



THE SECRETARY OF EDUCATION
WASHINGTON, DC 20202

December 14, 2009

Honorable John Kline
Senior Republican Member
Committee on Education and Labor
U.S. House of Representatives
Washington, DC 20515

Dear Congressman Kline:

This letter responds to your request for specific information from the Department of Education regarding its involvement with the Association of Community Organizations for Reform Now (ACORN). I apologize for the delay in responding to your letter. Below, please find responses to each of your requests.

The first request was for any documents referring or relating to communications between ACORN and the Department from January 21, 2009, to the present. The Department has no current grants or contracts with ACORN, or any of its affiliates, subsidiaries, or allied organizations, nor has it conducted any other business with the above entities. Consequently, there is little in the way of related documents. The Department received the enclosed correspondence, regarding California's application for the State Fiscal Stabilization Fund, from Parents and Students for Great Schools, which is a coalition that includes California ACORN. In addition, the Department received the enclosed public comment from this same coalition regarding the Race to the Top Notice of Proposed Priority and the approval criteria for the State Fiscal Stabilization Fund.

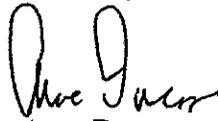
Your second request was for a description of any contracts, grants, cooperative agreements, or other form of agreement between ACORN and the Department of Education from January 21, 2009, to the present, and any corresponding documents. The Department has not entered into any contract, grant, cooperative agreement, or any other form of agreement with ACORN from January 21, 2009, to the present date.

The third request was for a description of steps the Department has taken to comply with section 163 of Public Law 111-68, which prohibits funds from being provided to ACORN, or any of its affiliates, subsidiaries, or allied organizations, and corresponding documents. In order to comply with section 163 of Public Law 111-68, the Department notified both its staff and its award recipients of the prohibition on providing Federal funds to ACORN or its affiliates. On October 8, 2009, the Department issued the enclosed internal Acquisition Alert to all Department contract specialists and contracting officers, advising them of the prohibition. On October 13, 2009, all Department offices, including the grant-making program offices, were notified of this prohibition (the October 13 notice and a December 4 update of this notice are enclosed). To notify new grant recipients, the Department developed an award 'term and condition' that requires grant recipients to agree not to provide any portion of the award to ACORN or its

affiliates as part of the notification to all Department offices. This condition will be attached to all new Department grant awards made while the prohibition is in effect. The Department has been notifying its current grantees about this prohibition since October 16, 2009, by posting the enclosed notices to the electronic bulletin board of G5, the Department's grant management and payment system. Each current grant recipient sees the electronic bulletin board when using the G5 system to access its grant funds.

Thank you for your interest in this issue. If you have questions concerning this response, please have your staff contact the Department's Office of Legislation and Congressional Affairs, at (202) 401-0020.

Sincerely,



Arne Duncan

Enclosures