

United States Senate

WASHINGTON, DC 20510

May 21, 2020

The Honorable William Barr
Attorney General
U.S. Department of Justice
950 Pennsylvania Ave NW
Washington, DC 20530

Dear Attorney General Barr,

We write to urge you to investigate the activities of dozens of Planned Parenthood affiliates that reportedly applied for and received approximately \$80 million in loans from the Paycheck Protection Program, despite actual knowledge that they were ineligible for such loans.

This week, it was publicly reported that at least thirty-seven Planned Parenthood affiliates across the country applied for and received millions of dollars in Paycheck Protection Program loans administered by the Small Business Administration (“SBA”).¹ These Planned Parenthood entities self-certified eligibility for these loans despite the clear ineligibility under the statutory text of the Coronavirus Aid, Relief, and Economic Security (“CARES”) Act, which was signed into law on March 27, 2020. It was also well-publicized at the time that the CARES Act did not allow Planned Parenthood affiliates to utilize these loans.

The implementing interim final rule, issued by the SBA on April 15, 2020, explicitly stated that the SBA’s affiliation rules apply to the new Paycheck Protection Program, which excludes organizations like Planned Parenthood that employ its type of governance and affiliation structure and exceed the cap on total employees. Trump administration officials were also quoted in public reports, explicitly clarifying that the SBA’s interim final rule ensured that no funds from the Paycheck Protection Program could go to Planned Parenthood.²

Most damningly, Planned Parenthood’s own political action committee, Planned Parenthood Action Fund, issued a statement on the CARES Act after the Act’s passage in the Senate, saying: “The bill gives the Small Business Administration broad discretion to exclude Planned Parenthood affiliates and other non-profits serving people with low incomes and deny them benefits under the new small business loan program.”³

Based on these statements, it seems clear that Planned Parenthood knew that it was ineligible for the small business loans under the CARES Act long before its affiliates fraudulently self-certified that they were eligible. As you know, fraudulent loan applications can trigger both civil and criminal penalties.

¹ <https://www.foxnews.com/politics/planned-parenthood-coronavirus-stimulus-money-ppp-return>

² *See, e.g.*, <https://www.dailysignal.com/2020/04/30/exclusive-trump-denies-covid-19-funds-to-planned-parenthood/>

³ <https://www.plannedparenthoodaction.org/pressroom/senate-covid-19-response-package-leaves-much-to-be-done-for-our-families-and-public-health-response>

The Paycheck Protection Program established by the CARES Act was designed by Congress to help struggling small businesses and nonprofit organizations by giving them access to low-cost loans for expenses like keeping their employees on payroll during this pandemic. It was not designed to give government funds to politicized, partisan abortion providers like Planned Parenthood. The funds in the program are not unlimited, and were depleted once already because of high demand. Planned Parenthood fraudulently taking tens of millions of dollars that were intended to help keep those small businesses and nonprofit organizations afloat cannot stand and must be addressed.

Thank you for your work investigating and prosecuting those who would fraudulently steal millions of dollars in taxpayer funds during this pandemic.

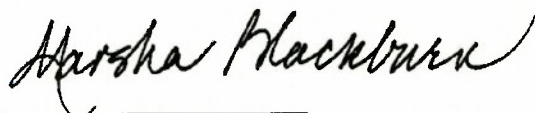
Sincerely,



Tom Cotton
United States Senator



Mitch McConnell
United States Senator



Marsha Blackburn
United States Senator



John Boozman
United States Senator



Mike Braun
United States Senator



Bill Cassidy, M.D.
United States Senator



John Cornyn
United States Senator



Ted Cruz
United States Senator




Steve Daines
United States Senator




Michael B. Enzi
United States Senator

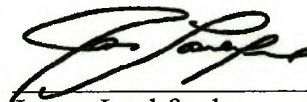

Joni Ernst
United States Senator


Lindsey Graham
United States Senator


Cindy Hyde-Smith
United States Senator



James M. Inhofe
United States Senator

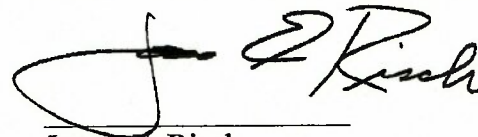

John Kennedy
United States Senator

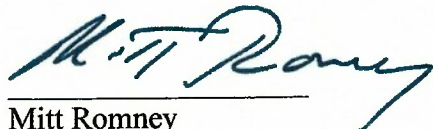

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Mike Lee
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