

July 29, 2015

Senator Charles Schwertner, Chairman  
Senate Health & Human Services Committee  
E1.806  
Box 12068  
Austin, TX 78711  
Via E-mail: [charles.schwertner@senate.state.tx.us](mailto:charles.schwertner@senate.state.tx.us)

Dear Senator Schwertner:

This is in response to your July 21<sup>st</sup> letter requesting testimony from Dr. Paul Fine of Planned Parenthood Gulf Coast at a Senate Committee on Health and Human Services hearing on Wednesday, July 29<sup>th</sup>. As the President and CEO of Planned Parenthood Gulf Coast, Inc. and Planned Parenthood Center for Choice, Inc., I am responding on Dr. Fine's behalf and on behalf of the corporations.

We believe this committee has no desire to hold a responsible, fair, fact-driven hearing. In fact, this committee cares more about political gamesmanship than the truth. Therefore, we decline the request to testify in person.

I am enclosing a written statement for the Committee to consider and make part of the hearing record.

Sincerely,



Melaney A. Linton  
President and CEO  
Planned Parenthood Gulf Coast, Inc.  
Planned Parenthood Center for Choice, Inc.

**Written Statement of Planned Parenthood Gulf Coast, Inc. and  
Planned Parenthood Center for Choice, Inc.**

In response to Senator Schwertner's July 21<sup>st</sup> letter requesting Dr. Paul Fine of Planned Parenthood Gulf Coast to appear at a hearing of the Senate Committee on Health and Human Services on July 29<sup>th</sup> to offer testimony on the practices of Planned Parenthood affiliates, Melaney Linton, President and CEO of Planned Parenthood Gulf Coast, Inc. and Planned Parenthood Center for Choice, Inc., offers the following written response.

The letter indicates the specific focus of the Committee's inquiry is a recent video regarding the provision of fetal tissue for research from a Planned Parenthood affiliate and whether any Texas affiliate of Planned Parenthood is breaking the law in that regard. This response gives the background on Planned Parenthood Gulf Coast and Planned Parenthood Center for Choice, as well as the group that created the video in question. It also addresses the provision of fetal tissue donation for important, life-saving research, and the seriousness with which Planned Parenthood takes its obligation to comply with all rules and regulations regarding such provision.

For nearly 100 years, Planned Parenthood has been the nation's leading provider of reproductive health care and sex education to women, men, and young people. Last year, we provided birth control, life-saving cancer screenings, STD testing and treatment, and other services to 2.7 million patients, and we provide sex education to 1.5 million people. The more than 10,000 people who work at Planned Parenthood's national office and 59 affiliates provide high-quality health care and information with compassion and a deep commitment to women's health, wellbeing, and dignity. Planned Parenthood Gulf Coast has provided high-quality, affordable health care to Texans for 80 years. Planned Parenthood Center for Choice and its predecessors have provided safe, legal abortion in Texas since 1973.

Planned Parenthood Gulf Coast and Planned Parenthood Center for Choice comply with all state and local laws and have extremely high medical and ethical standards, which are informed by the Centers for Disease Control and Prevention, the American College of Obstetricians and Gynecologists, and other national and international professional organizations and published literature. We insist that all of our staff adhere to the highest standards, and if we learn that they are not met, we take swift action. One in five women in America has turned to Planned Parenthood for high-quality health care at some point in her life, and the health and safety of our patients is our top priority.

We need to bring to the attention of this committee some significant and disturbing facts about the individuals who have spurred this unfounded controversy. These extremists have spent a decade deceiving the public and making false charges – all in order to intimidate women, end access to Planned Parenthood's health services, and ban safe and legal abortion in this country.

The head of the Center of Medical Progress is David Daleiden, who previously worked for the discredited anti-abortion group Live Action. Over the last eight years, Mr. Daleiden has participated in at least 10 separate attacks on Planned Parenthood involving gaining access to our health centers and offices under false pretenses, taping staff (and sometimes patients) without their knowledge on at least 65 occasions (not counting this latest fraud), and misleading the public with heavily edited tapes and flat out false charges. In fact, the extremist ties of this latest effort stretch beyond Mr. Daleiden and Live Action. According to published reports, Troy Newman is registered as a board member for the Center for Medical Progress. Mr. Newman is the head of Operation Rescue, which harassed Dr. George Tiller for a decade until, again according to published reports, one of the group's members murdered Dr. Tiller in his church. Members of Operation Rescue have also served time in prison for conspiring to bomb a California abortion clinic.

Nearly three years ago, Mr. Daleiden created what we now know to be a phony company called BioMax Procurement Services, LLC, which held itself out as a legitimate tissue procurement organization. BioMax then embarked on a campaign of corporate espionage targeting Planned Parenthood and its affiliates. The sham company used the false pretense of seeking tissue for research purposes to gain access to Planned Parenthood facilities and staff. These fraudulent efforts appear to have been meticulously planned. To cite one example, BioMax exhibited at Planned Parenthood's National Medical Conference and National Conference over the last several years.

At this point, we do not know the full extent of BioMax's illicit conduct. We believe a representative from BioMax was shown a highly-sensitive area in a Houston clinic where tissue is processed after abortion procedures. This work is standard and essential following any abortion procedure, and filming in such an area is strictly prohibited. We also believe that in at least one interaction, the BioMax representative asked leading questions about how to best select potential donors for a supposed study of sickle cell anemia, a disease known to be racially linked, apparently seeking to create a misleading impression.

While BioMax has repeatedly tried to give the impression that Planned Parenthood profits from fetal tissue donation, this is not true. In fact, BioMax sent Planned Parenthood Gulf Coast a "procurement agreement" that offered a payment of \$1,600 for a liver and thymus – an astronomical amount compared to the minimal cost recovery fees that tissue donation programs currently recoup. Planned Parenthood Gulf Coast never entered into this agreement. Disturbed by these overtures, Planned Parenthood Gulf Coast ceased to communicate with BioMax.

We also believe there are multiple taped interactions initiated by BioMax discussing whether and how a physician could adjust an abortion if the patient has requested to

donate tissue for medical research, and we believe that these extremists will manipulate those videos to make more false claims. In fact, given the scope and length of the deceptive practices perpetrated by Mr. Daleiden, and the lengths he apparently went to in order to advance his political agenda, there may well be thousands of hours of videotape that he will deceptively edit into short video clips to release for many months.

News reports have commented that activities by BioMax and the Center for Medical Progress may have violated the law, including state recording and wiretapping laws, as well as Federal tax laws. We know that Mr. Daleiden used a false California driver's license in gaining access to Planned Parenthood facilities in Houston.

The ever present threat of these deceptive practices makes it vastly more difficult for Planned Parenthood to do its important work. Our staff is extraordinarily dedicated to providing essential reproductive health services, often working long hours under difficult circumstances. Our doctors are the most highly skilled and compassionate medical providers in their field, and they ensure that women have access to the best health care. It is inexcusable that they too often have to fear for their personal safety – and the safety of their families and their patients – because of the likes of Mr. Daleiden and Mr. Newman.

Our organization and the women we serve should not be subject to these recurring, deceptive, malicious attacks in some of the most intimate and confidential health care situations imaginable.

As a high quality health care provider, Planned Parenthood has extremely high standards, and any time those standards are not being met, we take swift action. But what we know right now is that a group of extremists who have intimidated women and doctors for years – in their agenda to ban abortion completely – are not “documenting” misdeeds; they are trying to create them, quite unsuccessfully. Indeed, from all that is known today, it appears that the only people who have broken laws are the extremists who have been hounding women and Planned Parenthood doctors for years.

Planned Parenthood is one of the most audited and regulated health care providers in the state of Texas. We expect and welcome responsible oversight. We will work diligently to provide all the information necessary to demonstrate our compliance with the spirit and letter of the law.

Members of this committee, their staff, and the Texas Attorney General have seen this illegally recorded video. We are very disappointed that, despite the request of our attorneys, we were not allowed the same access prior to today's hearing.

We expect the group that made this illegal recording will eventually release edited excerpts for public viewing. The video will be difficult for many people to see. Medical procedures and medical research often are. But this committee should remember this:

anyone can manipulate video to suit their political agenda. This group did, with no regard for the women who made the complex decision to end a pregnancy. Publicizing secret video footage of this kind is a grossly offensive act that should be rejected by all regardless of political perspective.

This radical group will claim Planned Parenthood Gulf Coast and Planned Parenthood Center for Choice broke the law. We did not. As of today, it is clear: the only people who have broken laws and violated women's trust are the ones behind these videos.