



November 20, 2019

The Honorable Ken Paxton
Office of the Attorney General
PO Box 12548
Austin, TX 78711-2548

Dear General Paxton:

The Texas Conservative Coalition (TCC) thanks you for filing a friend-of-the-court brief in support of the Little Sisters of the Poor and their right to an exemption from mandatory contraceptive coverage. This mandate—that nuns choose between (a) subsidizing contraceptives that they do not need or want, and (b) paying thousands of dollars in fines—was created during the Obama administration and illustrates the unyielding advancement of government discrimination against religion.

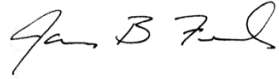
The facts of this drawn-out litigation are staggering. Passed in 2010, President Obama’s Patient Protection and Affordable Care Act (ACA) required insurance plans to cover “approved contraceptive methods, sterilization procedures, and patient education and counseling for all women with reproductive capacity.” In 2014, the U.S. Supreme Court held in *Burwell v. Hobby Lobby* that the contraception mandate could not be applied to closely held for-profit corporations when doing so would violate the owners’ religious beliefs. In 2016, the Little Sisters of the Poor argued that an “accommodation” for religious nonprofits created by the Department of Health and Human Services was inadequate because it still compelled them to violate their beliefs by facilitating access to contraception. The Supreme Court unanimously vacated a lower decision against the Little Sisters in light of *Hobby Lobby*, but their fight is not over.

After years of litigation, the Trump Administration issued a formal rule in 2018 providing religious exemptions and accommodations from the mandate. In January of 2019, a federal district court issued an injunction that prevents the rule from taking effect. Once again, the Little Sisters of the Poor are before the United States Supreme Court, arguing that they should not be compelled by the government to violate their deeply held religious convictions.

TCC applauds the action you have taken with 15 other states in filing an amicus brief in support of the Little Sisters of the Poor and other similarly situated organizations across the country. As the brief explains: “All persons in our Nation have a right to believe in a divine creator and divine law. ‘For those who choose this course, free exercise is essential in preserving their own dignity and in striving for a self-

definition shaped by their religious precepts.” Indeed, these principles are enshrined in the First Amendment, which declares that “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof[.]” We stand with you in support of these principles and we thank you for your efforts on our behalf.

Sincerely,



Representative James Frank
President



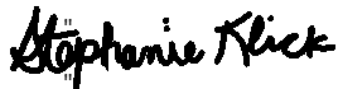
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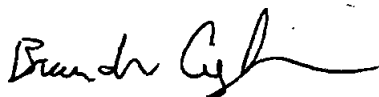
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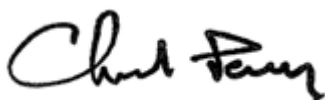
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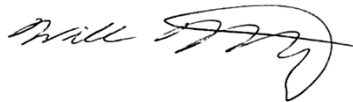
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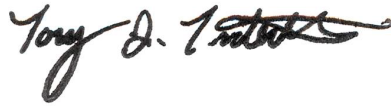
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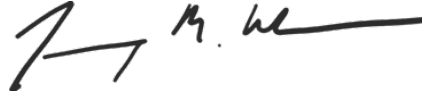
Representative Ed Thompson
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A cursive signature of Tony D. Tinderholt, with a prominent 'T' and 'D'.

Representative Tony Tinderholt
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Representative James White
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A cursive signature of Terry Wilson, with a large 'T' and 'W'.

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A cursive signature of Bill Zedler, with a large 'B' and 'Z'.

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