



Written by [Michael Tennant](#) on December 24, 2015

HHS Investigating Federal Oversight of Fetal Tissue Research

Although the numerous undercover videos in which Planned Parenthood executives have admitted selling aborted babies' body parts proved [insufficient](#) to induce the U.S. government to defund the organization, they did spur action. A group of Republican senators, led by Senator Rand Paul (R-Ky.), has convinced the Department of Health and Human Services' (HHS) Office of Inspector General (OIG) to investigate the government's oversight of grants for fetal tissue research.



In a December 4 [letter](#) to Paul, Inspector General Daniel Levinson said OIG would "interview HHS and National Institutes of Health (NIH) officials, as the majority of HHS funding for human fetal tissue research is awarded through NIH." Levinson added that OIG would also be "gathering relevant documentation related to policies and procedures for monitoring fetal tissue research activities." OIG's goal, he wrote, is to determine how NIH is monitoring both HHS and third-party fetal tissue research and to uncover "any known violations of Federal requirements."

Senators began seeking an audit of federal fetal tissue grantees in July, after the Center for Medical Progress released the first of the Planned Parenthood videos, because federal law prohibits profiting from the transfer of fetal tissue. At that time, fully half the Senate signed onto a [letter](#) to HHS Secretary Sylvia Burwell requesting "a thorough internal review of the compliance of the Department and Planned Parenthood" with federal law.

HHS Assistant Secretary for Legislation Jim Esquea responded with a [missive](#) stating, "NIH has confirmed that third-party institutions receiving NIH funding for research involving fetal tissue samples have confirmed that their activities are in accordance with applicable legal requirements." In addition, Esquea wrote, organizations that provide fetal tissue to government researchers "have provided assurances to us that they are in compliance with applicable legal requirements." The letter, however, did not go into detail as to how compliance was verified or provide supporting documentation.

This response failed to satisfy most of the senators who had requested the review. Thirty-four of them, all Republicans, affixed their John Hancocks to an October [letter](#) from Paul to Levinson stating that Esquea's letter "failed to address many of the substantive questions" they had raised. "The Department does not appear to have conducted any internal investigation of their own research practices or any audits or other oversight of their contractors, suppliers, and grantees with regard to their compliance with fetal tissue research laws and instead relied on assertions of compliance," they maintained.

The senators requested that OIG conduct "an audit of all fetal tissue research supported by HHS, specifically examining the Department's oversight of contractor and grantee compliance with the laws governing fetal tissue research." OIG, as Levinson's recent letter indicates, has agreed to do so.

Paul, who is running for president, hailed Levinson's response. "I am encouraged to see the Inspector



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General take action to investigate Planned Parenthood’s unconscionable practices,” he said in a [statement](#). “Planned Parenthood selling body parts of the unborn demonstrates that the organization deserves not one penny more of our taxpayer dollars, and I am confident this investigation will give further proof of that.”

Planned Parenthood does not deserve any taxpayer dollars for the simple reason that funding any sort of health-related organization is unconstitutional. Planned Parenthood’s abortion business and alleged profiteering from the sale of aborted babies’ parts only make this constitutional violation even more egregious by forcing Americans who disagree with these activities to pay for them.

Moreover, Paul’s assertion that OIG’s investigation will encompass Planned Parenthood’s practices seems a bit overstated. Indeed, if that were the case, Planned Parenthood would hardly “applaud the HHS for this timely review of practices around fetal tissue donation,” as its executive vice president, Dawn Laguens, said in a [statement](#). Since, according to Esquea, Planned Parenthood does not receive federal funding for “research involving fetal tissue,” it will likely fall outside the scope of OIG’s audit.

Furthermore, as [LifeNews.com](#) reported, the federal law that supposedly bans the sale of fetal tissue, written by pro-abortion former Congressman Henry Waxman (D-Calif.), “is so narrow that the exposed Planned Parenthood practices are fully legal under the letter of it in a manner that Planned Parenthood’s high priced attorneys have been able to exploit.” In other words, even if OIG did pry into Planned Parenthood’s alleged baby-parts profits, it probably wouldn’t be able to pin any actual violations on the group.

There are other matters to consider, too. For one, if by some chance OIG’s investigation does turn up some illegalities on the part of Planned Parenthood, it would be up to the Obama administration to prosecute the organization — a highly unlikely occurrence. Nor would such violations probably make much difference with regard to continued federal funding of the nation’s leading abortion provider: If Congress can’t bring itself to defund Planned Parenthood with all that is already known about it, will lawmakers really change their minds if a little more dirt comes out?

Nevertheless, the probe could still have some merit. Anything that sheds light on how taxpayer dollars are being used — or misused — is welcome. And if major violations are uncovered, perhaps Congress will be forced to reconsider its unconstitutional and unconscionable funding of fetal tissue research.



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