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Texas Impact Joins Amicus in Landmark Case *Trump v. Pennsylvania*

Texas Impact and the Texas Interfaith Center for Public Policy have joined with other religious organizations including the Anti-Defamation League and Americans United for Separation of Church and State in filing an amicus brief in *Trump v. Pennsylvania*. The brief urges the U.S Supreme Court to reaffirm that government cannot give preference to one faith over another.

“Traditional American religious liberty protects an individual from coercive laws absent a compelling government interest, but it has never prescribed that one individual may impose their religion on another,” said attorney Joshua Houston, Advocacy Director for Texas Impact. “Government’s picking winners and losers in matters of faith violates the religious freedom provided by the Establishment Clause by favoring one religion over another.”

Background on *Trump v. Pennsylvania*

In 2013, religious employers were exempted from paying for contraception coverage under the Affordable Care Act. The employer would simply file notice with the government that it is claiming the exemption, and the government would cover the cost of contraception coverage for the employee. The employer’s religious belief was accommodated without impermissibly imposing the employer’s religion on an employee of a different theological belief. Everyone—excluding the taxpayer—wins.

Despite the accommodation, however, the religious plaintiffs argued in court that providing notice “burdened” their religion. In response, the Trump Administration passed new rules allowing the religious employers to revoke their notice, and cut off their employees’ access to government-funded contraception coverage. The religious plaintiffs want to dictate the religious choices of their employees, and the Trump Administration has enabled them to do so.

Government granted religious exemptions from general legal requirements have limits. The U.S. Supreme Court has consistently held that exemptions cannot detrimentally affect third parties without unconstitutionally preferring one religion over another (see *Cutter. V. Wilkinson*, 544 U.S. 709, (2005); *Estate of Thornton v. Caldor, Inc.*, 472 U.S. 703, 709-710 (1985)). The Supreme Court would remarkably depart from long-held principles of American religious liberty should it decide to strip employees, spouses, and dependents of the insurance coverage to which they are entitled by law, and favor the religious beliefs of employers over the religious beliefs of their employees.

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Texas Impact was established by Texas religious leaders in 1973 to be a voice in the Texas legislative process for the shared religious social concerns of Texas’ faith communities. Texas Impact is supported by more than two-dozen Christian, Jewish and Muslim denominational bodies, as well as hundreds of local congregations, ministerial alliances and interfaith networks, and thousands of people of faith throughout Texas.