



The Honorable Joseph R. Pitts  
Chairman  
Subcommittee on Health  
2125 Rayburn House Office  
Washington, D.C. 20515-6115

November 5, 2015

Dear Chairman Pitts:

Thank you for your letter of October 20, 2015 transmitting questions posed by Representative Joseph Kennedy, III following my testimony before the Subcommittee on Health submitted on September 17, 2015 at the hearing entitled, "Protecting Infants: Ending Taxpayer Funding for Abortion Providers Who Violate the Law."

The questions submitted by Representative Kennedy are as follows:

**Questions that were posed by Rep. Kennedy:**

*"Given this information [citing a GPS Fusion report stating 'at this point, it is impossible to characterize the extent to which CMP's undisclosed edits and cuts distort the meaning of the encounters the videos purport to document'], do you dispute the findings of the GPS Fusion experts?"*

*Please detail what, if any, forensic or technical analysis your organization has used to verify the truth and authenticity of both the short videos we viewed at today's hearing and the full-length videos available online.*

*Additionally, please submit a detailed explanation of any legal analysis your organization has conducted as to whether the Center for Medical Progress broke any federal, state, or local laws during the creation of these videos."*

My response to these questions follows immediately below:

Regarding the first question posed by Representative Kennedy, I do dispute the findings of the Fusion GPS experts to the extent their "findings" suggest that the videos created and released by the Center for Medical Progress (CMP) are inaccurate or distort in any material way the brutal reality of Planned Parenthood's harvesting and selling of the organs and body parts of aborted infants. In fact, the Fusion GPS report actually confirms the authenticity of the statements made by Planned Parenthood senior level employees and officials that raise probable cause to investigate whether Planned Parenthood's practice of harvesting baby organs in exchange for money was conducted in violation of federal law and under the direction, supervision and coordination of Planned Parenthood Federation of America. According to the Fusion GPS report,

“analysts found no evidence that [Center for Medical Progress (CMP)] inserted dialogue not spoken by Planned Parenthood staff...” (See Fusion GPS report, Executive Summary, page 2).

While the Fusion GPS report substantiates the need to investigate Planned Parenthood Federation of America and its affiliates, the report does have an obvious shortcoming which is not included in a subsequent analysis conducted by Coalfire Systems, Inc., which is available online at <http://www.adfmedia.org/files/CoalfireCMPvideosReport.pdf> .

Fusion GPS conducted its analysis “at the direction of counsel to Planned Parenthood” (see Fusion GPS report, Executive Summary, page 2) on August 25, 2015, after the public release of only the first four CMP videos. The report states that its analysis “did not reveal widespread evidence of substantive video manipulation” but identified “cuts, skips, missing tape, and changes in camera angle.” (See Fusion GPS report, Video Analysis, page 3.)

The subsequent analysis, conducted by Coalfire and released on September 28, 2015 provides a more complete analysis of the CMP videos. The Coalfire report, unlike the Fusion GPS report, did analyze the entire recorded footage and audio for all of the then-released 10 videos.

The Coalfire experts examined the full recorded media files, provided by CMP on a flash drive, “using industry-standard forensic tools and techniques.” (See Coalfire report, Executive Summary, page 2.) The Coalfire experts found that the recorded media files it reviewed “are authentic and show no evidence of manipulation or editing.” (See *id.*)

Importantly, the Coalfire report fills the gaps of the Fusion GPS report, replacing Fusion GPS’s speculation with objective analysis. Comparing the recorded media files to the videos that the CMP had already made available *via* YouTube, the Coalfire analysis found the only material eliminated was “non-pertinent” footage, such as bathroom breaks, commuting, and waiting—footage that lacked pertinent conversation:

With regard to the “Full Footage” YouTube videos released by the [Center for Medical Progress], edits made to these videos were applied to eliminate non-pertinent footage, including “commuting,” “waiting,” “adjusting recording equipment,” “meals,” or “restroom breaks,” lacking pertinent conversation. Any discrepancies in the chronology of the timecodes are consistent with the intentional removal of this non-pertinent footage as described in this report.

(See Coalfire report, Executive Summary, page 2).

In other words, the footage that Planned Parenthood commissioned Fusion GPS report did not analyze – leading it to conclude in August that “at this point” it was unable to determine what those cuts, skips, and missing tape contained – was in fact “non-pertinent footage.” Bathroom breaks, waiting, commuting—non-pertinent footage—would not, as speculated in the Fusion GPS report, “distort the meaning of the encounters the videos purport to document.”

While it should be pointed out that there is biased editorializing and speculation contained in the Fusion GPS report, none of the extraneous commentary contained therein changes the pertinent facts and the necessity of a thorough investigation.

For example, in its analysis of the video recorded at a Planned Parenthood facility in Colorado, Fusion GPS notes that “Planned Parenthood representatives asked Fusion GPS to analyze” a statement that a baby it had aborted was “another boy,” because Planned Parenthood had “deemed” this comment “to be suspicious.” (*See* Fusion GPS report, page 5). The Fusion GPS experts found “it is unlikely that this dialog was edited in.” (*See id* at page 6). In their report, however, the Fusion GPS experts gratuitously speculate that “it is thus likely that the removed video contains dialog in which CMP operatives ask about the gender of a specimen.” (*See id.*)

Prompted or not, a comment about the sex of the baby Planned Parenthood aborted is entirely irrelevant to the serious question of whether Planned Parenthood violates federal laws. A baby—boy or girl—is a person, entitled to rights under federal law when he or she survives an abortion and is born alive at any stage of development. It is illegal to kill a baby—boy or girl—by partial-birth abortion, when he or she is mere inches from birth. The clear standard set out in federal law is that it is illegal and unethical to alter an abortion to harvest the organs of a baby—boy or girl. It is a felony to receive valuable consideration for the organs of an aborted baby—boy or girl.

Regarding the second question posed by Representative Kennedy, Americans United for Life has not conducted an additional independent forensic or technical analysis; both the analyses of Fusion GPS and Coalfire confirm the authenticity of the statements made by Planned Parenthood’s senior level employees that raise probable cause to investigate Planned Parenthood Federation of America and its affiliates.

Moreover, while Planned Parenthood has attempted to misdirect, it has not denied the incriminating statements that were spoken by its senior-level employees and officials. Planned Parenthood Federation of America has admitted that it has affiliates engaged in harvesting the organs of the babies they abort in exchange for money. Planned Parenthood Federation of America has admitted that its “guidance” to affiliates regarding altering abortions in order to harvest baby organs is incongruent with the clear standard in federal law. Planned Parenthood’s response to the CMP videos confirms the need for a complete and thorough investigation into whether the law has been violated and whether the law is adequate to guard against the unethical, unconscionable acts that have shocked the conscience of the nation.

Finally, regarding the third question posed by Representative Kennedy, Americans United for Life did not conduct an independent investigation of CMP and did not perform a legal analysis as to whether CMP broke any federal, state, or local laws during the creation of its undercover videos. In point of fact, an examination of CMP’s practices is irrelevant to the question of the authenticity of the known incriminating statements made by Planned Parenthood’s senior level employees and officials that raise probable cause to investigate Planned Parenthood Federation of America and its affiliates for violating federal laws. As noted above, the authenticity of these incriminating statements has already been confirmed by both the Fusion GPS and Coalfire reports.

Chairman Pitts, I hope these responses are helpful to you and the members of the Subcommittee on Health. Please let me know if you have any questions or if I can be of further assistance.

Thank you,

A handwritten signature in blue ink that reads "Charmaine Yoest". The signature is written in a cursive, flowing style.

Charmaine Yoest, Ph. D  
President & CEO