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111th Congress
Congress of the United States
House of Representatives

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HOUSE COMMITTEE ON
EDUCATION AND LABOR

April 21, 2010

The Honorable Arne Duncan
Secretary
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202-1510

Dear Secretary Duncan:

Thank you for your testimony before the House Committee on Education and Labor on Wednesday, March 17, 2010. I appreciate the information that you shared with Members of Congress on the Department of Education's blueprint for the reauthorization of the Elementary and Secondary Education Act, and I would like to ask a few follow-up questions that were not covered during the hearing.

Since the implementation of No Child Left Behind (NCLB), Michigan education officials and local school district administrators have voiced their dissatisfaction with the unfunded mandates and reporting requirements included in the law. The cost of complying with the mandates has negatively impacted their general education budgets. It not only affects my home state but every state.

In response to my question concerning the cost of NCLB, you indicated that the U.S. Department of Education has neither calculated the number of hours nor the amount of money states and local education agencies (LEAs) have spent on meeting the mandates and reporting requirements included in NCLB. I find it astounding that the Department has not attempted to determine the impact of unfunded mandates over the last nine years and is charting a course for an entirely new set of mandates. As such, I am requesting clarification on this point.

Specifically, please provide any and all information that has been compiled concerning the costs associated with states' compliance with unfunded mandates. Additionally, please identify or outline the process or system that the Department either has in place, or intends to apply, to measure the cost of compliance?

During your testimony you stated that you "have been on the other side of the education system." Because of that, I believe that you are as well-positioned to understand the burden Congress and the Department of Education have placed on all 50 states and our nation's school districts. You know as well as anyone, that it is imperative that we provide states, local schools and parents with the freedom and flexibility to succeed.

Thus, Congress and the Department must fully understand the previous funding difficulties imposed on states and LEAs. Only when the Department demonstrates an understanding of how negatively the existing law has impacted our schools should we begin discussing improvements and funding for a reauthorization.



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Before moving forward with reauthorization of K-12 education, I respectfully encourage the Administration to exercise the requisite due diligence concerning the cost to states of complying with mandates. Following your testimony and as of this writing, it does not appear that the Department has done so.

Should you have any questions please do not hesitate to contact me. I look forward to your reply and to working with you.

Sincerely,

A handwritten signature in black ink that reads "Pete Hoekstra". The signature is written in a cursive, flowing style.

Pete Hoekstra
Member of Congress