

TOM HARKIN, IOWA, CHAIRMAN

BARBARA A. MIKULSKI, MARYLAND
JEFF BINGAMAN, NEW MEXICO
PATTY MURRAY, WASHINGTON
BERNARD SANDERS (I), VERMONT
ROBERT P. CASEY, JR., PENNSYLVANIA
KAY R. HAGAN, NORTH CAROLINA
JEFF MERKLEY, OREGON
AL FRANKEN, MINNESOTA
MICHAEL F. BENNET, COLORADO
SHELDON WHITEHOUSE, RHODE ISLAND
RICHARD BLUMENTHAL, CONNECTICUT

MICHAEL B. ENZI, WYOMING
LAMAR ALEXANDER, TENNESSEE
RICHARD BURR, NORTH CAROLINA
JOHNNY ISAKSON, GEORGIA
RAND PAUL, KENTUCKY
ORRIN HATCH, UTAH
JOHN MCCAIN, ARIZONA
PAT ROBERTS, KANSAS
LISA MURKOWSKI, ALASKA
MARK KIRK, ILLINOIS

United States Senate

COMMITTEE ON HEALTH, EDUCATION,
LABOR, AND PENSIONS

WASHINGTON, DC 20510-6300

DANIEL E. SMITH, STAFF DIRECTOR
FRANK J. MACCHAROLA, REPUBLICAN STAFF DIRECTOR

<http://help.senate.gov>

April 13, 2011

The Honorable Tom Harkin
Chairman
Committee on Health, Education, Labor and Pensions
United States Senate
SD-428
Washington, D.C. 20510

Dear Chairman Harkin:

Each of us places the highest priority on protecting the interests of students and protecting the taxpayers' investment in federal student aid. We all agree that the rising cost of higher education, increases in default rates, as well as questionable student outcomes at many institutions of higher education are disturbing trends that warrant Congress' attention. However, we are increasingly concerned that the Majority's singular focus on for-profit institutions is ignoring more widespread problems in higher education and undermining the committee's ability to provide meaningful solutions to these problems.

Since the first for-profit hearing on June 24, 2010, Ranking Member Enzi has made numerous requests on behalf of the Minority that these hearings be broadly focused on the challenges faced by students attending all institutions of higher education. Doing so would place the problems identified by the Majority's investigation in the proper context, and would help to identify those problems that are unique to the for-profit sector and those that are pervasive throughout all sectors of higher education. Additionally, it would produce a record upon which meaningful legislative solutions could be developed.

Unfortunately, the Majority has ignored this request and produced four disorganized and prejudicial hearings, which have been most remarkable for a concerning lack of objectivity or any clear goal. As a result, the record includes the testimony of a witness now accused of improperly attempting to influence a Department of Education rulemaking process, the potentially false testimony of another witness, the Majority's unprofessional treatment of Republican-selected witnesses, and a Government Accountability Office report so flawed that the managing director of the investigative unit was reassigned and the entire unit was reorganized. Furthermore, the hearings have not involved any discussion of constructive solutions for dealing with the problems in higher education.


We agree that there are serious problems in higher education, particularly with some schools in the for-profit sector. However, the need to address these problems does not warrant the biased and unprofessional conduct we have witnessed during the past four hearings. It is unacceptable and uncharacteristic of the way this committee or this institution has historically conducted its business.

The Honorable Tom Harkin
April 13, 2011
Page Two


Therefore, we respectfully request that you reconsider your plan to hold the hearing tentatively scheduled for May 10, 2011, and instead work with us to find constructive solutions to the problems faced by all institutions of higher education. Should you decide to decline this request, we will not participate in the next hearing on for-profit institutions.

We recognize the prerogative of the Majority to set the committee's agenda. However, it is also the Majority's responsibility to conduct fair and objective hearings that ensure the integrity of our work, and assist each of us in finding solutions to the challenges facing our nation.

Sincerely,



Michael B. Enzi
United States Senator



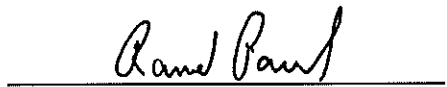
Lamar Alexander
United States Senator



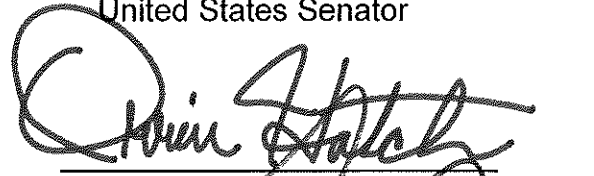
Richard Burr
United States Senator



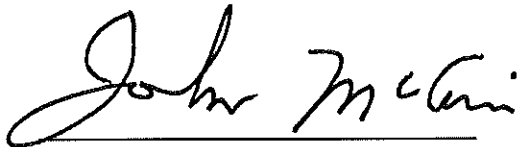
Johnny Isakson
United States Senator




Rand Paul
United States Senator



Orrin G. Hatch
United States Senator



John McCain
United States Senator



Pat Roberts
United States Senator



Lisa Murkowski
United States Senator



Mark Kirk
United States Senator

cc: Senate Majority Leader Harry Reid
Senate Minority Leader Mitch McConnell