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COMMITTEE ON THE BUDGET



Congress of the United States
House of Representatives
Washington, D.C. 20515-0509

December 19, 2018

REPLY TO OFFICE CHECKED

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The Honorable Secretary Alex Azar
Secretary
U.S. Department of Health and Human Services
200 Independence Avenue, SW
Washington, DC 20201

Dear Secretary Azar,

We write to express our concern about ongoing attempts to undermine the evidence-based Teen Pregnancy Prevention Program (TPPP) and the recent announcement by the administration to direct funds from TPPP grants to organizations that promote abstinence-only education.

The TPPP is making a vital contribution to building a body of knowledge of what best supports adolescents to prevent unintended pregnancy, at a time when there is growing bipartisan commitment to evidence-based policymaking. The September 2017 unanimously-agreed-to-report from the bipartisan Commission on Evidence-Based Policymaking, established by House Speaker Paul Ryan and Senator Patty Murray, highlighted TPPP as an example of a program that is developing an increasingly rigorous portfolios of evidence.¹

To date, efforts to dismantle or fundamentally alter TPPP have been ruled by numerous courts to be in violation of the law. These attempts include the decision to unilaterally terminate all TPPP grants two years early, which was subsequently overruled by four separate federal courts. Additionally, the Office of Adolescent Health (OAH), which administers TPPP, issued two Funding Opportunity Announcements (FOAs) for Tier 1 and Tier 2 grants on April 20, 2018. However, the Tier 1 FOA was ruled by two federal judges to be in violation of the appropriations language that sets the parameters for TPPP. Given these ongoing and repeated attempts to fundamentally alter or end current and future evidence-based projects, we remain concerned about the future administration of this program. We therefore respectfully request answers to the questions below by December 31, 2018.

1. On September 26, 2018 HHS issued a statement² announcing \$19.4 million in Tier 1 grants it intended to award but could not under the Tier 1 FOA that was deemed to not comply with the TPPP appropriations language. Please specify how HHS spent the \$19.4 million in FY2018 funding, or otherwise obligated the funds, and how the use of this money comports with the governing appropriations language.

¹ <https://www.cep.gov/content/dam/cep/report/cep-final-report.pdf>

² <https://www.hhs.gov/ash/about-ash/news/2018/hhs-awards-tier-2-tppp-program.html>

On November 3, 2017 HHS announced³ that it was initiating “a new research and evaluation collaboration to support and improve teen pregnancy prevention and sexual risk avoidance programs” and that this effort would be “funded from a variety of sources including available funds set aside for support and evaluation within the HHS Office of Adolescent Health.”

2. How much of the \$101 million appropriated for TPPP in FY2018 and the \$6.8 million evaluation transfer authority for “evaluation of teen pregnancy prevention approaches” is being used for this initiative?
3. If FY2018 funds are being used, please detail specifically how they are being used, and how this use complies with appropriations language governing TPPP and the evaluation funds.

Shortly after the court rulings that HHS could not issue grants based on their new FOA, the HHS Office of the Secretary awarded \$21,512,108 to the MITRE Corporation for a “Teen Pregnancy Prevention Study.”^[4] According to [USASpending.gov](https://www.usaspending.gov), the federal obligation for the awards totals \$29,551,986 for the continuation of a prior award and a new award for “supplemental agreement for work within scope” to be performed through September 30, 2020.⁴ The Department’s issuance of these new awards raises questions about how they are funded, particularly whether any of the funding is derived from the funding appropriated to the TPPP. Additionally, it raises questions about why the Department is awarding contracts for work that seems similar in scope to the TPPP.

1. Please provide a copy of the “supplemental agreement for work within scope.”
2. What funding streams, and from what fiscal years, are supporting the contracts and transactions to MITRE Corporation?
3. What are the specific tasks and activities of each contract and their associated timelines?
4. Were the funds awarded to MITRE in September 2018 pursuant to competitive contract procedures?
5. Out of what funding stream was Be Strong International, Inc. awarded a \$300,000 sub-award from the MITRE contract on November 15, 2018 and did the organization compete for this award?
6. What evidence standards were relied upon to justify the new contracts?
7. Will the new activities be held to the same rigorous standards of evidence applied to previous TPPP programmatic and evaluation efforts?

Finally, the FY2019 appropriations bill that was signed into law on September 28, 2018 (P.L. No. 115-245) contains identical TPPP language to FY2018 appropriations. Given court rulings, will HHS award continuation funds to the 2015 Tier 1 and Tier 2 TPPP grantees?

We look forward to your prompt reply to these questions.

³ <https://www.acf.hhs.gov/media/press/hhs-announces-new-efforts-to-improve-teen-pregnancy-prevention-sexual-risk-avoidance-programs-0>

^[4] <https://www.usaspending.gov/#/award/23605015>

⁴ <https://www.usaspending.gov/#/award/23605015>

Sincerely,

Barbara Lee Lloyd Doggett Michelle Lujan Grisham

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Ted Deutch Pramila Jayapal Marc Veasey

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