Congress of the United States
Washington, DC 20515

July 30, 2015

The Honorable Loretta Lynch
Attorney General
Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530

Dear Attorney General Lynch,

In recent weeks, three videos were released, with additional videos likely, that detail gruesome abortion practices taking place at Planned Parenthood. They include details of modifying abortion techniques in order to preserve certain parts of a baby's body. It is difficult to pick a topic within the videos that is the most disturbing, but the conversation of payment per fetal tissue certainly rivals the other seemingly criminal activity discussed. We urge you to appoint an independent counsel to investigate the potentially criminal activities highlighted in the videos, as well as any other apparent unlawful actions undertaken by Planned Parenthood and any other entities involved.

The contents of the videos raise questions as to whether Planned Parenthood is, at the very least, violating Sections 498A and 498B of the Public Health Service Act.[1] Section 498A allows human fetal tissue to be used for research purposes. However, this tissue may only be used if the woman involved in the abortion gives written consent. The doctor performing the abortion must also give a written statement that the woman consented, there was no alteration in the abortion method used, and the abortion did not violate state law. In one video released, Dr. Mary Gatter, President of Planned Parenthood's Medical Directors' Council, discusses a "less crunchy technique" used for keeping body parts intact during partial birth abortions, which would be a blatant violation of this section. Thankfully, this section requires these statements be made available for audit, so we are confident that obtaining these documents will be expeditious.

Section 498B makes it unlawful for anyone to "knowingly acquire, receive, or otherwise transfer any human fetal tissue for valuable consideration if the transfer affects interstate commerce." Valuable consideration under this section "does not include reasonable payments

[1] 42 U.S. Code §289g-1 to -2

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associated with the transportation, implantation, processing, preservation, quality control, or storage." Dr. Gatter claims the price per tissue "has to be big enough that it's worthwhile for [her]," and that she doesn't want to "lowball." These statements do not lead us to believe that payments are used for research costs. Violation of this section could lead to a fine and up to ten years in prison.

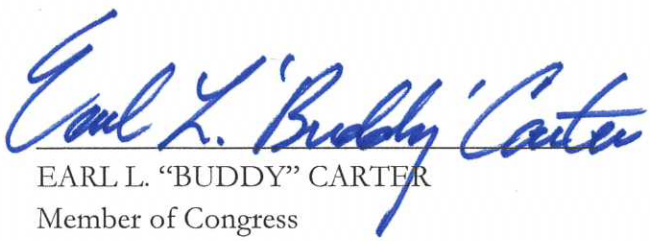
After receiving a letter requesting an investigation into the group that filmed these disturbing conversations[2], you responded at a recent press conference that you are "… aware of those matters generally from the media, and from some inquiries that have been made to the Department of Justice, and again at this point we're going to review all the information and determine what steps, if any, to take at the appropriate time." Before determining these steps, we believe an independent counsel should be appointed to investigate the criminal actions of Planned Parenthood. During the 2007 United States Supreme Court case of *Gonzales v. Carhart*, you signed onto a brief supporting Planned Parenthood's opposition to a partial birth abortion ban. Regrettably, because of this support, there is a justifiable public perception that you cannot conduct an impartial investigation of Planned Parenthood.

Consequently, we respectfully request you appoint an independent counsel to conduct a transparent and impartial investigation of the potential criminal activity of Planned Parenthood and any other entities involved.

Sincerely,

GARY PALMER
Member of Congress

STEVE RUSSELL
Member of Congress



EARL L. "BUDDY" CARTER
Member of Congress

BRUCE WESTERMAN
Member of Congress

[2] Letter from Congresswoman Jan Schakowsky, et al. to The Honorable Loretta Lynch and The Honorable Kamala Harris. 21 July 2015.

JEFF DUNCAN
Member of Congress

MO BROOKS
Member of Congress

LUKE MESSER
Member of Congress

BARRY LOUDERMILK
Member of Congress

CHUCK FLEISCHMANN
Member of Congress

MARTHA ROBY
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BRIAN BABIN
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ROBERT ADERHOLT
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ANN WAGNER
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BRADLEY BYRNE
Member of Congress

TREY GOWDY
Member of Congress

DAVE BRAT
Member of Congress

MARK SANFORD
Member of Congress

REID RIBBLE
Member of Congress

CURT CLAWSON
Member of Congress

MIKE ROGERS
Member of Congress

KEITH ROTHFUS
Member of Congress

DIANE BLACK
Member of Congress

RENEE ELLMERS
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VICKY HARTZLER
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CYNTHIA LUMMIS
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STEVE CHABOT
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RICK CRAWFORD
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