

**From:** "Morse, Jodie (OASG)" <(b) (6)>

**To:** "Reich, Mitchell (OAG)" <(b) (6)>, "Maltby, Jeremy (ODAG)" <(b) (6)>

**Subject:** FW: Communication to diocesan pro-life directors re: FACE Act coverage of pregnancy resource centers

**Date:** Fri, 04 Nov 2022 13:29:59 -0000

**Importance:** Normal

**Inline-Images:** image001.jpg; image002.jpg

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This is what Rob is mentioning.

**From:** Moosy, Robert (CRT) <(b) (6)>

**Sent:** Thursday, November 3, 2022 11:33 AM

**To:** Clarke, Kristen (CRT) <(b) (6)>

**Cc:** Bradford, Aryele (PAO) <(b) (6)>; Sooknanan, Sparkle (OASG)

<(b) (6)>; Weiner, Robert (CRT) <(b) (6)>; Gaston, Molly (ODAG)

<(b) (6)>; Berger, Christine (OAG) <(b) (6)>

**Subject:** FW: Communication to diocesan pro-life directors re: FACE Act coverage of pregnancy resource centers

Please see below article, and the note at bottom from the USCCB's general counsel..

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**From:** Dan Balsarak <(b)(6)>

**Sent:** Thursday, November 3, 2022 8:56 AM

**To:** Patel, Sanjay (CRT) <(b) (6)>

**Subject:** [EXTERNAL] Re: Communication to diocesan pro-life directors re: FACE Act coverage of pregnancy resource centers

Sure, I'm available from now until 10. I'm home today, so please call my cell - (b)(6).

Here's the article I'm aware of: <https://www.dailysignal.com/2022/11/02/doj-attacks-on-pro-life-pregnancy-centers-can-be-prosecuted/>



**Daniel Balsarak** | Director, Religious Liberty and Assistant General Counsel

Office of General Counsel | United States Conference of Catholic Bishops

3211 Fourth Street, NE | Washington, DC 20017-1194

Tel: (b)(6) | (b)(6)

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**From:** Patel, Sanjay (CRT) <(b) (6)>

**Sent:** Thursday, November 3, 2022 7:49 AM

**To:** Dan Balsarak <(b)(6)>

**Subject:** RE: Communication to diocesan pro-life directors re: FACE Act coverage of pregnancy resource centers

[EXTERNAL EMAIL] DO NOT CLICK links or open attachments unless you recognize the sender and know the content is safe.

Good morning, Dan.

Are you available for a quick call this morning?

And, can you send me the referenced press coverage?

Thanks,

Sanjay

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**From:** Dan Balsarak (b)(6)

**Sent:** Wednesday, November 2, 2022 8:53 PM

**To:** Patel, Sanjay (CRT) <(b)(6)>

**Subject:** [EXTERNAL] Communication to diocesan pro-life directors re: FACE Act coverage of pregnancy resource centers

Sanjay,

As you may have seen in the news, we sent the message to all diocesan pro-life directors this afternoon. In retrospect I wish I had anticipated how quickly this would be forwarded to the press and notified you immediately - my sincere apologies if this caught you all off guard. If any follow-up discussion is needed, please don't hesitate to call.

Thanks,

Dan



**Daniel Balsarak** | Director, Religious Liberty and Assistant General Counsel

Office of General Counsel | United States Conference of Catholic Bishops

3211 Fourth Street, NE | Washington, DC 20017-1194

Tel: (b)(6) | (b)(6)

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**From:** "Gupta, Vanita (OASG)" <(b) (6)>

**To:** "Colangelo, Matthew (OASG)" <(b) (6)>, "Sparkle Sooknanan (b) (6)" <(b) (6)>

**Subject:** FW: Communication to diocesan pro-life directors re: FACE Act coverage of pregnancy resource centers

**Date:** Thu, 03 Nov 2022 16:03:00 -0000

**Importance:** Normal

**Inline-Images:** image001.jpg; image002.jpg

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**From:** Gupta, Vanita (OASG)

**Sent:** Thursday, November 3, 2022 12:03 PM

**To:** Miller, Marshall (ODAG) <(b) (6)>; Klapper, Matthew B. (OAG)

<(b) (6)>; Uriarte, Carlos F. (OLA) <(b) (6)>; Iverson, Dena (PAO)

<(b) (6)>

**Subject:** FW: Communication to diocesan pro-life directors re: FACE Act coverage of pregnancy resource centers

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**From:** Sooknanan, Sparkle (OASG) <(b) (6)>

**Sent:** Thursday, November 3, 2022 11:54 AM

**To:** Gupta, Vanita (OASG) <(b) (6)>; Colangelo, Matthew (OASG)

<(b) (6)>; Morse, Jodie (OASG) <(b) (6)>

**Subject:** FW: Communication to diocesan pro-life directors re: FACE Act coverage of pregnancy resource centers

fyi

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**From:** Moosy, Robert (CRT) <(b) (6)>

**Sent:** Thursday, November 3, 2022 11:33 AM

**To:** Clarke, Kristen (CRT) <(b) (6)>

**Cc:** Bradford, Aryele (PAO) <(b) (6)>; Sooknanan, Sparkle (OASG)

<(b) (6)>; Weiner, Robert (CRT) <(b) (6)>; Gaston, Molly (ODAG)

<(b) (6)>; Berger, Christine (OAG) <(b) (6)>

**Subject:** FW: Communication to diocesan pro-life directors re: FACE Act coverage of pregnancy resource centers

Duplicative Material





201 Maryland Avenue NE  
Washington, DC 20002  
T: (202) 546-8890  
F: (202) 546-9309

August 8, 2022

Attorney General Merrick B. Garland  
U.S. Department of Justice  
950 Pennsylvania Ave., NW  
Washington, DC 20530-0001

**RE: "Executive Order on Protecting Access to Reproductive Healthcare Services"**

Dear Attorney General Garland:

The following letter is on behalf of the American Center for Law & Justice (ACLJ) and over 236,000 of its members who value and support prolife Pregnancy Resource Centers across the country.<sup>1</sup> The American Center for Law & Justice ("ACLJ") is an organization dedicated to the defense of constitutional liberties secured by law, including the defense of the sanctity of human life. Counsel for the ACLJ have presented expert testimony before state and federal legislative bodies, and have presented oral argument, represented parties, and submitted amicus curiae briefs before the Supreme Court of the United States and numerous state and federal courts in cases involving a variety of issues, including the right to life. *See, e.g., Pleasant Grove City v. Summum*, 555 U.S. 460 (2009); *Livingwell Med. Clinic, Inc. v. Becerra*, 138 S. Ct. 2701 (2018); *Dobbs v. Jackson Women's Health Org.*, 142 S. Ct. 2228 (2022); *June Medical Servs. v. Russo*, 140 S. Ct. 2103 (2020); *Nat'l Inst. of Family & Life Advocates v. Becerra*, 138 S. Ct. 2361, 2368 (2018); *Whole Woman's Health v. Hellerstedt*, 579 U.S. 582 (2016); *Gonzales v. Carhart*, 550 U.S. 124 (2007); *Schenck v. Pro-Choice Network*, 519 U.S. 357 (1997).

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<sup>1</sup> *Petition: Stop the Shutdown of Pro-life Pregnancy Centers*, ACLJ.org, <https://aclj.org/pro-life/stop-the-shutdown-of-pro-life-pregnancy-centers> (last visited Aug. 4, 2022).

## I. INTRODUCTION

On July 8, 2022, President Biden issued an Executive Order on Protecting Access to Reproductive Healthcare Services. While the entire Executive Order is of concern to the ACLJ and its members, of particular concern are the portions of the Executive Order that call on the Attorney General to first,

address potential heightened safety and security risks related to the provision of reproductive healthcare services[.] [T]he Attorney General and the Secretary of Homeland Security shall consider actions, as appropriate and consistent with applicable law, to ensure the safety of patients, providers, and third parties, and to protect the security of clinics (including mobile clinics), pharmacies, and other entities providing, dispensing, or delivering reproductive and related healthcare services.<sup>2</sup>

Second,

[t]he Secretary of Health and Human Services shall, in consultation with the Attorney General and the Chair of the FTC, *consider options to address deceptive or fraudulent practices related to reproductive healthcare services*, including online, and to protect access to accurate information.<sup>3</sup>

And finally,

The Secretary of Health and Human Services and the Director of the Gender Policy Council shall establish and co-chair an Interagency Task Force on Reproductive Healthcare Access (Task Force). **Additional members shall include the Attorney General** and the heads of other agencies as determined by the Secretary of Health and Human Services and the Director of the Gender Policy Council. The Task Force shall work to identify and coordinate activities to protect and strengthen access to essential reproductive healthcare services. In addition, the Task Force shall coordinate *Federal interagency policymaking, program development, and outreach efforts to address barriers that individuals and entities may face in seeking and providing reproductive healthcare services*.<sup>4</sup>

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<sup>2</sup> President Joseph R. Biden, Jr., Executive Order on Protecting Access to Reproductive Healthcare Services (July 8, 2022), <https://www.whitehouse.gov/briefing-room/presidential-actions/2022/07/08/executive-order-on-protecting-access-to-reproductive-healthcare-services/> [hereinafter Executive Order].

<sup>3</sup> *Id.* (emphasis added).

<sup>4</sup> *Id.* (emphasis added).



## II. SUMMARY OF MAIN CONCERN

Recently, Pregnancy Resource Centers, also known as Crisis Pregnancy Centers, have been under increasing attack, both by pro-abortion activists who have firebombed and vandalized Pregnancy Resource Centers across the nation<sup>5</sup> without any condemnation from President Biden, your Department, other pro-abortion supporters, or by pro-abortion politicians or state Attorneys General. President Biden's Executive Order poses yet another threat to Pregnancy Resource Centers by calling on the Secretary of Health and Human Services, the U.S. Attorney General, and the Chair of the FTC to "address deceptive or fraudulent practices related to reproductive healthcare services."<sup>6</sup> As we have detailed below, this language is frequently used in direct reference to Pregnancy Resource Centers, and it is the concern of the ACLJ that the administrative officials will use the language in the Executive Order as a basis to justify potentially unconstitutional targeting of Pregnancy Resource Centers for censorship and for elimination. The ACLJ opposes any such action, and stands ready to rigorously defend Pregnancy Resource Centers across the country.

## III. IMPORTANCE OF PREGNANCY RESOURCE CENTERS AND THEIR RIGHT TO PROTECTION

In direct response to President Biden's Executive Order, on July 29, 2022, you delivered remarks stating, among other things, that: "The Justice Department is *working relentlessly* . . . [and] has a *tremendous responsibility to do everything in our power to protect access to reproductive services. That is what we intend to do.*"<sup>7</sup> Moreover, you stated that "the Department will continue to **enforce the FACE Act and protect healthcare providers and individuals seeking reproductive health services . . .**"<sup>8</sup> Finally, you stated that "[t]he Justice Department's Reproductive Rights Task Force . . . *is vigilantly monitoring state laws and enforcement actions to ensure that states do not infringe upon these . . . rights.*"<sup>9</sup>

As is defined in President Biden's Executive Order, "'reproductive healthcare services' means *medical, surgical, counseling, or referral services* relating to the human reproductive system, *including services relating to pregnancy* or the termination of a pregnancy."<sup>10</sup>

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<sup>5</sup> Emma Colton, *New York Pro-Life Pregnancy Center Allegedly 'Firebombed' by Left-Wing Group*, FOX NEWS *Investigation Launched* (Jun. 7, 2022, 3:51 PM), <https://www.foxnews.com/us/pro-life-pregnancy-firebombed-left-wing>; Jessica Chasmar, *At Least 5 Pro-Life Pregnancy Centers Vandalized Within a Week of SCOTUS Opinion Leak*, FOX NEWS (May 11, 2022, 1:37 PM), <https://www.foxnews.com/politics/5-pro-life-pregnancy-centers-vandalized-scotus-leak>.

<sup>6</sup> Executive Order, *supra* note 2.

<sup>7</sup> Merrick B. Garland, U.S. Att'y Gen., Remarks at the White House Convening of Lawyers in Defense of Reproductive Rights (July 29, 2022), <https://www.justice.gov/opa/speech/attorney-general-merrick-b-garland-delivers-remarks-white-house-convening-lawyers-defense> (emphasis added) [hereinafter Statement by AG Garland].

<sup>8</sup> *Id.* (emphasis added).

<sup>9</sup> *Id.* (emphasis added).

<sup>10</sup> Executive Order, *supra* note 2 (emphasis added).

First, while President Biden, the Secretary of Health and Human Services, and your office have made it quite clear that the overarching purpose of the Executive Order is to advance *abortion* and access to abortion, the ACLJ would like to take this opportunity to point out that prolife Pregnancy Resource Centers clearly fall under the Executive Order’s definition of “reproductive healthcare services.” Consequently, the Department of Justice should ensure that Pregnancy Resource Centers are included as part of the Department’s enforcement of the FACE Act and provide protection to those facilities as well as do anything in its power to bring to justice those who have vandalized and threatened Pregnancy Resource Centers across the country.<sup>11</sup> Pregnancy Resource Centers play a critical role in providing choices to women experiencing unplanned pregnancies, such as the support necessary for keeping the baby, adoption, etc., that extend well beyond the one option that abortion clinics provide for women – ending the life of their unborn child.

As we detailed in our brief before the Supreme Court in *Livingwell Med. Clinic, Inc. v. Becerra*, 138 S. Ct. 2701 (2018), Pregnancy Resource Centers provide essential and professional services at no or, on occasion, nominal cost, such as: “pregnancy options education and consultation; pregnancy testing and verification; limited obstetrical ultrasounds; STI/STD testing, education, and treatment; past abortion healing retreats; community education presentations; and material support.”<sup>12</sup> Other services Pregnancy Resource Centers provide “help[] women deal with unplanned pregnancies by offering, free of charge, a variety of educational, medical, and material resources, including ultrasounds, counseling and emotional support, and maternity and baby items.”<sup>13</sup>

In fact, Pregnancy Resource Centers provide free or nominal cost assistance to millions of women annually, including hundreds of thousands of free ultrasounds each year (over 486,000 in 2019) along with medical services, education, and referrals.<sup>14</sup> In 2019, over 10,000 licensed medical professional served as paid or volunteer workers in 2,700 Pregnancy Resource Centers across the United States.<sup>15</sup> Thousands more people serve voluntarily at Pregnancy Resource Centers on an annual basis. Pregnancy Resource Centers save taxpayers countless millions of dollars each year, again because many of the services that they provide for free—through the work of volunteers and the support of donors—would otherwise have to be provided by government agencies through publicly funded programs.<sup>16</sup>

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<sup>11</sup> Statement by AG Garland, *supra* note 7.

<sup>12</sup> Petition for Writ of Certiorari, *Livingwell Med. Clinic, Inc. v. Becerra*, 138 S. Ct. 2701 (2018), 4, available at [http://media.aclj.org/pdf/Living-Well-Petition-Final-w\\_o-App\\_Redacted.pdf](http://media.aclj.org/pdf/Living-Well-Petition-Final-w_o-App_Redacted.pdf).

<sup>13</sup> *Id.* at 6.

<sup>14</sup> *Fact Sheet: Pregnancy Centers – Serving Women and Saving Lives (2020 Study)*, CHARLOTTE LOZIER INSTITUTE (July 2021), [https://s27589.pcdn.co/wp-content/uploads/2021/07/2020-Pregnancy-Centers-Fact-Sheet\\_FINAL-7.23.21.pdf](https://s27589.pcdn.co/wp-content/uploads/2021/07/2020-Pregnancy-Centers-Fact-Sheet_FINAL-7.23.21.pdf).

<sup>15</sup> *Id.*

<sup>16</sup> *Id.*



Pregnancy Resource Centers provide invaluable information and resources that help ensure that a woman is fully aware of all the facts and options available to her – to help inform her decision and truly give her *choices*; including the fact that abortion is intended to permanently end the life of an unborn child, an act that is extremely grave, gruesome, and irreversible. Thus, a woman’s decision should be fully informed, and should be made only after careful consideration of all the facts. One option does not constitute choice, and, therefore, Pregnancy Resource Centers play a vital role in providing the alternatives to the only option pushed by abortion clinics.

Moreover, Pregnancy Resource Centers provide material assistance and support beyond merely consultation or medical services. As such, we respectfully request that Pregnancy Resource Centers, their healthcare workers and patients be provided the same vigilant protection that the Department of Justice is dedicated to providing abortion clinics and those women seeking abortion in the weeks and months ahead.

#### IV. POTENTIAL TARGETING OF PREGNANCY RESOURCE CENTERS FOR CENSORSHIP AND ELIMINATION

Second, the ACLJ finds the language of the Executive Order directing action to be taken regarding “deceptive or fraudulent practices” of great concern not only because of current and extremely charged political rhetoric regarding Pregnancy Resource Centers, but because of the history pro-abortion governments have of government overreach that has resulted in the abridgement of the constitutional rights of Pregnancy Resource Centers.

On June 17, 2022, pro-abortion members of Congress sent a letter to the Chief Executive Officer of Google. In that letter the Members of Congress referred to “crisis pregnancy centers,” or “pregnancy resource centers,” as “fake clinics.”<sup>17</sup> The letter goes on to call on Google to, *inter alia*, “limit the appearance of . . . fake clinics or so-called ‘crisis pregnancy centers’ in Google search results, Google Ads, and on Google Maps . . . .”<sup>18</sup> The Office of Letitia James, Attorney General of the State of New York, wrote a similar letter to General Counsel for Google, stating:

[O]rganizations known as “crisis pregnancy centers” (CPCs) are not health care providers . . . . **CPCs exist solely to intercept and dissuade pregnant people from making fully informed decisions about their healthcare** such as the choice to obtain an abortion. Including these organizations in a list for an individual seeking abortion services is dangerous and misleading. . . . For example, a Google Maps search for “abortion Binghamton, NY” *lists several crisis pregnancy centers such as Life Choices Center and Women’s Life Services along with legitimate health*

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<sup>17</sup> Letter from Members of Congress to Sundar Pichai, Chief Executive Officer of Google (June 17, 2022), *available at* [https://www.warner.senate.gov/public/\\_cache/files/5/6/5698c724-cc0d-42f6-bbb6-b05e472b4564/26F26BB28841042A7931EEC58AC80E08.anti-abortion-letter-to-google-final.pdf](https://www.warner.senate.gov/public/_cache/files/5/6/5698c724-cc0d-42f6-bbb6-b05e472b4564/26F26BB28841042A7931EEC58AC80E08.anti-abortion-letter-to-google-final.pdf).

<sup>18</sup> *Id.*



*care* providers who offer abortion and abortion counseling . . . it is imperative that pregnant people are receiving accurate information and are able to obtain *the medical services they need* efficiently and with minimal confusion.<sup>19</sup>

Recently, Senator Elizabeth Warren has made a series of remarks regarding Pregnancy Resource Centers: “We need to shut them down here in Massachusetts, and we need to shut them down all around the country.”<sup>20</sup> She also accused Pregnancy Resource Centers of “[d]eceiving people in order to provide services,” “[springing] up to prey on people who are pregnant and vulnerable and seek[ing] help . . . ,”<sup>21</sup> accused Pregnancy Resource Centers of “wishing [women] harm,”<sup>22</sup> and stated “[they] should not be able to torture a pregnant person like that.”<sup>23</sup>

These disparaging remarks regarding Pregnancy Resource Centers are not only incorrect, but blatantly so. As we detailed above, Pregnancy Resource Centers provide *legitimate* and invaluable healthcare in addition to counseling and material support to women, babies, and families. However, these remarks are far from extraordinary, as we have seen Pregnancy Resource Centers targeted unconstitutionally in, among other places, states like California and New York.

In California, ACLJ sued on behalf of three Pregnancy Resource Centers challenging the California Reproductive FACT Act. *LivingWell Med. Clinic v. Becerra*, 138 S. Ct. 2701 (2018), *cert. granted* (vacating and remanding *LivingWell Med. Clinic v. Harris*, 669 F. App’x 493 (9th Cir. 2016)). The FACT Act attempted to force our clients to tell every one of their visitors, no matter the reason for their visit, that California provides free or low-cost abortions to eligible women. The Act not only attempted to force the centers to advertise the State’s abortion subsidy program, it required that the centers provide a telephone number that women could call to see if they were eligible for a free abortion.

In *Nat’l Inst. of Family & Life Advocates v. Becerra*, the Supreme Court reversed a decision by the U.S. Court of Appeals for the Ninth Circuit, concluding that the Pregnancy Resource Centers challenging the Act were likely to succeed on the merits of their claim that the California Reproductive Fact Act violated the First Amendment. Ultimately, a federal court in Oakland,

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<sup>19</sup> Letter from Darsana Srinivasan, Chief, Health Care Bureau, Office of the Attorney General, State of New York, to Hamilmah DeLaine Prado, General Counsel, Google (June 28, 2022), *available at* [https://ag.ny.gov/sites/default/files/2022.06.28\\_letter\\_to\\_google\\_re\\_cpccs.pdf](https://ag.ny.gov/sites/default/files/2022.06.28_letter_to_google_re_cpccs.pdf) (emphasis added).

<sup>20</sup> Greg Price (@greg\_price11), TWITTER (July 12, 2022, 4:41 PM), [https://twitter.com/greg\\_price11/status/1546957961439969280](https://twitter.com/greg_price11/status/1546957961439969280).

<sup>21</sup> Kate Selig, *Elizabeth Warren Calls for Action Against ‘Crisis Pregnancy Centers’ in Wake of Supreme Court Overturning Roe* (June 29, 2022), <https://www.msn.com/en-us/news/politics/elizabeth-warren-calls-for-action-against-crisis-pregnancy-centers-in-wake-of-supreme-court-overturning-roe/ar-AAZ0wK6>.

<sup>22</sup> RNC Research (@RNCResearch), TWITTER (July 6, 2022, 11:39 AM), <https://twitter.com/RNCResearch/status/1544707511906930690?s=20&t=iUmDjtgeoBXVKChVlo2Zjg>.

<sup>23</sup> Isabel Brown, *Senator Elizabeth Warren Calls for Crisis Pregnancy Centers to be Shut Down*, TURNING POINT USA, <https://www.tpusa.com/live/senator-elizabeth-warren-calls-for-crisis-pregnancy-centers-to-be-shut-down> (last visited July 21, 2022).

California permanently blocked the State of California from violating the rights of Pregnancy Resource Centers as guaranteed under the First Amendment of the Constitution:

It is hereby ORDERED that Defendant Xavier Becerra, in his official capacity as the Attorney General of California, shall be permanently enjoined from enforcing the Reproductive FACT Act, California Health and Safety Code section 123470, et seq. (“the Act”).

It is further ORDERED that judgment is entered in favor of Plaintiffs and against Defendant on Plaintiffs’ claim under the free speech clause of the First Amendment.<sup>24</sup>

In New York, the ACLJ successfully sued on behalf of two organizations that run Pregnancy Resource Centers in New York City. *Evergreen Ass’n. v. City of New York*, 740 F. 3d 233 (2d Cir. 2014). In that case, the Second Circuit considered New York City’s misguided attempt to regulate the centers on the same pretext as that appearing in the current Executive Order, i.e., trumped up, politically motivated charges of “deceptive practices.” The Court held that by requiring Pregnancy Resource Centers to disclose at the beginning of contact with potential clients whether they provided referrals for abortion, emergency contraception, or prenatal care and to disclose that the New York City Department of Health and Mental Hygiene encouraged pregnant women to consult with a licensed provider was overly burdensome in violation of the First Amendment.

## V. CONCLUSION

The ACLJ greatly values and appreciates the important role of Pregnancy Resource Centers in providing healthcare, counseling, and material resources and support, among other things, to women, babies, and families across the United States. Not only is this work vitally important, it is protected under the law, as we have succeeded in establishing in litigation on more than one occasion.

Because of the ACLJ’s concern that President Biden’s Executive Order may be interpreted in a way that could lead to government overreach and an unconstitutional targeting of Pregnancy Resource Centers, we will be closely monitoring the reports, recommendations, and strategies that the you, the Attorney General, and the Department of Justice’s Reproductive Rights Task Force develop and implement in fulfillment of the Executive Order. The ACLJ will also be prepared to immediately challenge in court any guidance, order, or other form of regulation, that the

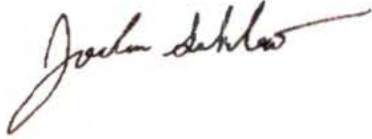
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<sup>24</sup> Ord. Regarding Permanent Injunction, *Livingwell Med. Clinic, Inc. v. Becerra*, Nov. 26, 2018, 4:15-cv-04939-JSW, <http://media.aclj.org/pdf/LivingWell-Court-Order.pdf>.



Department of Justice, or any other administrative department, promulgates that constitutes an abridgement of the rights of Pregnancy Resource Centers.

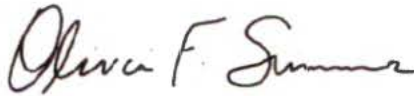
Sincerely,



Jordan Sekulow  
Executive Director  
American Center for Law & Justice



CeCe Heil  
Senior Counsel  
American Center for Law & Justice



Olivia F. Summers  
Associate Counsel for Public Policy  
American Center for Law & Justice



**U.S. Department of Justice**

Office of Legislative Affairs

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*Office of the Assistant Attorney General*

*Washington, D.C. 20530*

The Honorable Tom Cotton  
United States Senate  
Washington, D.C. 20510

Dear Senator Cotton:

On behalf of the Department of Justice (the Department), this responds to your letter dated June 16, 2022, regarding threats and attacks against organizations that oppose abortion.

The Department has been clear that the Constitution protects those who exercise their First Amendment rights—including the right to peacefully protest. However, violent criminal activity is not protected by the First Amendment.

The Department and the Federal Bureau of Investigation take all violence and threats of violence very seriously. We are working closely with law enforcement partners at the national, state, and local levels to investigate attacks and threats targeting pregnancy resource centers, faith-based organizations, and reproductive health clinics across the country. This includes investigating certain incidents as potential incidents of domestic terrorism. Because these investigations are ongoing, we cannot comment further on their status at this time.

We hope this information is helpful. Please do not hesitate to contact the Office of Legislative Affairs if we may provide additional assistance regarding this or any other matter.

Sincerely,

**CARLOS**  
**URIARTE**

Digitally signed by  
CARLOS URIARTE  
Date: 2022.10.17  
11:06:16 -04'00'

Carlos Felipe Uriarte  
Assistant Attorney General



# United States Senate

June 16, 2022

The Honorable Merrick Garland  
U.S. Department of Justice  
950 Pennsylvania Avenue NW  
Washington, D.C. 20530-0001

Dear Attorney General Garland,

Houses of worship and pro-life pregnancy centers are under attack. The Family Research Council has compiled a list of more than 50 attacks against churches, pro-life pregnancy centers, and other pro-life groups in the past few weeks.<sup>1</sup> A left-wing extremist group called “Jane’s Revenge” has taken credit for many of these attacks, including firebombings and grotesque acts of vandalism. The same group has now issued a letter declaring “open season” on all so-called “anti-choice” groups, and calls for terrorist attacks against these groups by anyone “with the urge to paint, to burn, to cut, [or] to jam.”<sup>2</sup> I am appending a list of attacks this group has already claimed at the end of this letter.

What is the Department of Justice doing to protect Americans from these violent attacks? At a minimum, you should bring federal charges<sup>3</sup> against the perpetrators, where appropriate, and investigate “Jane’s Revenge” as a domestic terrorist organization.

If you are unwilling to protect Americans from these attacks, you should resign—although, in my opinion, you should resign in any case.

Sincerely,



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Tom Cotton  
United States Senator

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<sup>1</sup> Family Research Council. “Attack on Churches, Pro-Life Organizations, Property, and People Since the Dobbs Leak on May 2, 2022 (as of 6/16/22).” Available at <https://downloads.frc.org/EF/EF22F17.pdf>.

<sup>2</sup> Danielle Wallace, “Letter signed by radical abortion group Jane’s Revenge declares ‘open season’ on pro-life pregnancy centers,” Fox News (June 16, 2022). <https://www.foxnews.com/politics/letter-abortion-group-janes-revenge-open-season-pro-life-pregnancy-centers>.

<sup>3</sup> For example, 18 U.S. Code § 248 applies to anyone who “intentionally damages or destroys the property of a facility, or attempts to do so, because such facility provides reproductive health services, or intentionally damages or destroys the property of a place of religious worship.”

## **Attacks Against Churches and Pro-Life Organizations Claimed by “Jane’s Revenge”**

- May 7 – St. John XXIII Catholic Church in Ft. Collins, Colorado has its windows smashed and is vandalized with the message, “My Body My Choice,” plus an anarchist symbol
- May 8 – Wisconsin Family Action in Madison, Wisconsin is firebombed and vandalized with the threat, “if abortions aren’t safe, then you aren’t either.”
- May 8 – The Loreto House Pregnancy & Parenting Resource Center in Denton, Texas is vandalized with the messages “Forced birth is murder” and “Not a clinic.”
- May 13 – The Alpha Pregnancy Center in Reisterstown, Maryland is vandalized with the messages “Jane’s Revenge” and “If abortions aren’t safe neither are you.”
- May 14 – BirthRight pregnancy center in Frederick, Maryland is vandalized with the messages “Defend Roe” and “F—k Fake Clinic.”
- May 21 – Four churches in Olympia, Washington are vandalized with messages, including “If abortions aren’t safe then neither are you,” “Abort the church,” and “God loves abortion.”
- May 27 – Next Step Pregnancy Services has its windows smashed and is vandalized with the threat “If abortion isn’t safe, you aren’t either.”
- May 30 – The Respect Life Office in Hollywood, Florida is vandalized with the messages “Jane’s Revenge,” “If abortions aren’t safe then niether [sic] are you,” and anarchist symbols.”
- May 30 – The Dove Medical Pregnancy Center in Eugene, Oregon is vandalized with the messages “From Jane,” “Not a clinic,” “Abortion is healthcare,” and communist and anarchist symbols
- June 2 – Agape Pregnancy Center in Des Moines, Iowa has its windows smashed and is vandalized with the messages “God loves abortions” and “fake clinic.”
- June 3 – The Capitol Hill Pregnancy Center in Washington, D.C. is vandalized with eggs, red paint, and a message stating “Jane’s Revenge”
- June 7 – Mountain Area Pregnancy Services in Asheville, North Carolina has its windows smashed and is vandalized with the messages “No forced birth” and “If abortions aren’t safe, neither are you!”
- June 7 – CompassCare pregnancy center in Buffalo, New York is firebombed and vandalized with the message “Jane was here.”
- June 8 – Options360 pregnancy center in Vancouver, Washington is vandalized with red paint and the message “Jane’s Revenge.”
- June 11 – The Gresham Pregnancy Resource Center in Gresham, Oregon is firebombed.



**From:** "Suero, Maya A. (ODAG)" <(b)(6)>  
**To:** "Brinkley, Winnie (ODAG)" <(b)(6)>, "Simms, Donna Y. (ODAG)" <(b)(6)>  
**Cc:** "Gamble, Nathaniel (ODAG)" <(b)(6)>

**Subject:** FW: OLA Incoming Correspondence 9/23/22

**Date:** Mon, 26 Sep 2022 13:08:07 -0000

**Importance:** Normal

**Attachments:** 2022-09-21\_CEG\_RHJ\_to\_DOJ\_FBI\_(Danchenko).pdf; 2022-09-23-IN-OLA-Lee,\_Cruz-Dobbs\_FACE\_Act.pdf

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**From:** Evers, Austin (ODAG) <(b)(6)>  
**Sent:** Saturday, September 24, 2022 2:08 PM  
**To:** Suero, Maya A. (ODAG) <(b)(6)>  
**Cc:** Thomas, Tina M. (ODAG) <(b)(6)>; Chandler, Adam (ODAG) <(b)(6)>; Bruck, Andrew (ODAG) <(b)(6)>; Miller, Marshall (ODAG) <(b)(6)>; Benedict, Margot (ODAG) <(b)(6)>; Bruck, Andrew (ODAG) <(b)(6)>; Maltby, Jeremy (ODAG) <(b)(6)>; Newman, David A. (ODAG) <(b)(6)>  
**Subject:** FW: OLA Incoming Correspondence 9/23/22

Please provide these two letters to the DAG for her awareness.

1. **Letter from Senators Grassley and Johnson to AG Garland and Director Wray** – Requesting that the Department and FBI provide all records relating to government payments made to Igor Danchenko, the counterintelligence investigation into him, and his hiring.
2. **Letter from Senators Lee and Cruz to AG Garland** – Expressing concern about alleged threats, vandalism, and attacks directed toward pro-life organizations and religious houses of worship since the *Dobbs* decision and requesting information related to the Department's enforcement of the Freedom of Access to Clinic Entrances (FACE) Act of 1994 with regard to pregnancy centers and houses of worship.

# United States Senate

WASHINGTON, DC 20510

September 23, 2022

The Honorable Merrick Garland  
Attorney General  
United States Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Dear Attorney General Garland,

We write to share our concerns regarding news reports that offices of pro-life organizations and religious houses of worship have been threatened, vandalized, and attacked since the Supreme Court overturned *Roe v. Wade* in the *Dobbs v. Jackson Women's Health* decision.<sup>1</sup> In New York and Oregon, pregnancy centers have been bombed. In Wisconsin, another was set on fire.<sup>2</sup> *Jane's Revenge*, a pro-abortion domestic terrorist organization, has taken credit for some of these attacks and even publicly issued a statement announcing that it's "open season" on pro-life pregnancy centers.<sup>3,4</sup> With some states considering further restrictions on abortion and others overcoming legal hurdles to their restrictions, we are concerned these attacks will continue and may even intensify in the coming months.<sup>5</sup>

As you know, the Freedom of Access to Clinic Entrances Act of 1994 (FACE) is enforced by the DOJ's Civil Rights Division. FACE prohibits any use or threat of force and physical obstruction that intentionally injures, intimidates, or interferes with any person seeking: (1) to obtain or provide reproductive health services, or (2) to exercise the First Amendment right of religious freedom at a place of religious worship.<sup>6</sup>

We are grateful the Biden administration has publicly condemned the threat made by *Jane's Revenge*.<sup>7</sup> However, we want to ensure that the Department of Justice is using the FACE Act's broad and effective provisions to protect pregnancy centers and places of worship. This concern stems from previous correspondence in which former Attorney General Loretta Lynch indicated

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<sup>1</sup> Catholic Vote. [Summer of Rage: Tracking Attacks on Pregnancy Centers & Pro-Life Groups](#). (Accessed June 16, 2022).

<sup>2</sup> Ibid

<sup>3</sup> Maryland Coordination and Analysis Center, State of Maryland. [Group Jane's Revenge Takes Credit for WI Arson at Anti-Abortion Office](#). (May 11, 2022).

<sup>4</sup> Caroline Downey. ['Open Season': Pro-Abortion Terrorist Group Vows to Ramp Up Violence against Pro-Life Pregnancy Centers](#). (June 15, 2022).

<sup>5</sup> Danica Jefferies, JoElla Carman, Nigel Chiwaya, NBC News. [Abortion law tracker: See where the procedure is currently legal, banned or restricted in the U.S.](#) (June 30, 2022).

<sup>6</sup> 18 U.S.C. § 248

<sup>7</sup> Mary Margaret Olohan. [White House Condemns Radical Missive Promising More Pro-Abortion Violence Against Pro-Life Organizations](#). (June 25, 2022).



the DOJ had selectively employed FACE Act to protect abortion providers while ignoring cases related to religious liberty.<sup>8</sup>

To assess whether or not such selective enforcement is still the case, we ask that you please respond to the following requests, with the applicable time period for each being May 1, 2022, to present:

FACE Act enforcement with regard to pregnancy centers:

- Identify by date, location, and name of organization, every discussion, conference, or meeting (whether by e-mail, text message, phone, video, or in person) between the DOJ and any pro-abortion, “reproductive choice,” or “pro-choice” advocacy group or similar organization, concerning FACE enforcement with regard to pregnancy centers.
- Identify by date, location, and name of organization, every discussion, conference, or meeting (whether by e-mail, text message, phone, video, or in person) between the DOJ and any abortion clinic or facility, abortion provider, parent organization or affiliate, concerning FACE enforcement with regard to pregnancy centers.
- Identify the number of matters the DOJ has investigated, looked into, or reviewed concerning potential FACE enforcement with regard to pregnancy centers.
- Identify the number of complaints the DOJ has filed in court concerning FACE enforcement with regard to access to pregnancy centers. Please provide copies of these complaints.
- Identify the number of settlement agreements the DOJ has reached concerning FACE enforcement with regard to access to pregnancy centers. Please provide copies of these settlement agreements.
- Explain in detail what efforts the Civil Rights Division has undertaken to enforce FACE specifically with regard to access to pregnancy centers.

FACE Act enforcement with regard to houses of worship:

- Identify by date, location, and name of organization, every discussion, conference, or meeting (whether by e-mail, text message, phone, video, or in person) between the DOJ and any advocacy group or similar organization, concerning FACE enforcement with regard to houses of worship.
- Identify by date, location, and name of organization, every discussion, conference, or meeting (whether by e-mail, text message, phone, video, or in person) between the DOJ

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<sup>8</sup> Sens. Ted Cruz and Mike Lee, [Letter to Attorney General Lynch](#). (September 27, 2016.)

and any advocacy group or similar organization, concerning FACE enforcement with regard to houses of worship.

- Identify the number of matters the DOJ has investigated, looked into, or reviewed concerning potential FACE enforcement with regard to houses of worship.
- Identify the number of complaints the DOJ has filed in court concerning FACE enforcement with regard to access to houses of worship. Please provide copies of these complaints.
- Identify the number of settlement agreements the DOJ has reached concerning FACE enforcement with regard to access to houses of worship. Please provide copies of these settlement agreements.
- Explain in detail what efforts the Civil Rights Division has undertaken to enforce FACE specifically with regard to access to houses of worship.

Sincerely,



Michael S. Lee  
United States Senator



Ted Cruz  
United States Senator

**From:** "Gupta, Vanita (OASG)" <(b) (6)>

**To:** "Iverson, Dena (PAO)" <(b) (6)>

**Subject:** FW: [EXTERNAL] Press inquiry on investigation of crisis pregnancy centers

**Date:** Tue, 26 Jul 2022 20:13:26 -0000

**Importance:** Normal

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**From:** Coley, Anthony D. (PAO) <(b) (6)>

**Sent:** Wednesday, June 15, 2022 3:29 PM

**To:** Klapper, Matthew B. (OAG) <(b) (6)>; Gupta, Vanita (OASG) <(b) (6)>

**Subject:** Fwd: [EXTERNAL] Press inquiry on investigation of crisis pregnancy centers

Begin forwarded message:

**From:** Chuck Ross (b) (6)

**Date:** June 15, 2022 at 2:55:56 PM EDT

**To:** "Coley, Anthony D. (PAO)" <(b) (6)>

**Subject:** [EXTERNAL] Press inquiry on investigation of crisis pregnancy centers

Mr. Coley,

I'm reaching out from the Washington Free Beacon for a story we're writing about a series of attacks on crisis pregnancy centers. Sen. Marco Rubio last week called on the Attorney General to investigate these attacks as acts of domestic terrorism.

Our story focuses on some commentary from Kristen Clarke several years ago. She [criticized](#) these pro-life centers as "predatory" and called them "fake clinics."

We make the point in the story that Ms. Clarke and the civil rights division would be involved in or even oversee investigations of attacks on reproductive health facilities. She has prosecuted cases under the FACE Act of a group of people that blocked access to an abortion clinic. The AG said last year he would use the FACE Act to investigate acts of vandalism or threats on reproductive health facilities.

So my question is two-part: Has DOJ opened an investigation into this pattern of attacks, or have any plans to do so? And would Ms. Clarke's comments on the centers that have been attacked be of concern for the Justice Department?

Senator Rubio told us that Ms. Clarke should not be involved given her comments.

I appreciate any help,

Chuck Ross

Senior Investigative Reporter

The Washington Free Beacon

(b) (6)



**From:** "Gupta, Vanita (OASG)" <(b) (6)>

**To:** "Colangelo, Matthew (OASG)" <(b) (6)>, "Sooknanan, Sparkle (OASG)" <(b) (6)>

**Subject:** FW: [EXTERNAL] Press inquiry on investigation of crisis pregnancy centers

**Date:** Thu, 16 Jun 2022 10:39:46 -0000

**Importance:** Normal

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**From:** Coley, Anthony D. (PAO) <(b) (6)>

**Sent:** Wednesday, June 15, 2022 3:29 PM

**To:** Klapper, Matthew B. (OAG) <(b) (6)>; Gupta, Vanita (OASG) <(b) (6)>

**Subject:** Fwd: [EXTERNAL] Press inquiry on investigation of crisis pregnancy centers

# Duplicative Material



**Congress of the United States**  
**Washington, DC 20515**

May 10, 2022

The Honorable Merrick B. Garland  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, N.W.  
Washington, DC 20530

Attorney General Garland,

We write regarding the arson of the Wisconsin Family Action office in Madison, Wisconsin this past weekend. Reports indicate a Molotov cocktail was thrown into the office and a message was spray-painted on the exterior of the building, stating: “if abortions aren’t safe then you aren’t either.” We have also heard from pro-life clinics in Wisconsin that have concerns about the security of their facilities and staff. Fortunately, some local police departments have pro-actively reached out to these clinics to ensure they have the tools and knowledge available to respond and protect themselves from acts of violence and intimidation. We condemn acts of violence and intimidation by pro-abortion extremists and demand the Department continue to support state and local law enforcement to prevent similar acts in our country.

In response to the unprecedented and clearly politically motivated leak of the majority opinion in *Dobbs v Jackson*, abortion supporters across the country have engaged in animated and even violent activity. We have seen mobs outside of the homes of Supreme Court Justices attempting to harass, intimidate, and influence the legal proceedings of the Justices. We are particularly concerned that rhetoric from some has escalated this animus further. For example, prior to a hearing for another abortion-related case<sup>1</sup>, Senate Majority Leader Chuck Schumer told a crowd of abortion rights advocates in March 2020 “I want to tell you Gorsuch. I want to tell you Kavanaugh. You have released the whirlwind and you will pay the price. You won’t know what hit you if you go forward with these awful decisions.”<sup>2</sup> Senator Elizabeth Warren labeled U.S. Supreme Court Justices as “extremists”<sup>3</sup> and Senator Patty Murray remarked that the Court “is preparing to rip away your rights at this very moment” and that “we need to fight with everything we’ve got right now.”<sup>4</sup> Even more aggressively, Chicago Mayor Lori Lightfoot

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<sup>1</sup> *June Medical Services L.L.C. et. al. v. Russo*, No. 18-1323 (June 29, 2020).

<sup>2</sup> Moreno, J. Edward, Schumer Warns Kavanaugh and Gorsuch They Will ‘Pay the Price,’ *The Hill*, March 4, 2020, <https://thehill.com/homenews/senate/486007-schumer-warns-kavanaugh-and-gorsuch-they-will-pay-the-price/>.

<sup>3</sup> Warren, Elizabeth (@SenWarren), Twitter, May 2, 2022, 9:33 p.m., <https://twitter.com/SenWarren/status/1521301933897756677>

<sup>4</sup> Office of Senator Patty Murray, (May 2, 2022), *Senator Murray Statement on Reporting on SCOTUS Draft Decision Overturning Roe* [Press Release], <https://www.murray.senate.gov/senator-murray-statement-on-reporting-on-scotus-draft-decision-overturning-roe/>.



tweeted "...This moment has to be a call to arms.... We will not surrender our rights without a fight."<sup>5</sup>

Rather than focusing on defusing threats against Americans for their political beliefs, the Department has, in the last 17 months, been silent on or encouraged further partisan targeting. This is demonstrated through the Department's efforts to target concerned parents at school board meetings.<sup>6</sup> In the memo you issued on authorizing these school board investigations, you sought to address an alleged "disturbing spike in harassment, intimidation, and threats of violence" at school board meetings.<sup>7</sup> At the same time, the Department has taken a hands-off approach to left-wing violence such as BLM rioters and crimes by illegal immigrants. We hope that you put partisanship aside in investigating harassment, intimidation, threats, and clear violence against pro-life groups and the Supreme Court.

As Wisconsin's federal representatives we demand answers to the following inquiries:

1. What steps has the Department of Justice taken to assist the Madison Police Department in its investigation of the burning of the Wisconsin Family Action office in Madison?
2. Is the Department aware of other threats against pro-life organizations?
3. What resources is the Department of Justice allocating or planning to allocate to work with state and local law enforcement regarding incidents of harassment, intimidation, threats, and violence against pro-life groups?
4. What measures is the Department of Justice taking or planning to take to ensure there is no further violence against pro-life groups?
5. Please disclose any communications the Department has had with the White House regarding abortionist demonstrations.

Sincerely,



Scott Fitzgerald (WI-05)  
Member of Congress



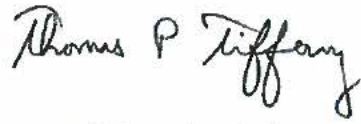
Glenn Grothman (WI-06)  
Member of Congress

<sup>5</sup> Lightfoot, Lori (@LoriLightfoot), Twitter, May 9, 2022, 9:56 p.m., <https://twitter.com/LoriLightfoot/status/1523844510735908864?ctx=HHwWgIC-teig5KUqAAAA>; <https://twitter.com/LoriLightfoot/status/1523844511658647553?s=20&t=DgDd-aZzFOZaUvJruMXdlg>.

<sup>6</sup> House Judiciary Committee, (February 10, 2022), GOP: FBI 'refusing to accept accountability' for enforcing DOJ school boards memo [Press Release], <https://republicans-judiciary.house.gov/press-release/gop-fbi-refusing-to-accept-accountability-for-enforcing-doj-school-boards-memo/>

<sup>7</sup> Attorney General Merrick Garland, Department of Justice, Partnership Among Federal, State, Local, Tribal, and Territorial Law Enforcement to Address Threats Against School Administrators, Board Members, Teachers, and Staff, MEMORANDUM, October 4, 2021, <https://www.justice.gov/ag/page/file/1438986/download>.



Handwritten signature of Thomas P. Tiffany in blue ink.

Tom Tiffany (WI-07)  
Member of Congress

Handwritten signature of Bryan Steil in blue ink.

Bryan Steil (WI-01)  
Member of Congress

Handwritten signature of Mike Gallagher in blue ink, featuring a long horizontal line extending to the right.

Mike Gallagher (WI-08)  
Member of Congress

**From:** "Lai, Albert K. (OLA)" <(b) (6)>  
**To:** "Klapper, Matthew B. (OAG)" <(b) (6)>, "Goodlander, Margaret V. (OAG)" <(b) (6)>, "Davies, Susan M. (OLP)" <(b) (6)>, "Henthorne, Betsy (OASG)" <(b) (6)>, "Colangelo, Matthew (OASG)" <(b) (6)>, "Loeb, Emily M. (ODAG)" <(b) (6)>  
**Cc:** "Hyun, Peter (OLA)" <(b) (6)>, "Antell, Kira M. (OLA)" <(b) (6)>, "Calce, Christina M. (OLA)" <(b) (6)>, "Gaeta, Joseph (OLA)" <(b) (6)>, "Uriarte, Carlos F. (OLA)" <(b) (6)>

**Subject:** OLA Incoming Correspondence 6/28/2022

**Date:** Wed, 29 Jun 2022 14:12:17 -0000

**Importance:** Normal

**Attachments:** Scoped Out Per Agreement 2022-06-28-  
IN-FBI- Budd et al - pro-life org saftey.pdf; Scoped Out Per Agreement

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Morning,

Please find attached and summaries below of incoming correspondence:

# Scoped Out Per Agreement

2. Rep. Budd and 19 other MoCs to AG – Requesting information about steps that the Department has taken to investigate individuals threatening pro-life pregnancy centers.

# Scoped Out Per Agreement

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Albert K. Lai  
Deputy Chief of Staff  
Office of Legislative Affairs  
U.S. Department of Justice  
Office: (b) (6)  
Cell: (b) (6)



Congress of the United States  
House of Representatives  
Washington, DC 20515-3605

June 28, 2022

The Honorable Merrick Garland  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Attorney General Garland,

It has come to our attention that the Mountain Area Pregnancy Services in Asheville, North Carolina was defaced and threatened for being a vital resource to pregnant women in need.<sup>1</sup> The attackers scrawled in red graffiti across the clinic “if abortions aren’t safe neither are you!” Unfortunately, Mountain Area Pregnancy Services is not the only pregnancy resource center to be targeted. CompassCare Community in Buffalo, New York was firebombed by an anti-life group known as “Jane’s Revenge.”<sup>2</sup> The perpetrators were so brazen as to take credit for the act by spray painting on the facility, “Jane Was Here.” “Jane’s Revenge” has claimed responsibility for numerous attacks against Pro-Life pregnancy centers and organizations.<sup>3</sup>

Destruction of property, violence, and threats of violence have no place in a healthy and flourishing society. These attacks represent yet another development in a disturbing pattern of intimidation against crisis pregnancy centers and Pro-Life organizations.<sup>4</sup> Attacks like those perpetrated against Mountain Area Pregnancy Services and others require swift justice. While these actions undoubtedly violated state law, the federal Department of Justice (DOJ) also has the power to prosecute these crimes under the Freedom of Access to Clinic Entrances Act of 1994.<sup>5</sup> Congress enacted this legislation not just for abortion clinics but also to protect clinics

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<sup>1</sup> Bethany Fowler, *Pregnancy Center Vandalized in Asheville*, QUEEN CITY NEWS (June 4, 2022), <https://www.fox46.com/news/u-s/north-carolina/pregnancy-center-vandalized-in-asheville/>.

<sup>2</sup> Luke Funk, *New York anti-abortion center firebombed*, FOX 5 NEW YORK (June 8, 2022), <https://www.fox5ny.com/news/new-york-anti-abortion-center-firebombed>.

<sup>3</sup> Caroline Downey, *Pro-Abortion Terrorists Firebomb Buffalo Pro-Life Pregnancy Center*, NATIONAL REVIEW (June 7, 2022), <https://www.nationalreview.com/news/pro-abortion-terrorists-firebomb-buffalo-pro-life-pregnancy-center/>.

<sup>4</sup> Jordan Boyd, *Will The FBI Do Anything About The Alarming Number Of Attacks On Pro-Life Centers Following SCOTUS Leak?*, THE FEDERALIST (June 8, 2022), <https://thefederalist.com/2022/06/08/what-will-the-fbi-do-about-the-alarming-number-of-attacks-on-pro-life-centers-following-scotus-leak/>.

<sup>5</sup> 18 U.S.C. § 248.



that offer a range of Pro-Life services to women, including counseling services and adoption consultations.<sup>6</sup>

To that end, we request you to respond to the following questions no later than June 30, 2022:

1. What steps has DOJ taken to investigate and prosecute individuals threatening and defacing Pro-Life pregnancy centers?
2. Since May 2022, how many prosecutions has DOJ initiated that include charges under 18 U.S.C. § 248? If none, please explain your failure to act thus far.
3. What resources are you providing to facilities that provide reproductive health services to deter attacks perpetrated by anti-life organizations?
4. Since 1994, how many cases has the DOJ prosecuted under 18 U.S.C. § 248 involving facilities that provide resources and counseling on alternatives to abortion?
5. For each case described in question 4, provide the name of each defendant, the outcome of the case, and any of the defendant's prior or subsequent criminal records in the DOJ's possession.

Failing to provide justice for victims of these attacks will only further embolden violent criminals. I fear abdicating your duty to prosecute crimes against Pro-Life pregnancy resource centers will put additional innocent lives at risk. More must be done to protect women and their right to access information on abortion alternatives.

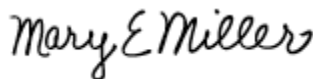
Sincerely,



Ted Budd  
Member of Congress



Bob Good  
Member of Congress



Mary Miller  
Member of Congress



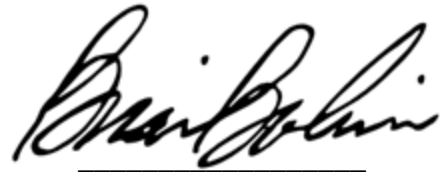
Ralph Norman  
Member of Congress

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<sup>6</sup> See, e.g., *Terry v. Reno*, 101 F.3d 1412, 1419 (D.C. Cir. 1996) (“The Access Act thus does not play favorites: it protects from violent or obstructive activity not only abortion clinics, but facilities providing pre-pregnancy and pregnancy counseling services, as well as facilities counseling alternatives to abortion.”); S. Rept. No. 103-117, at 40 (1993) (Senate Judiciary Committee report); H. Rept. No. 103-488, at 13 (1994) (Conference Committee report).



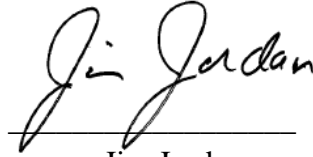
Jim Banks  
Member of Congress



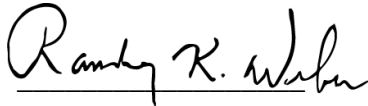
Brian Babin, D.D.S.  
Member of Congress



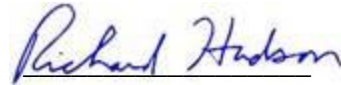
Christopher H. Smith  
Member of Congress



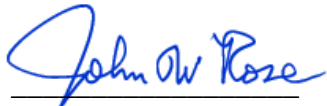
Jim Jordan  
Member of Congress



Randy K. Weber  
Member of Congress



Richard Hudson  
Member of Congress



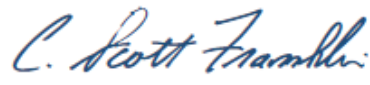
John Rose  
Member of Congress



Ben Cline  
Member of Congress



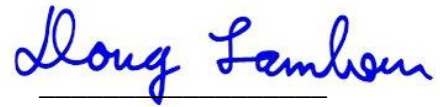
Andy Biggs  
Member of Congress



C. Scott Franklin  
Member of Congress



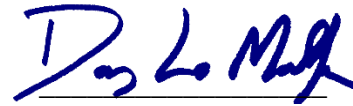
Glenn Grothman  
Member of Congress



Doug Lamborn  
Member of Congress



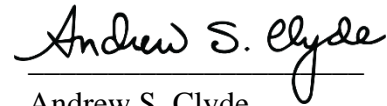
Jodey Arrington  
Member of Congress



Doug LaMalfa  
Member of Congress



Jody Hice  
Member of Congress



Andrew S. Clyde  
Member of Congress



**From:** "Lai, Albert K. (OLA)" <(b) (6)>  
**To:** "Klapper, Matthew B. (OAG)" <(b) (6)>, "Goodlander, Margaret V. (OAG)" <(b) (6)>, "Davies, Susan M. (OLP)" <(b) (6)>, "Henthorne, Betsy (OASG)" <(b) (6)>, "Colangelo, Matthew (OASG)" <(b) (6)>, "Loeb, Emily M. (ODAG)" <(b) (6)>  
**Cc:** "Hyun, Peter (OLA)" <(b) (6)>, "Antell, Kira M. (OLA)" <(b) (6)>, "Calce, Christina M. (OLA)" <(b) (6)>, "Gaeta, Joseph (OLA)" <(b) (6)>, "Uriarte, Carlos F. (OLA)" <(b) (6)>

**Subject:** OLA Incoming Correspondence 6/27/2022

**Date:** Tue, 28 Jun 2022 12:47:49 -0000

**Importance:** Normal

**Attachments:** Scoped Out Per Agreement

2022-06-27-IN-FBI-Tillis et al - Pro Abortion Political Violence.pdf; Scoped Out Per Agreement

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Morning,

Please find attached and summaries below of incoming correspondence:

# Scoped Out Per Agreement

3. Sen. Tillis and 8 other MoCs to AG – Requesting information about the Department’s efforts to respond to violence against religious centers, pro-life pregnancy centers, and pro-life individuals.

# Scoped Out Per Agreement

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Albert K. Lai  
Deputy Chief of Staff  
Office of Legislative Affairs  
U.S. Department of Justice  
Office: (b) (6)  
Cell: (b) (6)



# Congress of the United States

## House of Representatives

June 24, 2022

The Honorable Merrick Garland  
United States Attorney General  
United States Department of Justice  
950 Pennsylvania Avenue Northwest  
Washington, D.C. 20530

Dear Attorney General Garland,

We write to bring attention to the recent request from Ohio Attorney General Yost and other state attorneys general that you investigate incidents of violence, vandalism, and ongoing threats against pro-life organizations and prosecute the groups committing these crimes.

Since the unprecedented leak of the draft Supreme Court opinion in *Dobbs v. Jackson Women's Health Organization*, pregnancy centers and churches across the country have been under attack. Pro-choice advocates have vandalized property with threats such as "If abortion isn't safe, you aren't either,"<sup>1</sup> and "Abort the church."<sup>2</sup> Even more alarming, some offenders have also become violent, shattering windows and fire-bombing offices.<sup>3</sup>

With an imminent final opinion for the *Dobbs* case expected to be released soon, it is imperative you take immediate action to protect pro-life organizations and individuals against harassment, intimidation, and violence. "Jane's Revenge," a group that has taken credit for attacks in Colorado, Massachusetts, Oregon, Texas, Washington, and Wisconsin,<sup>4</sup> has made clear attacks will continue and possibly intensify. They are calling for a "Night of Rage" the night the Supreme Court decision is released,<sup>5</sup> claiming they "cannot sit idly by anymore" and that peaceful protests and campaigns are no longer enough.<sup>6</sup>

Organizations and individuals on all sides of this issue have and will continue to exercise their First Amendment right to free speech. However, this violent behavior is unacceptable. Our nation was built on the foundation of law and order: peaceful protest is protected by the Constitution, violence and endangering the lives and property of others is not. You have a duty to

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<sup>1</sup> <https://www.catholicnewsagency.com/news/251518/what-is-janes-revenge-pro-abortion-vandalism>

<sup>2</sup> <https://www.catholicnewsagency.com/news/251421/analysis-catholic-church-attacks-multiply-following-supreme-court-leak>

<sup>3</sup> <https://www.nationalreview.com/news/pro-abortion-terrorists-firebomb-buffalo-pro-life-pregnancy-center/>

<sup>4</sup> Jane's Revenge: Another Communiqué (June 15, 2022). <https://perma.cc/P6M4-TJPC>.

<sup>5</sup> <https://www.catholicnewsagency.com/news/251518/what-is-janes-revenge-pro-abortion-vandalism>

<sup>6</sup> <https://www.catholicnewsagency.com/news/251518/what-is-janes-revenge-pro-abortion-vandalism>

protect all Americans who are targeted by violent actors because of their beliefs, not just when it aligns with the Administration's political goals.

State attorneys general from 19 states, led by Ohio AG Yost, have offered their assistance, stating they "stand ready to aid in these investigations and prosecutions." We echo their views that "The Department of Justice must investigate and prosecute these terroristic threats and acts."

We urge you to answer this offer of assistance, take immediate action to investigate these crimes, and share with us what actions the Department of Justice is taking to deter the active threats of future violence against pro-life Americans and organizations based on political and religious beliefs.

We look forward to your response.

Sincerely,



Brad R. Wenstrup, D.P.M.



Troy Balderson



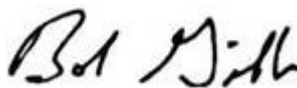
Mike Carey



Steve Chabot



Warren Davidson



Bob Gibbs



Anthony Gonzalez



Bill Johnson



Jim Jordan



Dave Joyce





Robert E. Latta



Michael R. Turner

Cc: The Honorable Christopher Wray, Director, Federal Bureau of Investigation

The Honorable Avril Haines, Director, Office of the Director of National Intelligence

The Honorable Alejandro Mayorkas, Secretary, U.S. Department of Homeland Security

**From:** [DOJ Correspondence \(SMO\)](#)  
**To:** [DOJExecSec \(JMD\)](#)  
**Cc:** [EXECSEC Quality Control](#); [Hyun, Peter \(OLA\)](#); [Calce, Christina M. \(OLA\)](#); [O'Connell, Justin D. \(OLA\)](#)  
**Subject:** FW: AG Letter to Garland.PDF  
**Date:** Tuesday, June 21, 2022 3:22:24 PM  
**Attachments:** [image001.png](#)  
[AG Letter to Garland.PDF](#)

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Please assign to OLA (O'Connell), thank you.

Best,

-

Soraya Haddad  
Office of Legislative Affairs  
U.S. Department of Justice

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**From:** Jacqueline King <(b) (6)>  
**Sent:** Tuesday, June 21, 2022 12:12 PM  
**To:** DOJ Correspondence (SMO) <Ex\_DOJCorrespondence@jmd.usdoj.gov>  
**Subject:** [EXTERNAL] FW: AG Letter to Garland.PDF

On behalf of the Ohio Attorney General, please find attached a letter to Attorney General Merrick Garland. If you should have any questions, please feel to contact our office at (b) (6)



Jacque King  
Executive Assistant  
Office of Ohio Attorney General Dave Yost  
30 E. Broad Street, 17<sup>th</sup> Floor  
Columbus, OH 43215  
Office number: (b) (6)  
(b) (6)

---

**From:** Jacqueline King <> **On Behalf Of** Dave Yost  
**Sent:** Tuesday, June 21, 2022 12:08 PM  
**To:** 'doj.correspondence@usdoj.gov' <[doj.correspondence@usdoj.gov](mailto:doj.correspondence@usdoj.gov)>  
**Subject:** FW: AG Letter to Garland.PDF

Attached please find a letter to Attorney General Merrick Garland. If you should have any questions, please feel to contact my office at (b) (6)

Dave Yost  
Ohio Attorney General



# DAVE YOST

OHIO ATTORNEY GENERAL

Administration  
Office 614-466-4320  
Fax 614-466-5087

June 21, 2022

The Honorable Merrick Garland  
U.S. Department of Justice  
950 Pennsylvania Ave., N.W.  
Washington, D.C. 20530-0001

Dear Attorney General Garland:

I am writing about the recent spate of terroristic threats and acts directed at pro-life organizations around the country.

Many millions of Americans oppose abortion. Some join organizations that advocate for legal change aimed at ending abortion. Others form crisis-pregnancy centers—pro-life groups that provide resources and community to women who become unexpectedly pregnant. Either way, these Americans hope to persuade their fellow citizens to oppose a practice that terminates a life, and to support women and expectant mothers. That is their First Amendment right.

“Since the leak of the draft opinion” overruling *Roe v. Wade*, “charities that support pregnant mothers in need have been firebombed, and pro-life organizations have been attacked almost daily and terrorized.”<sup>1</sup> One report, from June 13, documented attacks involving arson, vandalism, or both against at least 13 pro-life centers across the country.<sup>2</sup> Another report documents more than 20 attacks on “pregnancy resource centers and offices of pro-life groups.”<sup>3</sup> And violent organizations are now *publicly inciting* terroristic acts. One such group—Jane’s Revenge—has claimed credit for attacks in Colorado, Massachusetts, Oregon, Texas, Washington, and Wisconsin.<sup>4</sup> The same group has declared “open season” on “any anti-choice group” that continues to operate.<sup>5</sup> And it has called on its members “to paint, to burn, to cut,

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<sup>1</sup> Statement of Cardinal Timothy M. Dolan and Archbishop William E. Lori, United States Conference of Catholic Bishops (June 13, 2022), <https://perma.cc/T7YW-G4P7>.

<sup>2</sup> Sarah Westwood, *Violence against anti-abortion movement increases ahead of Dobbs decision*, Washington Examiner (June 13, 2022), <https://perma.cc/DJ8A-NFH2>.

<sup>3</sup> *Summer of Rage: Tracking Attacks on Pregnancy Centers & Pro-Life Groups*, Catholic Vote (June 14, 2022), <https://perma.cc/J28C-FUA8>.

<sup>4</sup> *Jane’s Revenge: Another Communiqué* (June 15, 2022), <https://perma.cc/P6M4-TJPC>.

<sup>5</sup> *Id.*

[and] to jam” pro-life centers and advocates.<sup>6</sup> “Through attacking,” it says, its members “find joy, courage, and strip the veneer of impenetrability held by these violent institutions.”<sup>7</sup>

The Department of Justice must investigate and prosecute these terroristic threats and acts. It should start with Jane’s Revenge—the FBI has more than enough resources to determine the organization’s members and to track down those carrying out these acts of violence, which qualify as terrorism under federal law.<sup>8</sup> And while Jane’s Revenge offers an obvious starting point, the supply of entities deserving to be investigated hardly stops there.

Inaction is intolerable in our nation of laws, and it violates your oath of office. Yet, in recent weeks, you have continued to allow illegal actions seemingly because they advance (in the minds of some) the pro-abortion cause. In particular, you have done nothing to break up picketing outside the homes of Supreme Court justices rumored to have voted to overrule *Roe v. Wade*—this despite the fact that a federal law plainly prohibits such conduct.<sup>9</sup> And over the past year, the federal government has repeatedly sought leniency for violent criminals motivated by what this Administration perceives as progress.<sup>10</sup> All the while, it has taken bizarrely aggressive positions toward its ideological opponents—for example, parents who speak out at school-board meetings.<sup>11</sup> Intentional or not, budding domestic terrorists have apparently received the message: the Department of Justice is going easy on those who use violence in furtherance of favored viewpoints.

This Administration well knows the potential for a “significant increase in violent threats” in the wake of a decision overruling *Roe*.<sup>12</sup> The American people are trusting you to keep them safe. In this country, the federal government’s duty to protect against violence does not turn on the victim’s identity; access to justice cannot turn on partisan affiliation. In America, we solve our differences with debates and ballots, not with bricks and Molotov cocktails. I urge you to thoroughly investigate these acts

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<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

<sup>8</sup> See 18 U.S.C. §2331.

<sup>9</sup> 18 U.S.C. §1507.

<sup>10</sup> See, e.g., Danielle Wallace, *Feds seek dramatically reduced sentence for NYC ‘Molotov cocktail lawyers’ in 2020 attack on NYPD vehicle*, Fox News (May 12, 2022), <https://perma.cc/2429-PUNR>; Letter from Senator Tom Cotton to AG Merrick Garland (Feb. 7, 2022), <https://perma.cc/JB9C-6QFN>.

<sup>11</sup> Letter from Indiana Attorney General Todd Rokita, et al., to Merrick Garland (Oct. 26, 2021), <https://perma.cc/FH67-SHJW>.

<sup>12</sup> Nicole Sganga, “Significant” uptick in abortion-related violent threats after Supreme Court draft opinion leak, DHS warns, CBS News (May 18, 2022), <https://perma.cc/5N9H-XENM> (quotation omitted).



and to ensure that all those who threatened or carried out violence are brought to justice.

I conclude by offering assistance. My office, and the offices of my peer state attorneys general, stand ready to aid in these investigations and prosecutions. Political violence—no matter the cause, and no matter the perpetrator—must be punished, and harshly.

Yours,



Dave Yost  
Ohio Attorney General



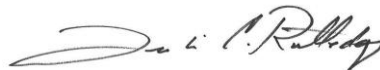
Steve Marshall  
Alabama Attorney General



Treg R. Taylor  
Alaska Attorney General



Mark Brnovich  
Arizona Attorney General



Leslie Rutledge  
Arkansas Attorney General



Ashley Moody  
Florida Attorney General




Christopher M. Carr  
Georgia Attorney General



Theodore E. Rokita  
Indiana Attorney General



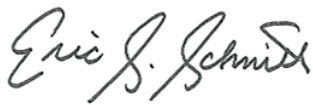
Derek Schmidt  
Kansas Attorney General



Daniel Cameron  
Kentucky Attorney General



Lynn Fitch  
Mississippi Attorney General



Eric S. Schmitt  
Missouri Attorney General



Douglas J. Peterson  
Nebraska Attorney General



John M. O'Connor  
Oklahoma Attorney General



Alan Wilson  
South Carolina Attorney General



Ken Paxton  
Texas Attorney General



Sean D. Reyes  
Utah Attorney General



Jason S. Miyares  
Virginia Attorney General



Patrick Morrissey  
West Virginia Attorney General

June 14, 2022

The Honorable Merrick Garland  
Attorney General  
United States Department of Justice  
950 Pennsylvania Avenue, N.W.  
Washington, D.C. 20530

Dear Attorney General Garland:

Just hours after a man tried to assassinate Justice Kavanaugh, far-left agitators flocked outside his house in brazen violation of federal law. Meanwhile, there is an epidemic of pro-abortion attacks on pregnancy resource centers across the country, and there have been few, if any, arrests. To tamp down on this wave of violence, you must immediately stand up and enforce the law, prosecute those who break it, and condemn the violent rhetoric coming from the left.

The assassination attempt on Justice Kavanaugh's life on June 8 by a man armed with a gun, a knife, and burglary tools did not happen in a vacuum. Activists and even elected officials have openly threatened the Justices. Two years ago, when the Supreme Court last was ruling on a case about abortion, Senator Chuck Schumer took to the steps of the Supreme Court and threatened Justice Kavanaugh by name. He said, "I want to tell you, Kavanaugh. You have released the whirlwind, and you will pay the price. You won't know what hit you if you go forward with these awful decisions." Other politicians have unfortunately followed this example. After the draft Supreme Court opinion was leaked last month, Chicago Mayor Lori Lightfoot said, "This moment has to be a call to arms."<sup>1</sup>

In addition to explicit threats by the left, Democratic officials have encouraged other illegal activity against Justices. As you know from my previous letter dated May 10, 2022, federal law makes it a crime to picket or parade in front of a Justice's home. 18 U.S.C. §1507. And the Supreme Court has already upheld statutes like this one. *Cox v. State of La.*, 379 U.S. 559 (1965). Yet on May 10, then-White House Press Secretary Jen Psaki noted the picketing occurring at Justice's homes and said, "We certainly continue to encourage that outside of judges' homes."<sup>2</sup> Senate Majority Leader Schumer similarly told reporters that demonstrations outside the homes of Supreme Court Justices are "OK with me"<sup>3</sup>—even though they are a federal crime.

All of this rhetoric emboldens not only the man who tried to take the life of Justice Kavanaugh, but also the radicals who have attacked pregnancy resource centers across the country. According to a recent report, "attacks against crisis pregnancy centers, some of

<sup>1</sup> <https://twitter.com/LoriLightfoot/status/1523844510735908864>

<sup>2</sup> <https://nypost.com/2022/05/10/psaki-defends-peaceful-abortion-rallies-at-justices-homes/>

<sup>3</sup> <https://news.bloomberglaw.com/us-law-week/garland-orders-supreme-court-security-amid-abortion-protests>



them faith-based, have risen steadily since the leak of a draft opinion” last month but that “police have made few arrests, if any.”<sup>4</sup> The report identifies at least 13 attacks in the last month, including arson and firebombing attacks. This is a disgrace.

When Democratic officials openly say that it is fine to flout the law and commit crimes, radicals take note. That is why it was so outrageous that, hours after the assassination attempt, your office did not immediately arrest illegal picketers who surrounded Justice Kavanaugh’s house in a renewed attempt to intimidate.<sup>5</sup> Dangerous persons see the failure to enforce the law, and they grow bold.

You wrote in a letter to me on June 8, 2022, that you are taking measures to increase judicial safety. But taking safety seriously requires that you immediately move to counter all illegal activity directed at Supreme Court Justices, as well as all other crimes committed by radical leftists. Please respond to this letter with a full account of why your office did not immediately arrest those who illegally flocked around Justice Kavanaugh’s home on June 8, in violation of §1507, hours after the assassination attempt and also why you are dragging your feet on arresting criminals for the firebombing of pregnancy resource centers across the country.

Sincerely,

A handwritten signature in black ink, appearing to read "Josh Hawley". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

Josh Hawley  
United States Senator

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<sup>4</sup> <https://www.washingtonexaminer.com/restoring-america/community-family/violence-against-anti-abortion-movement-increases-ahead-of-dobbs-decision>

<sup>5</sup> <https://twitter.com/disclosetv/status/1534681522665570309>

**From:** "Iverson, Dena (PAO)" <(b) (6)>  
**To:** "Hornbuckle, Wyn (PAO)" <(b) (6)>, "Coley, Anthony D. (PAO)" <(b) (6)>, "Klapper, Matthew B. (OAG)" <(b) (6)>, "Carlin, John P. (ODAG)" <(b) (6)>, "Gupta, Vanita (OASG)" <(b) (6)>, "Colangelo, Matthew (OASG)" <(b) (6)>, "Henthorne, Betsy (OASG)" <(b) (6)>, "Hyun, Peter (OLA)" <(b) (6)>, "Gaeta, Joseph (OLA)" <(b) (6)>, "Schedule, DAG (SMO)" <(b) (6)>, "Toomey, Kathleen (ODAG)" <(b) (6)>, "Goodlander, Margaret V. (OAG)" <(b) (6)>, "Matthews-Johnson, Tamarra D. (OAG)" <(b) (6)>, "Visser, Tim (OAG)" <(b) (6)>, "Reich, Mitchell (OAG)" <(b) (6)>, "Dickerson, Julie (OAG)" <(b) (6)>, "Miller, Marshall (ODAG)" <(b) (6)>

**Subject:** OPA Nightly Look Ahead June 15, 2022

**Date:** Thu, 16 Jun 2022 01:20:17 +0000

**Importance:** Normal

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DOCUMENT CONTAINS LAW ENFORCEMENT SENSITIVE AND/OR SEALED INFORMATION

DO NOT SHARE OUTSIDE OF ORIGINAL RECIPIENT LIST

**OPA Nightly Look Ahead  
June 15, 2022**

*Stories of Note:*

**Scoped Out Per Agreement - Also (b)(5)**

- **Wall Street Journal on Letter from House Republicans on Crisis Pregnancy Center Attacks**  
*The Wall Street Journal* is writing a story for tonight about a letter from 120 House Republicans urging the Justice Department to investigate attacks and vandalism of pro-life crisis pregnancy centers as domestic terrorism. OPA and FBI NPO are determining a response. (Iverson/Hornbuckle)

**Scoped Out Per Agreement - Also (b)(5)**

**From:** "Loeb, Emily M. (ODAG)" <(b) (6)>  
**To:** "Suero, Maya A. (ODAG)" <(b) (6)>, "Brockman, Audrey (ODAG)" <(b) (6)>  
**Cc:** "Stamper, Gwendolyn A. (ODAG)" <(b) (6)>, "Toomey, Kathleen (ODAG)" <(b) (6)>, "Chandler, Adam (ODAG)" <(b) (6)>, "Atkinson, Lawrence (ODAG)" <(b) (6)>, "Newman, David A. (ODAG)" <(b) (6)>, "Braden, Myesha (ODAG)" <(b) (6)>

**Subject:** FW: OLA incoming Congressional correspondence 6/14/22

**Date:** Wed, 15 Jun 2022 16:13:16 +0000

**Importance:** Normal

**Attachments:** Scoped Out Per Agreement 2022-06-14-IN-Lesko, Biggs et al - Dobbs leak. Pregnancy Center.pdf; Scoped Out Per Agreement

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Hi – please print these for the DAG and PADAG. All are attached except for #4.

---

**From:** Schwartz, Leah F. (OLA) <(b) (6)>  
**Sent:** Tuesday, June 14, 2022 8:57 PM  
**To:** Klapper, Matthew B. (OAG) <(b) (6)>; Goodlander, Margaret V. (OAG) <(b) (6)>; Davies, Susan M. (OLP) <(b) (6)>; Henthorne, Betsy (OASG) <(b) (6)>; Colangelo, Matthew (OASG) <(b) (6)>; Loeb, Emily M. (ODAG) <(b) (6)>  
**Cc:** Hyun, Peter (OLA) <(b) (6)>; Antell, Kira M. (OLA) <(b) (6)>; Calce, Christina M. (OLA) <(b) (6)>; Gaeta, Joseph (OLA) <(b) (6)>; Uriarte, Carlos F. (OLA) <(b) (6)>  
**Subject:** OLA incoming Congressional correspondence 6/14/22

Good evening,

Please see below and attached. Also, since today is my last day, I just wanted to send my thanks to everyone on this chain for the honor of working at the Department and for all your support and guidance during my time here. Take care!

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# Scoped Out Per Agreement

2. Letter from Rep. Lesko to AG – writing to express concern over the impending attacks against Choices Pregnancy Centers in Arizona and ask that the DOJ immediately make plans to investigate and deter any plans for violence against Choices and other pregnancy centers.

---

# Scoped Out Per Agreement



**Congress of the United States**  
**Washington, DC 20515**

June 14, 2022

The Honorable Merrick B. Garland  
Attorney General  
United States Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

Dear Attorney General Garland,

We write to express our grave concern over the impending attacks against Choices Pregnancy Centers in Arizona (Choices) and ask that the Department of Justice immediately make plans to investigate and deter any plans for violence against Choices and other pregnancy centers.

As we await the decision from the U.S. Supreme Court in the *Dobbs v. Jackson Women's Health* case, pro-abortion activists are planning violent attacks against pro-life organizations and pregnancy centers if the Supreme Court rules in favor of protecting preborn babies.

The far-left extremist group, Jane's Revenge, is calling for violence and the burning of pregnancy centers on the night the Supreme Court ruling is issued. On the Jane's Revenge online blog, the group's leader calls for "courageous hearts to come out after dark" and "to do what you can to make your anger known." The blog specifies that on the night the ruling is issued, "actions nationwide" should begin at 8:00 PM.

Marysa Elizabeth Levya, a member of ANTIFA from Phoenix, AZ and alleged Jane's Revenge leader, recently released a map of pregnancy centers in Arizona, including Choices locations, that she wants to see destroyed. Choices has been forced to increase security at their locations for the safety of their clients and staff.

As the nation's chief law enforcement official, what is your plan to prevent these attacks against pregnancy centers and to prosecute any violent perpetrators? Does the Department of Justice plan to coordinate with state and local law enforcement agencies to protect these pregnancy centers, their clients, and their staff?

Pregnancy resource centers like Choices offer many free and low-cost services to mothers and their babies, including free pregnancy tests, free ultrasounds, prenatal care, post-abortion care, free diapers, free baby clothes, and much more. Mothers and children in need of these services

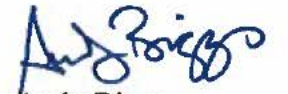



must be able to seek them without fear of violence from domestic terror groups like Jane's Revenge.

We look forward to your swift response and the outline of your plan to protect pregnancy centers.

Sincerely,

  
Debbie Lesko  
Member of Congress

  
Andy Biggs  
Member of Congress

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

  
David Schweikert  
Member of Congress

CC: Christopher Wray, Federal Bureau of Investigation  
Matthew Olsen, National Security Division

**Congress of the United States**  
**House of Representatives**

COMMITTEE ON OVERSIGHT AND REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5051

MINORITY (202) 225-5074

<https://oversight.house.gov>

May 13, 2022

The Honorable Merrick B. Garland  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue NW  
Washington, D.C. 20530

Dear Attorney General Garland:

We continue to conduct oversight of efforts by the U.S. Department of Justice (Justice Department) to enforce federal laws protecting the integrity of the Supreme Court. In the wake of the unprecedented leak of a draft opinion on a matter currently pending before the Supreme Court,<sup>1</sup> a reactionary wave of violence by radical ideologues has descended upon the country, as crisis pregnancy centers,<sup>2</sup> pro-life organizations<sup>3</sup> and churches<sup>4</sup> have been vandalized and subject to arson attacks and theft of sacred objects. Other protestors are picketing at Supreme Court Justices' family residences<sup>5</sup> with the goal of influencing or intimidating the Justices. This likely violates federal law,<sup>6</sup> notwithstanding the Biden Administration<sup>7</sup> and other prominent Democrats<sup>8</sup> stating their support for these unlawful actions. We request further information regarding steps the Justice Department is taking to enforce federal law and ensure the protection of Supreme Court Justices.

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<sup>1</sup> Tierney Sneed et al., *Supreme Court draft opinion that would overturn Roe v. Wade published by Politico*, CNN NEWS (May 3, 2022); *see also* Mark Sherman & Zeke Miller, *Report: Supreme Court draft suggests Roe could be overturned*, AP NEWS (May 3, 2022).

<sup>2</sup> Kravetz, Andy, *Arson blamed in fire that caused \$250,000 in damage to Peoria Women's Care Center*, JOURNAL STAR (May 3, 2021).

<sup>3</sup> Vander Ploeg, Luke & Addison Lathers, *Anti-Abortion Group in Wisconsin Is Hit by Arson, Authorities Say*, N.Y. TIMES (May 8, 2022).

<sup>4</sup> *See e.g.* Nieto, Greg, *Abortion-rights vandalism stirs church parishioners*, FOX31 COLORADO (May 9, 2022); Betz, Bradford, *Boulder Catholic church vandalized with abortion rights graffiti*, FOX NEWS (May 5, 2022); Mullen, Shannon, *Update on Unrest: Tabernacle Stolen, Catholic Church Defaced, Pregnancy Clinic Vandalized*, NATIONAL CATHOLIC REGISTER (May 10, 2022).

<sup>5</sup> Sanchez-Cruz, Rafael, *Pro-choice protests outside Maryland homes of Justices Roberts and Kavanaugh*, WUSA9 (May 8, 2022); Alder, Madison, *Justice Alito's Home Targeted by Abortion Rights Protesters*, BLOOMBERG (May 9, 2022).

<sup>6</sup> *See* 18 U.S.C. § 1507.

<sup>7</sup> Mordock, Jeff, *Psaki says Biden supports peaceful abortion protests outside justices' homes*, WASH. TIMES (May 10, 2022).

<sup>8</sup> Prieb, Natalie, *Schumer says he sees no issue with peaceful protests at houses of Supreme Court justices*, THE HILL (May 10, 2022).

Our Constitution guarantees citizens freedom of speech, the right to assemble, and to petition the government,<sup>9</sup> however these rights are not without limits.<sup>10</sup> We have already seen Americans exercising this right to make their voices heard in front of the Supreme Court building and other public squares.<sup>11</sup> Governing bodies have passed, and the Supreme Court has upheld, content-neutral time, place, and manner restrictions on First Amendment activities.<sup>12</sup> Under federal law, picketing or parading “in or near a building or residence occupied or used by [a] judge” with intent of “interfering with, obstructing, or impeding the administration of justice, or with the intent of influencing any judge... in the discharge of his duty...” is a misdemeanor offense punishable by fines or jail time.<sup>13</sup> It is unclear whether the Justice Department has been investigating or prosecuting any cases related to the current protests at the Justices’ homes. The recent leaked draft opinion has the potential to undermine the ability of Justices to deliberate on cases of national importance. Our system of law and order must stand firm against any illegal attempts to intimidate Justices by mobbing their neighborhoods.

To assist the Republicans on the Committee in understanding the Justice Department’s efforts to enforce federal laws protecting the integrity of the Supreme Court, we request that you produce the following documents and information no later than May 27, 2022, from the time period May 2, 2022 to the present:

1. All documents and communications regarding any open Justice Department investigation or other law enforcement partners into violations of federal law related to picketing at the Supreme Court Justices’ personal family residences;
2. All documents and communications regarding any accepted or declined criminal prosecution related to picketing at Supreme Court Justices’ personal family residences;
3. The number of open investigations into any threats made against members of the Supreme Court, especially threats stemming from the release of the draft opinion referenced above;
4. All documents and communications regarding any Justice Department response to threats made against members of the Supreme Court.

Thank you for your consideration of this important issue. To make arrangements to deliver documents or ask any related follow-up questions, please contact the Committee on Oversight and Reform Republican staff at (202) 225-5074. The Committee on Oversight and Reform is the principal oversight committee of the U.S. House of Representatives and has broad

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<sup>9</sup> U.S. Const. amend. I.

<sup>10</sup> See e.g. *Ward v. Rock against Racism*, 491 U.S. 781 (1989); *Hill v. Colorado*, 530 U.S. 703 (2000).

<sup>11</sup> Qiu, Linda & Sarahbeth Maney, *Demonstrators Gathered at Supreme Court Lament, and Celebrate, Leaked Draft*, N.Y. TIMES (May 3, 2022).

<sup>12</sup> *Supra*, n.10.

<sup>13</sup> 18 U.S.C. § 1507.

Attorney General Garland

May 13, 2022

Page 3 of 4

authority to investigate “any matter” at “any time” under House Rule X. Thank you in advance for your cooperation with this inquiry.

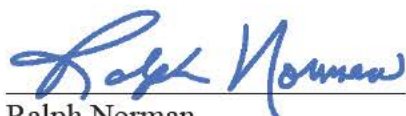
Sincerely,



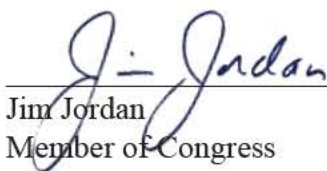
James Comer  
Ranking Member  
Committee on Oversight and Reform



Glenn S. Grothman  
Ranking Member  
Subcommittee on National Security



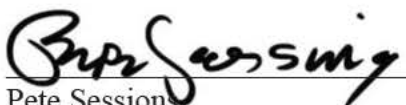
Ralph Norman  
Ranking Member  
Subcommittee on Environment



Jim Jordan  
Member of Congress



Bob Gibbs  
Member of Congress



Pete Sessions  
Member of Congress



Jody Hice  
Ranking Member  
Subcommittee on Government  
Operations



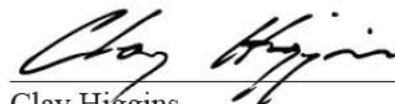
Michael Cloud  
Ranking Member  
Subcommittee on Economic and  
Consumer Policy



Nancy Mace  
Ranking Member  
Subcommittee on Civil Rights and  
Civil Liberties



Virginia A. Foxx  
Member of Congress



Clay Higgins  
Member of Congress



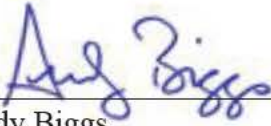
Fred Keller  
Member of Congress



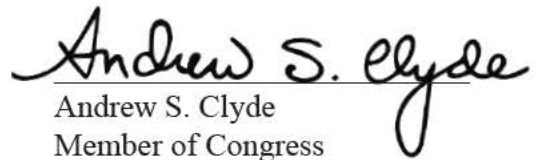
Attorney General Garland

May 13, 2022

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Andy Biggs  
Member of Congress



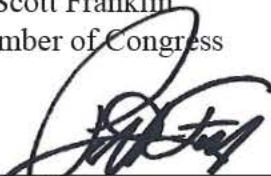
Andrew S. Clyde  
Member of Congress



C. Scott Franklin  
Member of Congress



Jake LaTurner  
Member of Congress



Pat Fallon  
Member of Congress



Yvette Herrell  
Member of Congress



Byron Donalds  
Member of Congress

cc: The Honorable Carolyn Maloney, Chairwoman  
Committee on Oversight and Reform

The Honorable Gerald E. Connolly, Chairman  
Subcommittee on Government Operations

The Honorable Stephen F. Lynch, Chairman  
Subcommittee on National Security

The Honorable Raja Krishnamoorthi, Chairman  
Subcommittee on Economic and Consumer Policy

The Honorable Ro Khanna, Chairman  
Subcommittee on Environment

The Honorable Jamie Raskin, Chairman  
Subcommittee on Civil Rights and Civil Liberties