United States Senate
WASHINGTON, DC 20510

July 16, 2013

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

Dear Secretary Duncan:

We write to express concern with a recent announcement you made regarding the relationship between the U.S. Department of Education and the implementation of the President's health care law. During a recent interview with Lois Romano of POLITICO, you stated that the Department of Education will be assisting with the dissemination of information. Additionally, you indicated that there is a team at the Department of Education currently helping with implementation.

While we understand that the effects of the President's health care law will be felt by parents, teachers, and their families, we are unfamiliar with how the Department of Education's involvement in implementation will further the mission of educating our nation's students. To better understand the statutory authority, cost, and scope of the activities the Department of Education has taken, please provide a detailed response to the following questions:

1. How much is the Department of Education spending this fiscal year to further the implementation of the President's health care law, and how much does the Department of Education anticipate spending in each fiscal year from 2014 to 2017? What specific appropriation accounts and programs are being used?
2. If the Department of Education is receiving these funds through the Department of Health and Human Services, what instructions were included with this funding and how many Department of Education employees will be dedicated to this effort?
3. How are the actions by the Department of Education different from those taken by the Department of Health and Human Services? Have you coordinated with the Department of Health and Human Services to ensure your efforts are not duplicative?
4. What authority does the Department of Education have to disseminate information and assist with the implementation of the President's health care law?
5. How do the Department of Education's activities further the education of our nation's students?
6. What specific actions are you asking schools to take without additional federal resources? How does that not constitute an unfunded mandate?

In addition to these questions, we request that you please provide a detailed plan of your current and future involvement with the implementation of the President's health care law by July 30, 2013.

Sincerely,

JOHN THUNE
United States Senator

LAMAR ALEXANDER
United States Senator

PAT ROBERTS
United States Senator

MIKE JOHANNS
United States Senator

JOHN CORNYN
United States Senator

JOHN BOOZMAN
United States Senator

SAXBY CHAMBLISS
United States Senator

JOHN BARRASSO
United States Senator

RON JOHNSON
United States Senator

TED CRUZ
United States Senator

JOHN HOEVEN
United States Senator

RICHARD BURR
United States Senator

LISA MURKOWSKI
United States Senator

JAMES INHOFE
United States Senator

ROY BLUNT
United States Senator

DEB FISCHER
United States Senator

JEFF SESSIONS
United States Senator

KELLY AYOTTE
United States Senator

JOHNNY ISAKSON
United States Senator

cc: The Honorable Kathleen Tighe, Inspector General