
Planned Parenthood Federation of America

October 30, 2015

The Honorable Paul Ryan
Speaker
U.S. House of Representatives
Washington, DC 20515

Dear Speaker Ryan,

Congratulations on your election to serve as Speaker of the House of Representatives. In August, I wrote to the bicameral congressional leadership about the investigations into Planned Parenthood (a copy of that letter is enclosed). I am writing today to give you an overview of Planned Parenthood's continued cooperation with the congressional committees that have sought information from us, as well as our concerns about some recent developments.

Since this inquiry began, Planned Parenthood has provided over 27,000 pages of documents to four congressional committees, four of our staff have been interviewed for a total of more than eight hours, and on September 29, I personally testified before the House Oversight and Government Reform Committee at a hearing lasting over five hours. Planned Parenthood remains committed to sharing the relevant facts with members of Congress and the public and we have fully cooperated with the committees' inquiries.

Despite our cooperation to date, a number of the investigative practices undertaken by the committees raise concerns about the impartiality and integrity of their investigations. Just last week, a congressional staff member reportedly released investigative materials that were in the custody of the Oversight and Government Reform Committee majority staff. The materials were provided to the Committee only after a federal district court judge who had otherwise enjoined their dissemination authorized their production to the Committee. The previously unreleased videos were reportedly leaked to a blogger who has partnered with a hacker based in Macedonia and put them on the Internet. The source of the leak is described as "a high-ranking congressional staffer who felt morally compelled to have them released."¹

We have asked Chairman Chaffetz to investigate the allegations of this leak by his staff and we hope you will ensure this leak is properly investigated and provide us assurances that other committees will not engage in these unfair practices. To be completely clear: We have nothing to hide, and the facts are on our side. But this leak calls into serious question the objectivity of this

¹ Politico, "'Confidential' Planned Parenthood video leaked" (October 10, 2015)

investigation, and underscores concerns that this is a political exercise, rather than a fact-finding effort.

Unfortunately, last week's leak of materials is not the only troubling activity that has characterized these investigations. During my testimony on September 29, I was presented with a chart that created the impression that the number of abortion services Planned Parenthood provides significantly exceeds the number of cancer screenings we provide. That is false. In 2014, Planned Parenthood provided over 900,000 cancer screening and prevention services, which is three times the number of abortion services we provided that year. Despite Chairman Chaffetz's assertion that the chart was prepared by his staff using information from Planned Parenthood's own reports, the chart was actually produced by an anti-abortion group, as reflected by a notation on the chart. This misleading presentation of supposed "evidence" has no place in a fair and impartial investigation.²

A similar unfair practice also took place in an October 8 hearing before the House Judiciary Committee focused on Planned Parenthood. During the hearing, a witness invited by the committee majority played a graphic video clip, implying that the practices depicted in the video reflected Planned Parenthood's clinical practices. Upon further questioning, the witness then admitted that the video was not related to Planned Parenthood and thus did not depict our practices. The Committee initially voted to strike the video from the record, but then reinserted it into the record at a second vote.³

Additionally, it is deeply concerning that some of the questions posed to me at the September 29 hearing of the Oversight and Government Reform Committee were wholly unrelated to the allegations made against Planned Parenthood and indicated that the political contributions made by Planned Parenthood Action Fund and our affiliates could be a motivating factor in the investigation. For example, Rep. Trey Gowdy asked me "what percent of your money did go to Democrat candidates in 2014" and then asked me to "name me some Republicans in Congress that you support."⁴ I am not aware of any precedent for members of Congress using the investigative power of a congressional committee to probe an organization's political contributions.

We also do not understand the rationale for the creation of the new select committee in the House. Following my testimony before the Oversight and Government Reform Committee, Chairman Chaffetz stated that after examining the evidence, he was "not suggesting that [Planned Parenthood] broke the law" and "didn't find any" wrongdoing on our part.⁵ Six states investigating our affiliates have reached the same conclusion. Furthermore, the House Energy

² House Oversight and Government Reform Committee, Hearing on "Planned Parenthood's Taxpayer Funding" (Sep. 29, 2015)

³ House Judiciary Committee, Hearing on "Planned Parenthood Exposed: Examining Abortion Procedures and Medical Ethics at the Nation's Largest Abortion Provider" (Oct. 8, 2015)

⁴ House Oversight and Government Reform Committee, Hearing on "Planned Parenthood's Taxpayer Funding" (Sep. 29, 2015) <http://www.c-span.org/video/?328410-1/planned-parenthood-president-cecile-richards-testimony-taxpayer-funding&start=14557>

⁵ Interview with Rep. Jason Chaffetz, The Situation Room with Wolf Blitzer, CNN (Sep. 30, 2015) and Judiciary Hearing (Oct. 8, 2015)

and Commerce Minority staff, after several interviews with Planned Parenthood staff and reviewing a significant amount of materials, found, “To date, the Committee has received no evidence to substantiate the allegations that Planned Parenthood has engaged in the sale of fetal tissue for profit.”⁶ Despite these initial conclusions among the four existing committees investigating Planned Parenthood, the majority in the House has now created a new “select committee” targeting Planned Parenthood and based on the same pretense of the discredited videos. The fact that the members of the select committee announced to date are some of the most vocal opponents of abortion and advocates of defunding Planned Parenthood in the Congress undermines the fairness of this inquiry. Some of these members have already publicly stated that furthering these policy goals is the purpose of their investigation.

In my letter to congressional leadership in August, I summarized the evidence indicating that our chief accuser, David Daleiden, may have broken multiple federal and state laws. Since then, Mr. Daleiden, in federal court proceedings in California, has asserted his Fifth Amendment rights and refused to respond to questions under oath. Mr. Daleiden has also recently admitted on CNN that some of the footage on his deceptively edited videos depicts images that were not taken at Planned Parenthood.⁷ Yet congressional committees have now held multiple hearings on Planned Parenthood, while none have investigated Mr. Daleiden’s actions.

At Planned Parenthood, we remain committed to providing the highest level of compassionate care and going above and beyond the requirements of the law. We demonstrated this again when we announced on October 13 that Planned Parenthood health centers facilitating fetal tissue donation for research will no longer accept any reimbursement for their expenses.⁸ Although the bipartisan law on fetal tissue research that Congress passed in 1993 expressly allows our health centers to receive reasonable payments associated with the transportation, processing, and other activities related to fetal tissue donation, we have chosen to forgo these lawful payments to underscore what we have been saying all along: our objective is providing the best possible care to our patients, not monetary gain.

I provide these facts and raise these concerns because it is increasingly difficult to understand the basis for the ongoing investigations into Planned Parenthood. We have fully cooperated with the committees that have contacted us. The original rationale for investigating Planned Parenthood—allegations related to fetal tissue donation practices—has resulted in no evidence of wrongdoing. We are one of the nation’s largest providers of reproductive health care for women, men, and young people. We provide women access to a safe and legal medical procedure, and in a very limited number of our health centers we facilitate our patients’ desire to donate tissue to advance lifesaving medical research.

Again, congratulations on your election to serve as Speaker of the House of Representatives. We share your view that: “The House is broken. We are not solving problems. We are adding to them.” We hope that under your leadership, Congress can return to responsible governing. In

⁶ Memorandum from House Energy and Commerce Democratic Staff, “Update on the Committee’s Ongoing Investigation of Planned Parenthood Federation of America,” (Sept. 9, 2015)

⁷ Interview with David Daleiden, Anderson Cooper 360, CNN (Oct. 20, 2015)

⁸ Letter from Cecile Richards, President, Planned Parenthood Federation of America to Dr. Francis Collins, Director, National Institutes of Health (Oct. 13, 2015)

that vein, we appreciate your assistance in ensuring that investigations are fair and impartial, are conducted in a manner that meets the high standards of the Congress, and respect the safety and privacy of our patients, our clinicians, and our staff.

Sincerely,

Cecile Richards

Cecile Richards
President
Planned Parenthood Federation of America