

Congress of the United States
Washington, DC 20515

September 24, 2020

The Honorable William Barr
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington DC 20530

Dear Attorney General Barr:

We write in response to a video published on August 24, 2020, by the Center for Medical Progress (CMP), including recently unsealed sworn testimony in which Planned Parenthood executives make several concerning statements which merit further investigation.¹ We particularly wish to draw your attention to assertions suggesting that abortion providers within Planned Parenthood may be violating the Partial Birth Abortion Ban Act of 2003 [[P.L.108-105](#)].

As you know, the Partial Birth Abortion Ban Act, signed into law on November 5, 2003, makes it a crime for physicians to:

(a) deliberately and intentionally vaginally delivers a living fetus until, in the case of a head-first presentation, the entire fetal head is outside the body of the mother, or, in the case of breech presentation, any part of the fetal trunk past the navel is outside the body of the mother, for the purpose of performing an overt act that the person knows will kill the partially delivered living fetus; and

(B) [perform] the overt act, other than completion of delivery, that kills the partially delivered living fetus

A physician who violates this law faces a fine or imprisonment. The prohibition does not apply to a situation in which a procedure is done in order to save the life of the mother.

Tram Nguyen, Vice President of Abortion Access at Planned Parenthood Gulf Coast, appears on a previous CMP undercover video stating that she has seen aborted babies come out “a little too intact.”² In the August 24 CMP video, Ms. Nguyen explained under oath that by “too intact” she meant “that all the limbs were completely attached to the torso” and that the “calvarium” [head]

¹ <https://www.centerformedicalprogress.org/2020/08/planned-parenthood-sworn-video-testimony-admits-using-partial-birth-abortions-to-sell-baby-parts/>

² *Ibid*

may also be attached.³ Ms. Nguyen also confirmed that her clinic does not use digoxin during an abortion, a chemical used to kill the baby in utero by inducing cardiac arrest.⁴

Grotesquely, in the most common method of abortion used in the late second trimester, the abortion provider uses a long steel tool to tear off the arms and legs of the developing baby then crushes the baby's skull. The baby is then removed from his or her mother in pieces. It is possible, therefore, that in some of the cases in which the baby was born "a little too intact," the baby did not die until he or she was delivered or partially delivered from the body of the mother.

This information is deeply troubling and necessitates further inquiry. We respectfully ask that in light of the recently unsealed testimony, the Department investigate whether Planned Parenthood has violated the Partial Birth Abortion Ban Act.

Thank you for your time and attention to this matter.

Sincerely,



Roger Marshall, M.D.
Member of Congress



Christopher H. Smith
Member of Congress



Paul Gosar, D.D.S.
Member of Congress



Doug Collins
Member of Congress



Vicky Hartzler
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Mark Walker
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John Joyce, M.D.
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Ted S. Yoho, D.V.M.
Member of Congress

³ Ibid.

⁴ Planned Parenthood. Information for Informed Consent: Digoxin.
<http://patients.pposbc.org/education/documents/IFC-503-ENG-Digoxin.pdf>

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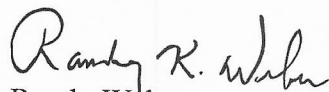
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