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United States Senate

COMMITTEE ON HEALTH, EDUCATION,
LABOR, AND PENSIONS

WASHINGTON, DC 20510-6300

DANIEL E. SMITH, STAFF DIRECTOR
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<http://help.senate.gov>

October 19, 2011

Dear Senator Paul:

Thank you for your letter regarding this week's committee mark-up on the reauthorization of the Elementary and Secondary Education Act (ESEA). We appreciate and share your interest in this reauthorization, and we intend to offer a complete and open amendment process during committee consideration of this legislation. We understand and share your concern that this mark-up be a transparent process that allows all members the time to review and amend this bill. However, we cannot grant your request to delay the mark-up of this important legislation.

Last year, this committee held ten full committee hearings and six field hearings on the reauthorization of ESEA. We received testimony from over 70 witnesses, including the Secretary of Education, elementary education experts, state superintendents, district superintendents, principals, teachers, and representatives of special populations, such as English learners and students with disabilities. In addition, we have met with numerous parents and students from across the country and received input from advocacy groups across all political spectrums. We hosted a website where people from across the country could voice their opinions about how to best fix No Child Left Behind (NCLB). We received hundreds of letters and began discussing this bill with members from both the House and Senate, from both sides of the aisle. We have shared all of this information with the Senate and the public at large. All of this information has been available to you, and we have asked our staffs to share this information with you again. We are willing to discuss any and all of this with you. However, we cannot delay the work of this Committee to receive repetitive testimony. Therefore, we cannot grant your request to delay marking up this legislation until another hearing can be held.

After receiving all of this testimony and input from across the country, we set out this year to negotiate a bipartisan ESEA bill in the HELP Committee. We opened the process to Senators Bingaman and Alexander, two senior members of the committee and education experts in the Senate. We hosted months of negotiations, met with any member of the Committee who sought to meet with us, and kept Committee staff regularly apprised of our efforts. With the input we received, and following our standard Committee procedure, on Tuesday, October 11th, we filed a bill for mark-up, providing one week for the committee to review and comment. During that time, we incorporated ideas from both sides of the aisle and on Monday, we released a manager's amendment with a redline of the changes made during the intervening week. The

changes made from the Chairman's mark to the manager's amendment, while important, totaled less than 10 pages, and the redline was provided to make those changes obvious. On Tuesday, 144 amendments were filed, including 74 of your own. This process follows the tradition of bipartisan bills in this committee and complies entirely with the HELP Committee's rules approved unanimously at the start of this Congress.

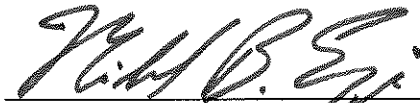
We believe that we have provided more than sufficient time for the input of all members of this committee, consistent with the rules and bipartisan tradition of the HELP Committee. We therefore intend to proceed with the mark-up tomorrow morning at 8:00 a.m., and look forward to an open debate and full amendment process.

Thank you for your continued participation and input.

Sincerely,



Tom Harkin
Chairman



Michael B. Enzi
Ranking Member