The Religious Land Use and Institutionalized Persons Act, 42 U.S.C. §§ 2000cc to 2000cc-5, provides an express private right of action to "obtain appropriate relief against a government," id. § 2000cc-2. The statute defines "government" to include state and local governmental entities and any "official of [such] an entity." Id § 2000cc-5(4) (A). The Fifth Circuit held, in conflict with the decisions of other courts, that the Constitution prohibits Congress from authorizing damages claims against states, or against state officials in their individual or personal capacities, for violations of the statute. The question presented is:

Whether states and state officials may be subject to suit for damages for violations of the Religious Land Use and Institutionalized Persons Act?