

ONE HUNDRED SEVENTEENTH CONGRESS

Congress of the United States
House of Representatives

COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6216

(202) 225-3951
judiciary.house.gov

October 6, 2022

The Honorable Jacqueline C. Romero
U.S. Attorney
Eastern District of Pennsylvania
615 Chestnut Street, Suite 1250
Philadelphia, PA 19106

Dear Ms. Romero:

We continue to investigate politicization at the Biden-Garland Department of Justice and Federal Bureau of Investigation. Several recent actions by the Department reinforce the conclusion that the Justice Department is using its federal law-enforcement authority as a weapon against the Administration's political opponents. Since the unprecedented leak of a draft Supreme Court opinion in *Dobbs v. Jackson Women's Health Organization*, the Justice Department has politicized enforcement of the Freedom of Access to Clinic Entrances (FACE) Act. We write to conduct oversight of your authorization of a dawn raid of the home of a pro-life leader, in front of his wife and seven children, when he had offered to voluntarily cooperate with authorities.

The FACE Act "prohibits threats of force, obstruction and property damage intended to interfere with reproductive health care services."¹ However, according to the Justice Department, "[t]he FACE Act is not about abortions."² The Act also protects "pro-life pregnancy counseling services and any other pregnancy support facility providing reproductive health care."³ Since the leak of the *Dobbs* opinion, however, the Department has almost exclusively enforced the FACE Act to protect pro-abortion activists while failing to prosecute harassment and intimidation of pro-life supporters.⁴

On September 23, 2022, the FBI raided the home of Mark Houck, a pro-life leader residing within your judicial district, to execute an arrest warrant for allegedly violating the FACE Act. You alleged in a press release that Houck had shoved a Planned Parenthood

¹ Pub. L. 103-259 (1994); U.S. Dep't of Justice, Nat'l Task Force on Violence Against Reproductive Health Care Providers, Protecting Patients and Health Care Providers, <https://www.justice.gov/crt/protecting-patients-and-health-care-providers> (last visited Sept. 27, 2022).

² *Id.*

³ *Id.*

⁴ Hans A. von Spakovsky & Charles Stimson, *FBI, Justice Department twist federal law to arrest, charge pro-life activist*, HERITAGE FOUND. (Sept. 28, 2022).

volunteer outside an abortion clinic almost a year earlier, on October 13, 2021.⁵ Houck's wife, Ryan-Marie, however, explained that the Planned Parenthood activist had repeatedly made "crude . . . inappropriate and disgusting" comments about Houck in the presence of their 12-year-old son and "had gotten into the personal space" of the child.⁶ She said that a local court in Philadelphia had already thrown out a civil suit against Houck filed by the activist.⁷

The Department's decision to arrest Houck, as well as the tactics used to effectuate the arrest, are troubling. Ryan-Marie Houck recounted how an FBI "SWAT team of about 25 came to my house with about 15 vehicles" and "they had about five guns pointed at my husband, myself and basically at my kids."⁸ An anonymous FBI source denied to the media that the 25 agents were present, but did admit that authorities sent up to 20 agents to effectuate the arrest.⁹ Houck's attorney subsequently disclosed that the dawn raid was unnecessary because Houck had offered to appear voluntarily and the FBI targeted Houck "solely to intimidate people of faith and prolife Americans."¹⁰

The Department's treatment of Houck stands in stark contrast to its treatment of "potential acts of domestic violent extremism" against pro-life facilities.¹¹ For example, on June 10, 2022, vandals smashed the windows and graffitied the walls of HOPE Pregnancy Center, a pro-life pregnancy center in your judicial district.¹² There was no press release from your office regarding an investigation or charges in that case. Just last week, an 83-year-old pro-life volunteer in Lake Odessa, Michigan was shot while canvassing a local neighborhood about an abortion ballot proposal.¹³ There has been no outcry or press conference from the Justice Department in response to this crime. Since the leak of the draft *Dobbs* opinion, Jane's Revenge, a radical anti-life group, "has claimed responsibility for at least 18 arson and vandalism attacks" on pro-life clinics and organizations.¹⁴ While the FBI says that it is investigating a "series of attacks and threats targeting pregnancy resource centers, faith-based organizations, and reproductive health clinics," to our knowledge, the Department and FBI have not executed any SWAT team dawn raids to make arrests of anti-life activists.¹⁵

⁵ Press Release, U.S. Dep't of Justice, U.S. Atty's Office E.D. of Penn., Bucks County Man Indicated on Federal Charges for Assaulting a Reproductive Healthcare Clinic Escort (Sept. 23, 2022).

⁶ Patrick Delaney, *FBI raids home of Catholic pro-life speaker, author with guns drawn as his terrified kids watch*, LIFESITE (Sept. 23, 2022); see also Diana Glebova, *Lawyer for pro-life protester arrested by FBI says client offered to surrender, claims DOJ trying to 'intimidate people of faith,'* NAT'L REV. (Sept. 26, 2022).

⁷ *Id.*

⁸ Bradford Betz, Jon Brown, & Jake Gibson, *Pennsylvania pro-life activist arrested by FBI, charged with assaulting clinic escort*, FOX NEWS (Sept. 26, 2022).

⁹ *Id.*

¹⁰ Diana Glebova, *Lawyer for pro-life protester arrested by FBI says client offered to surrender, claims DOJ trying to 'intimidate people of faith,'* NAT'L REV. (Sept. 26, 2022).

¹¹ Jessica Chasmar, *Zero arrests in at least 17 Jane's Revenge attacks on pro-life organizations*, FOX NEWS (Sept. 14, 2022).

¹² Jenice Armstrong, *Angry about Roe? Then vote, don't vandalize*, THE PHILADELPHIA INQUIRER (Jun. 29, 2022).

¹³ Emma Colton, *Elderly pro-life volunteer in Michigan shot after 'heated conversation,' pro-life group says*, FOX NEWS (Sept. 24, 2022).

¹⁴ Jessica Chasmar, *Zero arrests in at least 17 Jane's Revenge attacks on pro-life organizations*, FOX NEWS (Sept. 14, 2022).

¹⁵ *Id.*

Pro-life pregnancy centers nationwide play a critical and important role in supporting and assisting pregnant women. In 2019, 2,700 such centers served nearly two million people, and continue to serve millions of women annually.¹⁶ Pro-life pregnancy centers “exist to serve and support mothers in the courageous decision to give their children life, even under the most difficult circumstance.”¹⁷ Services and resources provided virtually free of charge include, but are not limited to: ultrasounds, pregnancy testing, STI/STD testing, parenting and prenatal education programs, diapers, and baby outfits.¹⁸ Pro-life pregnancy centers deserve the same protections that the Department aggressively provides abortion clinics.

The Department’s lackluster response to the attacks against pro-life facilities demonstrates that the Biden Administration would rather cater to the radical anti-life movement than help facilities that protect pregnant women in need. So that we can better understand why you have declined to evenly enforce federal law in your judicial district, please provide the following documents and information:

1. All documents and communications between the U.S. Attorney’s Office for the Eastern District of Pennsylvania and other components of the Department of Justice referring or relating to enforcement of the Freedom of Access to Clinic Entrances Act between May 2, 2022, and present;
2. All documents and communications between the U.S. Attorney’s Office for the Eastern District of Pennsylvania, the Department of Justice, or the Executive Office of the President referring or relating to the Department’s Reproductive Rights Task Force;
3. All documents and communications between the U.S. Attorney’s Office for the Eastern District of Pennsylvania and the Department of Justice referring or relating to investigations of attacks on pregnancy resource centers between May 2, 2022, and the present;
4. All documents and communications referring or relating to the attack on the HOPE Pregnancy Center in Philadelphia, Pennsylvania, that occurred on June 10, 2022; and
5. All documents and communications between the U.S. Attorney’s Office for the Eastern District of Pennsylvania and the Federal Bureau of Investigation referring or relating to the arrest of Mark Houck.

Please provide this information as soon as possible but no later than 5:00 p.m. on October 20, 2022. Furthermore, this letter serves as a formal request to preserve all existing and future records and materials in your possession relating to the topics addressed in this letter. You should construe this preservation notice as an instruction to take all reasonable steps to prevent the

¹⁶ *Pro-life Pregnancy Centers Served 2 Million People with Essential Medical, Education and Support Services in 2019*, CHARLOTTE LOZIER INSTITUTE (Oct. 21, 2020).

¹⁷ *Id.*

¹⁸ *Id.*

The Honorable Jacqueline C. Romero

October 6, 2022

Page 4

destruction or alteration, whether intentionally or negligently, of all documents, communications, and other information, including electronic information and metadata, that are or may be responsive to this congressional inquiry. This instruction includes all electronic messages sent using your official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.

Thank you for your prompt attention to this matter.

Sincerely,



Jim Jordan
Ranking Member



Mike Johnson
Ranking Member
Subcommittee on the Constitution,
Civil Rights and Civil Liberties

cc: The Honorable Merrick Garland, U.S. Attorney General
The Honorable Jerrold L. Nadler, Chairman