

United States Senate

WASHINGTON, DC 20510

September 7, 2018

The Honorable Lamar Alexander
Chairman
Committee on Health, Education,
Labor and Pensions
428 Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable Patty Murray
Ranking Members
Committee on Health, Education,
Labor and Pensions
428 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Chairman Alexander and Ranking Member Murray,

We write to follow up on our March 21st letter requesting a hearing on the causes of and remedies for mass shootings, including school shootings. Such a hearing is now especially critical in the wake of new reports¹ that the Department of Education (ED) may propose allowing States and local school districts to use Title IV-A Student Support and Academic Enrichment (SSAE) grants to purchase firearms or provide firearms training in schools. Obviously, there are many important discussion topics around ESSA implementation, but this proposal is of particular concern and must be addressed by this Committee. We therefore request that you invite Secretary DeVos to testify at the upcoming hearing on ESSA implementation, so that she can address ESSA implementation issues, with specific attention to school safety and how the Department's reported Title IV-A proposal would affect children, staff, and communities.

If finalized, this proposal would be a significant departure from Congressional intent, a dramatic overstep of the Department's authority, and most importantly, could make students, teachers, and other school staff less safe. As you well know, SSAE grant funding helps schools offer students a well-rounded education, improve school climate and conditions for student learning, and effectively employ technology to improve academic achievement.² Within each of these categories, Congress enumerated in statute a number of ways districts could use this funding; not only is arming teachers not included, but the law specifically supports drug and violence prevention programs that support "the creation and maintenance of a school environment that is free of weapons."³ Allowing school districts to use this money to help schools buy guns flies in the face of what Congress clearly stated in federal law—that schools should be free of weapons.

Congress further underscored its intent when it authorized \$50 million in new spending for school security through the *STOP School Violence Act*.⁴ This new funding stream supports school security improvements, but specifically prohibits funding from being used to provide

¹ Green, Erica. "Education Secretary Considers Using Federal Funds to Arm Schools" 22 April 2018.
<https://www.nytimes.com/2018/08/22/us/politics/betsy-devos-guns.html>

² 20 U.S. Code § 7111

³ 20 U.S. Code § 7112

⁴ P.L. 115-141

firearms or firearm training in schools. Congress passed the *STOP School Violence Act* in March of this year, over two years after passing ESSA, demonstrating consistent Congressional intent to prohibit federal funding from being used to purchase firearms or provide firearms training for teachers or other school staff.

As senators, we have an obligation to address gun violence and keep schools safe for all students. While the Judiciary Committee maintains jurisdiction over most gun safety issues—the key component to school safety—it is essential for this committee to understand ED’s reported proposal, and its effect on children, staff, and communities. It is also important that the Secretary DeVos testify as part of the Committee’s continuing efforts to conduct oversight on ED’s ESSA implementation.

Thank you for your consideration of this important topic.


Sincerely,




CHRISTOPHER S. MURPHY
United States Senate




BERNARD SANDERS
United States Senate




ROBERT P. CASEY JR.
United States Senate



MICHAEL BENNET
United States Senate



TAMMY BALDWIN
United States Senate



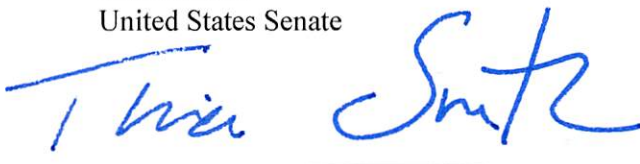
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