (1995)*



Our traditional rule is that "[o]nce a federal claim is properly presented, a party can make any argument in support of that claim; parties are not limited to the precise arguments they made below." *Yee v. Escondido*, 503 U. S. 519, 534 (1992); see also *Dewey v. Des Moines*, 173 U. S. 193, 198 (1899).

The Constitution constrains governmental action "by whatever instruments or in whatever modes that action may be taken." *Ex parte Virginia*, 100 U. S. 339, 346-347 (1880). And under whatever congres-

393

sional label. As we said of the Reconstruction Finance Corporation in deciding whether debts owed it were owed the United States Government: "That the Congress chose to call it a corporation does not alter its characteristics so as to make it something other than what it actually is ...." *Cherry Cotton Mills, Inc. v. United States*, 327 U. S. 536, 539 (1946). Emphasis added

But it is not for Congress to make the final determination of Amtrak's status as a Government entity for purposes of determining the constitutional rights of citizens affected by its actions.