

# United States Senate

WASHINGTON, DC 20510

November 9, 2011

The Honorable Kathleen Sebelius  
Secretary  
Department of Health and Human Services  
200 Independence Avenue SW  
Washington, DC 20201

Dear Secretary Sebelius:

We are writing you to express our deep concerns with your department's recent decision not to award the U.S. Conference of Catholic Bishops (USCCB) a renewed national contract to provide services to victims of human trafficking through the National Human Trafficking Victim Assistance Program. We request justification for why the USCCB, despite a five-year history of excellence in service to human trafficking victims, was not considered worthy of grant renewal by your department.

As you know, the USCCB held a federal contract from 2006-2011, during which time the organization provided food, housing, clothing, medical services, counseling, legal assistance, education, and employment services to victims of human trafficking in over 44 states. In 2011, your department's solicitation for grant applications to administer the program indicated a new preference for grantees that would offer "the full range of legally permissible gynecological and obstetric care," representing favorability toward organizations that refer victims for abortion services. Your department subsequently denied USCCB an award despite outstanding reviews for its services to human trafficking victims and their families over the past five years.

A fundamentally religious organization, it is well known that the USCCB – in lawful exercise of its conscience rights – does not provide abortion referrals. To ensure your department respected USCCB's conscience rights and did not violate current law in awarding this grant, we request specific information related to USCCB's grant denial, a full explanation of your department's decision, and whether the USCCB's position regarding abortion referrals was a factor in your department's decision making.

As you know, your department is expected to award federal contracts to the most qualified applicants who demonstrate the greatest capability to administer a program's goals. However, a recent Washington Post article stated that:

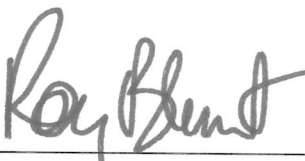
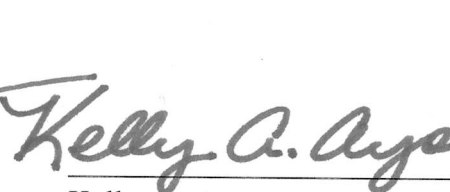
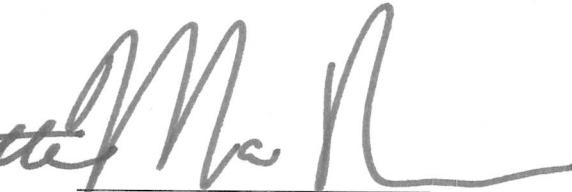
*"On the trafficking contract, senior political appointees at HHS awarded the new grants to the bishops' competitors despite a recommendation from career staffers that the bishops be funded based on scores by an independent review board, according to federal officials and internal HHS documents. That prompted a protest from some HHS staffers, who said the process was unfair and politicized, individuals familiar with the matter said. Their concerns have been reported to the HHS inspector general's office."*


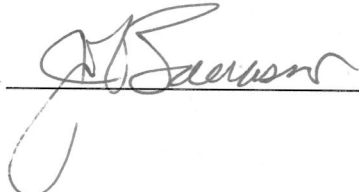
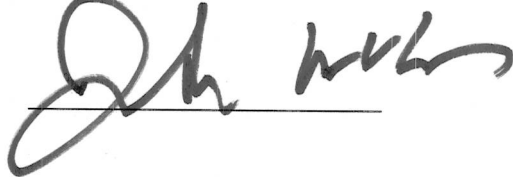
We request detailed information on how HHS graded applicants for the National Human Trafficking Victim Assistance Program for the 2011 grant cycle, and an explanation for why your agency did not select such a well-qualified organization to provide these critical services. In addition, we request:

- (1) A status update from the HHS inspector general's office in response to these concerns.
- (2) A list of all grant applicants, their applications, reviewers' comments for each application during the objective review, and the points each application received from reviewers.
- (3) All HHS documents and communications (including, but not limited to, emails and any records of phone communications) related to the creation of the funding solicitation, publication of the solicitation, review of applications and award decision from the present time back to one year prior to the award. This should include internal communication within HHS (including, but not limited to, communications by and with the Office of the Secretary) and any communication (including, but not limited to, documents exchanged) between any representative of the Department and any outside organization.

We ask that you provide this information no later than close of business on November 18, 2011. The integrity and lawful administration of our federal grant process – particularly with respect to equal treatment of religious institutions – must not be compromised. We must ensure the most qualified candidates are entrusted with administering taxpayer dollars to successfully provide critical services, especially services for those as vulnerable as human trafficking victims. Thank you for your consideration and we look forward to hearing from you.

Sincerely,

		
Roy Blunt United States Senator	Kelly Ayotte United States Senator	Marco Rubio United States Senator

		
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Frank DiPietro Chuck Gascally

Walter Ory Al R Bob R

Don Hatch John Boy John R

Jim Kuhse Ken Johnson Jerry Moran

William D.C. Off Sessions John R

Ray Fitch Bob R John R

