



May 11, 2011

Honorable Martha Kanter
Under Secretary
United States Department of Education
400 Maryland Avenue, N.W.
Washington, D.C.
Via Email: Martha.Kanter@ed.gov

Dear Under Secretary Kanter:

We are writing to you as the presidents and chief executive officers of the American Indian Higher Education Consortium (AIHEC), Hispanic Association of Colleges and Universities (HACU) and National Association for Equal Opportunity in Higher Education (NAFEO), the national membership associations of the nation's Tribal Colleges and Universities (TCUs), Hispanic-Serving Institutions (HSIs), HBCUs and Predominantly Black Institutions (PBIs). We work collaboratively as the Alliance for Equity in Higher Education. On behalf of the Alliance, we thank you for hosting the conference call last evening with members of your team, some of our member presidents and us. One of our key understandings from the conversation is that Secretary Duncan has decided to make specific cuts to the HBCU, TCU, and HSI accounts based on his understanding of the Congressional intent.

While the format of the call and the large number of participants did not allow for an extended discussion with all impacted parties, we believe there are several clear indications that Congress intended to – and did-- allow the Department of Education considerable discretion in making cuts, including those proposed for the HBCU, HSI, and TCU accounts. Several members of the Senate and House Education Appropriations Committees have already written or will soon be writing to Secretary Duncan to clarify their intent and state their recommendation that the programs for minority serving institutions be protected. In addition, we believe the attached press release from the Senate Appropriations Committee clearly indicates that Congress did not seek to be prescriptive or directive at all in this regard. The press release states:

Because the bill is being funded through a long-term CR, there is no explanatory statement and no accompanying funding table. Therefore, the agencies will have wide discretion over the funding levels for many individual programs, unless the levels were specifically cited in bill language.

Without question, Congress intentionally left it to Secretary Duncan in his wisdom to propose many of the sources and amounts of cuts to reach the nearly \$350 million mandated rescissions.

Please afford us a call tomorrow to discuss this information and its implications for the Secretary's budget cuts. Because of the May 15, 2011 response deadline, time is obviously of the essence.

Warm regards,



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The Alliance for Equity in Higher Education
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