

SUPPORTING STATEMENT
FOR PAPERWORK REDUCTION ACT SUBMISSION

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DEPARTMENT OF EDUCATION

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DEPARTMENT OF HOMELAND SECURITY

8 CFR Part 214

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Note: The official version of this document is the document published in the Federal Register.

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DEPARTMENT OF EDUCATION

34 CFR Part 695

[Docket ID ED-2020-OPE-0040]

RIN 1840-AD50

Documentation of Foreign Source Gifts and Contracts

AGENCY: Office of Postsecondary Education, Department of Education.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Department proposes a regulation requiring submission of true copies of original agreements memorializing statutorily defined gifts, contracts, and/or restricted and conditional gifts or contracts from or with defined foreign sources by institutions, the value of which is \$250,000 or more (alone or in combination with other gifts from or contracts with that foreign source to the institution within a calendar year). Under the proposed regulation, these true copies would not be a part of institutions' semiannual disclosure reports filed with the Secretary of Education, pursuant to the requirements of Section 117 of the Higher Education Act of 1965 (HEA), as

amended. Therefore, to the extent permitted by law, these true copies would not be made publicly available.

DATES: Comments must be received by the Department on or before February 13, 2021.

ADDRESSES: Submit your comments through the Federal eRulemaking Portal or via postal mail, commercial delivery, or hand delivery. We will not accept comments submitted by fax or by email or those submitted after the comment period. To ensure that we do not receive duplicate copies, please submit your comments only once. In addition, please include the Docket ID at the top of your comments.

- Federal eRulemaking Portal: Go to www.regulations.gov to submit your comments electronically. Information on using Regulations.gov, including instructions for accessing agency documents, submitting comments, and viewing the docket, is available on the site under "Help."

- Postal Mail, Commercial Delivery, or Hand Delivery: The Department strongly encourages commenters to submit their comments electronically. However, if you mail or deliver your comments about the proposed regulations, address them to Levon Schlichter, U.S. Department of Education, 400 Maryland Ave., SW, 6E-235, Washington, DC 20202.

Privacy Note: The Department's policy is to make all comments received from members of the public available for public viewing in their entirety on the Federal eRulemaking Portal at www.regulations.gov. Therefore, commenters should be careful to include in their comments only information that they wish to make publicly available.

FOR FURTHER INFORMATION CONTACT: Levon Schlichter, U.S. Department of Education, Office of Postsecondary Education, 400 Maryland Ave. SW, Room 6E-235, Washington, DC 20202. Telephone: (202) 453-6387. Email: Levon.Schlichter@ed.gov.

If you use a telecommunications device for the deaf (TDD) or a text telephone (TTY), call the Federal Relay Service (FRS), toll free, at 1-800-877-8339.

SUPPLEMENTARY INFORMATION:

Invitation to Comment: We invite you to submit comments regarding these proposed regulations. To ensure that your comments have maximum effect in developing the final regulations, we urge you to identify clearly the specific section or sections of the proposed regulation that each of your comments addresses, and provide relevant information and data whenever possible, even when there is no specific solicitation of data and other supporting materials in the request for comment. We also urge you to arrange your

comments in the same order as the proposed regulation.

Please do not submit comments that are outside the scope of the specific proposals in this NPRM, as we are not required to respond to such comments.

We invite you to assist us in complying with the specific requirements of Executive Orders 12866, 13563, and 13771 and their overall requirement of reducing regulatory burden that might result from this proposed regulation. Please let us know of any further ways we could reduce potential costs or increase potential benefits while preserving the effective and efficient administration of the Department's programs and activities.

During and after the comment period, you may inspect all public comments about the proposed regulation by accessing Regulations.gov. You may also inspect the comments in person at 400 Maryland Ave., SW, 6E-235, Washington, DC, between 8:30 a.m. and 4:00 p.m., Eastern Time, Monday through Friday of each week except Federal holidays. To schedule a time to inspect comments, please contact one of the persons listed under FOR FURTHER INFORMATION CONTACT.

Assistance to Individuals with Disabilities in Reviewing the Rulemaking Record: On request, we will provide an appropriate accommodation or auxiliary aid to an

individual with a disability who needs assistance to review the comments or other documents in the public rulemaking record for the proposed regulation. To schedule an appointment for this type of accommodation or auxiliary aid, please contact one of the persons listed under FOR FURTHER INFORMATION CONTACT.

Background:

Section 117(a) of the Higher Education Act of 1965, as amended (HEA) (20 U.S.C. 1011f(a)), provides that institutions shall file a disclosure report with the Secretary of Education on January 31 or July 31, whichever is sooner, "[w]hensoever any institution is owned or controlled by a foreign source or receives a gift from or enters into a contract with a foreign source, the value of which is \$250,000 or more, considered alone or in combination with all other gifts from or contracts with that foreign source within a calendar year." Disclosure to the Department is also required for restricted or conditional gifts or contracts from a foreign source. Sec. 117(c) of the HEA (20 U.S.C. 1011f(c)). Simply put, Section 117 requires colleges and universities to disclose to the Department gifts, contracts, and/or restricted or conditional gifts or contracts from or with a foreign source when the value is \$250,000 or more (alone or

combined with other gifts or contracts from that foreign source within a calendar year). The Department is then required to make the disclosure reports available for public inspection. Sec. 117(e) of HEA (20 U.S.C. 1011f(e)). Section 117(g) authorizes the Secretary to promulgate regulations to carry out the requirements in Section 117. (20 U.S.C. 1011f(g)).

Despite the obligation of institutions to disclose statutorily defined gifts, contracts, and/or restricted and conditional gifts or contracts from or with statutorily defined foreign sources, there is evidence that a considerable number of institutions failed, over a period of at least several years, to accurately and timely file disclosure reports with the Department.¹ Ongoing Departmental investigations have revealed serious, persistent, and large-scale reporting failures by institutions in providing accurate and timely disclosure reports. Many colleges and universities, including some of America's most prominent, capable, and well-funded institutions, have failed to file required foreign source

¹ See several Government Accountability Office reports (<https://www.gao.gov/assets/700/696859.pdf>; <https://www.gao.gov/assets/700/697156.pdf>; and <https://www.gao.gov/assets/680/679322.pdf>) and a congressional report (See <http://www.hsgac.senate.gov/download/majority-and-minority-staff-report-chinas-impact-on-the-us-education-system>).

disclosure reports and/or have provided underinclusive and inaccurate information to the Department.² Billions of dollars in funds from foreign sources have not been reported as required by law.³

In order to help eliminate underreporting, the Department recently issued an information collection request (ICR) (OMB control number 1801-0006)⁴ that explained the Department was changing the method in which it collects Section 117 information and also the level of detail required to be reported. The ICR explained that the Department would no longer collect Section 117 information on the same form as numerous unrelated questions in the Department's Application to Participate in Federal Student Financial Aid Program(e-application) but instead would collect the information via a new Section 117 electronic reporting portal. The ICR also provided a number of detailed questions that institutions must answer relating to Section 117 activities, which generally capture the information explicitly covered by Section 117.

Additionally, for compliance and verification purposes, the

² Letter to the Permanent Subcommittee on Investigations (Nov. 17, 2019) available at <https://www2.ed.gov/policy/highered/leg/psi-nov27-2019.pdf>.

³ *Id.*

⁴ Details on this ICR can be found at www.reginfo.gov/public/do/PRAViewICR?ref_nbr=202002-1801-002.

ICR asks institutions to notify the Department of the name and address of foreign sources involved in covered agreements with institutions.

Data on the number of Section 117 disclosure reports submitted by an institution between June 22, 2020, and September 23, 2020, provide encouraging evidence that the ICR helped to improve underreporting. In this timeframe, institutions disclosed approximately 6,900 transactions,⁵ as compared to a total of 21,052 transactions disclosed by institutions between 2012-2018. Additionally, a total of 293 institutions submitted a Section 117 disclosure report, as compared to 162 institutions that submitted a Section 117 disclosure report between 2012-2018. Of these 293 institutions that submitted a disclosure report for the July 31, 2020, reporting cycle, 60 of these institutions had never reported a foreign gift or transaction to the Department previously.

This proposed regulation is designed to improve the accuracy of Section 117 reports, which is a comparable but different problem than underreporting. In the majority of our 12 investigations, we have uncovered inaccuracies in Section 117 disclosure reports that institutions submitted

⁵ Some of these transactions were from prior years that the institution had not reported previously.

before we issued our recent ICR. Additionally, of the 6,900 reports institutions submitted under the ICR, institutions have subsequently withdrawn 192 of these reports to correct self-identified inaccuracies. Because it is impractical to investigate or audit every institution that submits a Section 117 disclosure report, we have no way of knowing how many other institutions have submitted inaccurate reports and either did not identify the error or chose not to self-report the error. Without a true copy for the Department to refer to when reviewing institutions' disclosure reports, we have no reliable method of ensuring that institutions' disclosure reports are accurate. Given its experience in this specific area, the Department therefore believes that it is impossible to fully "carry out this section [117]" without true copies, thereby warranting rulemaking pursuant to the statutory authority in section 117(g).

As the Department stated in response to comments during the development of the ICR, Section 117(g) provides the Department with the authority to promulgate regulations to carry out any aspect of Section 117's reporting scheme. The Department has determined, using its specialized expertise and judgment, that it is having difficulty "carry[ing] out this section [117]" without access to the

true copies of the gifts and contracts institutions are reporting, especially in light of the history of underreporting and inaccurate Section 117 reporting. The rulemaking authority in Section 117(g) authorizes the Department to promulgate these regulations to ensure that the Department has the necessary information (the true copies) to be able to carry out Section 117. That is, without the true copies, the ultimate purpose of providing publicly available, accurate, information about foreign gifts and contracts to institutions would be stymied. However, given the comments and concerns we received on this topic in response to the ICR, we decided to use notice and comment rulemaking to propose this regulation and further engage with the public on this issue.

To ensure the accuracy of disclosure reports that the Department is required to provide for public inspection, the requirement to provide the Department with unredacted true copies of agreements between institutions and foreign sources is both lawful and necessary. (20 U.S.C. 1011f(a)-(c)).

The Department's recent investigations show that multiple institutions have often provided underinclusive and inaccurate disclosure reports, even while institutions have provided unprecedented levels of access and influence

to foreign governments and related entities (often memorialized in written agreements). Section 117 does not bar institutions from soliciting and accepting money from, or entering into contracts with, foreign governments, companies, persons, or their agents, but it does require that institutions disclose statutorily defined foreign source gifts and contracts to the Department and the American people.

National security concerns may be implicated by disclosure failures when donors and parties to gifts and/or contracts either are or represent foreign governments with ill intent for American interests. As we have seen from our investigations, for instance, access to taxpayer-funded college and university campuses or facilities may be required as a condition of gifts and/or contracts; or conditional gifts may require the consent of the donor party to what is taught in taxpayer-funded colleges and universities.⁶ Ongoing investigations indicate that foreign interests have sometimes gained the ability to influence taxpayer-funded college and university curricula, research, programs, and activities.⁷ These investigations reveal the

⁶ Letter to the Permanent Subcommittee on Investigations (Nov. 17, 2019) available at <https://www2.ed.gov/policy/highered/leg/psi-nov27-2019.pdf>.

⁷ *Id.*

impact that foreign gifts and contracts can have on highly sensitive research and curricula at taxpayer-funded colleges and universities and associated facilities (such as research laboratories), which accurate Section 117 reporting can help publicize.

Recent ongoing investigations by the Department indicate that six well-known universities collectively failed to report more than \$1.3 billion from foreign sources (including from China, Qatar, and Russia) over a seven-year period.⁸ After consideration, based, in part, on our investigative work, the Department determined that the provision of unredacted true copies of written agreements covered by Section 117, submitted concurrently with and in support of the information provided in disclosure reports, is critical for the Department to carry out Section 117's disclosure requirements. The Department would like these true copies so that it can compare the information (i.e., monetary value, timing of the contract, identity of the foreign source, etc.) against the information submitted by the institution. Access to the true copies will allow the Department to carry out Section 117 by providing a basis for the Department to review institutions' submissions to

⁸ Letter to the Permanent Subcommittee on Investigations (Nov. 17, 2019) available at <https://www2.ed.gov/policy/highered/leg/psi-nov27-2019.pdf>.

ensure that the information in the disclosure report aligns with the information in the true copies.

Furthermore, this requirement is the most cost-effective and least burdensome regulatory alternative available to verify institutions' historically lax compliance with the law. The Department's investigations are very burdensome for institutions and taxpayers. The very large amount of foreign funds, and the complex financial and legal structures used by some institutions to raise them, require intensive efforts to verify reported amounts from other sources (including, for example, data from IRS Form 990 tax returns and materials from other government agencies). Currently, comprehensive investigations of institutions, including record reviews and in some cases witness interviews, is often necessary to develop an accurate picture of funds from foreign sources. The Department believes requiring unredacted true copies will at once promote careful and accurate reporting by institutions, limit the need for burdensome investigations, and advance the clear Congressional intent that institutions transparently disclose foreign money.

Furthermore, the Department believes that requiring unredacted true copies will ensure that the public records on gifts from and contracts with foreign sources are

accurate at the time the information is made public, as opposed to once the inaccuracy is uncovered through an investigation. Similarly, this proposed rule would reduce the instances in which inaccuracies within these public records will need to be corrected.

Summary of Proposed Regulation:

Proposed Regulations: The proposed regulation would require that institutions electronically provide unredacted true copies of agreements of all gifts, contracts, and/or restricted or conditional gifts or contracts covered by the disclosure requirements under Section 117 of the HEA (20 U.S.C. 1011f). The institutions would have to provide these unredacted true copies of agreements in a word searchable portable document format (PDF) by uploading the true copies into the electronic reporting portal as part of institutions' Section 117 reporting through the electronic portal. The PDF format is, in the view of the Department, a standardized and fixed method for electronic submission of foreign source gift and contract true copies in support of institutions' disclosure reports, subject to the provisions in proposed § 695.1(e), which provide a process for institutions to weigh in on whether redactions are appropriate in response to a FOIA request. The Department would not treat the true copies submitted under this

proposed rule as part of the disclosure report that is required to be made publicly available under section 117(e).

Reasons: The proposed regulation would address critical inaccuracies within Section 117 disclosure reports submitted by institutions, allowing the Department to fulfill its statutory obligation to verify institutions' compliance with Section 117. Departmental investigations of institutions' compliance with disclosure requirements covered by Section 117 have revealed persistently underinclusive and inaccurate disclosures by many colleges and universities. Implementation of the proposed regulation would enable the Department to review relevant documentary evidence in support of institutions' Section 117 disclosures, thereby facilitating the Department's informed review of Section 117 disclosures. Furthermore, institutions would be more likely to include accurate information in their disclosure reports (filed concurrently with the Department) because the information the institution would submit would presumably align with the information contained within foreign source gift and contract agreements the institutions would provide under the proposed regulation.

The proposed regulation would impose the minimum burden necessary for the Department to verify that the information institutions are reporting under Section 117 is accurate. Administrative investigations by the Department now serve as a costly and burdensome alternative and typically involve relatively larger production demands (which demands have included production of relevant instruments, related internal and external communications, identification of key personnel, narrative descriptions, and donor information) by the government from institutions than would be required by the proposed regulation. The proposed regulation would reduce the need for expanded administrative investigations and associated production requests (and related litigation).

Proposed Regulations: Proposed § 695.1(d) would require institutions to submit substantive modifications and/or amendments of original documents by the statutory reporting deadline of either January 31 or July 31, whichever date occurs sooner after the date of the substantive modification and/or amendment of the original document. Thus, in instances where an institution submits a true copy of a contract and then subsequently agrees with the foreign source to substantively amend the contract, the institution would be required to provide a copy of the modified and/or

amended contract to the Department by the next statutory reporting deadline of either January 31 or July 31. We note that institutions would not need to provide true copies of amendments that are technical in nature.

Reasons: We are proposing this requirement to ensure that the true copies the Department receives are up-to-date and have not been superseded or invalidated by subsequent substantive amendments to these agreements between an institution and a foreign source. We note that the Department currently expects, and would continue to expect, institutions to correct previously submitted Section 117 reports only where a substantive amendment would change the underlying data the institution previously submitted in a material way. To date, it has been a common practice for institutions to withdraw and resubmit a prior report or correct prior data submitted whenever the data has changed in a material way. This approach is consistent with informal advice the Department has given to certain institutions on a case-by-case basis. Executive Orders 12866, 13563, and 13771

Regulatory Impact Analysis:

Under Executive Order 12866, the Office of Management and Budget (OMB) must determine whether this regulatory action is "significant" and, therefore, subject to the

requirements of the Executive order and subject to review by OMB. Section 3(f) of Executive Order 12866 defines a "significant regulatory action" as an action likely to result in a rule that may—

(1) Have an annual effect on the economy of \$100 million or more, or adversely affect a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or Tribal governments or communities in a material way (also referred to as an "economically significant" rule);

(2) Create serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(3) Materially alter the budgetary impacts of entitlement grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

(4) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles stated in the Executive order.

This proposed regulatory action is a significant regulatory action subject to review by OMB under section 3(f) of Executive Order 12866.

Under Executive Order 13771, for each new regulation that the Department proposes for notice and comment or

otherwise promulgates that is a significant regulatory action under Executive Order 12866 and that imposes total costs greater than zero, it must identify two deregulatory actions. For FY 2020, any new incremental costs associated with a new regulation must be fully offset by the elimination of existing costs through deregulatory actions. As noted above, the proposed regulations are a significant regulatory action under Executive Order 12866.

We have also reviewed the proposed regulation under Executive Order 13563, which supplements and explicitly reaffirms the principles, structures, and definitions governing regulatory review established in EO 12866. To the extent permitted by law, Executive Order 13563 requires that an agency--

(1) Propose or adopt regulations only on a reasoned determination that their benefits justify their costs (recognizing that some benefits and costs are difficult to quantify);

(2) Tailor its regulations to impose the least burden on society, consistent with obtaining regulatory objectives and taking into account—among other things and to the extent practicable—the costs of cumulative regulations;

(3) In choosing among alternative regulatory approaches, select those approaches that maximize net

benefits (including potential economic, environmental, public health and safety, and other advantages; distributive impacts; and equity);

(4) To the extent feasible, specify performance objectives, rather than the behavior or manner of compliance a regulated entity must adopt; and

(5) Identify and assess available alternatives to direct regulation, including economic incentives—such as user fees or marketable permits—to encourage the desired behavior, or provide information that enables the public to make choices.

Executive Order 13563 also requires an agency “to use the best available techniques to quantify anticipated present and future benefits and costs as accurately as possible.” The Office of Information and Regulatory Affairs of OMB has emphasized that these techniques may include “identifying changing future compliance costs that might result from technological innovation or anticipated behavioral changes.”

We are issuing the proposed regulation only on a reasoned determination that its benefits justify any costs associated with it. Based on the analysis that follows, the Department believes that these regulations are consistent with the principles in Executive Order 13563.

We also have determined that this regulatory action does not unduly interfere with State, local, or Tribal governments in the exercise of their governmental functions.

In accordance with both Executive orders, the Department has assessed the potential costs and benefits, both quantitative and qualitative, of this regulatory action. The potential costs associated with this regulatory action are those resulting from statutory requirements and those we have determined as necessary for administering the Department's programs and activities.

The Department has analyzed the costs and benefits of complying with the proposed regulation. Affected institutions would be required to electronically submit standardized word searchable portable document format (PDF) versions of true copies of documents already in the possession of the institutions in support of current statutory reporting obligations. The requested agreements relating to covered foreign source gifts and contracts should be in the possession and readily accessible to institutions. Converting the requested agreements from other formats to word searchable PDF version, as needed, should require a minimal amount of time and effort by institutions because, in our experience, most true copies

are electronic and there will likely be staff from institutions capable of quickly converting these documents to PDF. Likewise, electronic submission of the agreements - to occur concurrently with submission of disclosure reports - should add a very minimal burden to the compliance burden of institutions.

Discussion of Costs and Benefits

The Department has reviewed these proposed regulations to assess their potential impacts. Due to uncertainty regarding the specific number of gifts and agreements that will be subject to the Section 117 requirements in future years, we cannot estimate the potential costs of these proposed rules with absolute certainty. As described below, we estimate that these proposed regulations will result in a net reduction in costs of between \$3.3 and \$4.4 million over the next 10 years. These savings are largely the result of improved compliance with the Section 117 requirements and a resulting reduction in the number of investigations occurring each year.

In the most recent reporting cycle, approximately 300 institutions submitted reports under Section 117. On average, each report includes approximately 21 gifts or contracts. Approximately 50 percent of those gifts or contracts were actually executed in an earlier year but

were never reported until the July 31, 2020, reporting cycle. We therefore assume that the new reporting system instituted last year is already improving compliance with the requirements and, over time, the average number of gifts and contracts reported by institutions will decrease as institutions address the backlog of previously unreported gifts or contracts. We assume that the average number will drop from 21 per institution in Year 1 to 15 in Year 2 and 10 in each succeeding year. While we do not attempt to quantify it here, it is possible that the increased transparency as a result of these proposed rules (and related increased interest on the part of other entities such as the Government Accountability Office and Congress) will result in at least some institutions accepting fewer gifts from or contracts with foreign entities. It is also possible that the specific types of gifts and contracts may change. These effects are speculative and would be difficult to quantify with the information we have available. We do not assume that the total number of institutions submitting reports is likely to change over time, though, as noted above, some institutions may not be required to report in future years as a result of receiving fewer gifts or entering into fewer contracts with foreign entities. Further, some

institutions may choose to simply limit the size of gifts or contracts so that they do not trigger the reporting requirements under Section 117. Again, such effects are too speculative for reliable estimation at this time. Currently, the Department is conducting 12 investigations related to Section 117, a number that we assume would remain relatively stable in the absence of these proposed requirements. We further assume that the burden associated with each investigation in future years would remain unchanged, as this proposed rule does not change the likely parameters of such activities. We invite public comment on the extent to which this assumption is reasonable.

Further, we note that our establishment of a reasonable baseline is complicated by the notice of interpretation (NOI) announcing the Department's enforcement authority for failure to adequately report under Section 117, which published in the *Federal Register* on November 13, 2020 (82 FR 72567). We also invite public comment on how the NOI would be likely to change these baseline assumptions in the absence of this proposed rule.

We also assume that each institution will need to revise its policies and procedures to ensure that the individual in charge of reporting under Section 117 has access to true copies of the gifts or contracts. We assume

that this would largely involve either shifting reporting responsibility to another office (e.g., from the financial aid office to the finance office) or setting up a system for the individual currently reporting to access a hard or digital copy (e.g., by transmitting it through inter-office mail or by providing server access). We assume this would take an attorney approximately 4 hours to advise on the requirements (\$109.04/hour), an educational administrator (\$89.43/hour) 8 hours and an administrative assistant ((\$45.10/hour) 16 hours to complete the necessary changes for a total one-time cost of approximately \$561,970. We invite public comment on the extent to which the activities outlined above capture the likely average effects on an institution or whether this proposed rule would generate additional burdens, including either additional time or financial burdens, such as the adoption of new costly technologies, systems, or processes.

We also assume that submitting true copies of gifts and contracts will take additional time for both staff at the institution and at the Department. As described in the Paperwork Reduction Act of 1995 section below, we assume that this would take approximately an additional 15 minutes for administrative staff per agreement for staff at institutions. We further assume that review of the

submissions would take an additional 10 minutes per agreement by Department staff at the GS-11 level, which would involve using optical character recognition (to enable keyword searching), and then reviewing the true copies against what the institution reported. In Year 1, we assume these increased costs would total approximately \$132,100, decreasing to approximately \$62,910 per year by Year 3. We are particularly interested in public comment regarding the estimate for this aspect of the burden.

As noted above, we believe that these proposed regulations would result in increased compliance with the requirements of Section 117 and reduce errors in the submissions made by institutions. As a result, we assume that the number of investigations initiated by the Department would decrease. The Department began opening investigations in the past year and a half and currently has 12 open investigations, which we use as the baseline. We assume that the number of investigations would decrease by 3 each year through Year 4, with a steady rate of 3 investigations per year thereafter. Based on the expertise of Department staff, we assume that each investigation requires approximately 30 hours of staff time from Department staff, 60 hours from an attorney for the institution (\$109.04/hour), 40 hours for an administrator

(\$89.43/hour), 120 hours from administrative staff (\$45.10/hour), and approximately 300 hours from outside counsel at a rate of \$250 per hour. We assume such high burden on the part of institutions because of the volume of documents potentially implicated in an investigation, which can, in our experience, easily exceed 20,000 pages. This document review is a primary reason that many institutions, in our experience, seek the assistance of outside counsel during these investigations. In total, we assume that each investigation costs approximately \$92,860. We assume no savings from reduced investigations in Year 1, with approximately \$278,580 in net savings in Year 2 relative to baseline. Those savings increase each year through Year 4, when we estimate a steady state savings of \$835,730 relative to baseline in each successive fiscal year. While we herein estimate that the number of investigations would decline by roughly 75 percent over the next four years as a result of these proposed regulations, we note that we would still estimate cost savings from these proposed regulations if there were only two fewer investigations per year.

Finally, the proposed regulations would require institutions to submit amended true copies of gifts or contracts if they change after their initial submission to the Department. While we do not have a basis on which to

estimate how frequently this occurs, we assume herein that there is approximately a 25 percent chance that any submitted true copy will be amended within three years. We assume that each submission of an amended true copy will take administrative staff approximately 15 minutes. We estimate the cost of submitting amended true copies to be between \$17,760 and \$28,890 per year, depending on the number of gifts or contracts reported during the preceding three-year period.

In total, we estimate that these proposed regulations would result in a net cost savings to institutions and the Federal government of between \$3.3 and \$4.4 million over the next ten years.

	Estimated Total Costs	
Activity	3%	7%
Revising Policies and Procedures	\$545,606	\$525,210
Change in Time to Review	\$292,835	\$246,854
Investigations	(\$5,537,428)	(\$4,374,703)
New System	\$340,597	\$287,115
Amended True Copies	\$211,054	\$176,871

The Department invites comment from members of the public regarding any of our cost-estimates, our assumptions or any other aspects of our Discussion of Costs and Benefits.

Alternatives Considered

The Department considered two alternatives to these proposed regulations: (1) increasing the number and frequency of our monitoring/auditing activities; and, (2) continuing to rely on investigations as the primary method of ensuring that institutions are submitting accurate Section 117 public disclosures. We did not choose the first alternative of increasing the number and frequency of monitoring/auditing activities because the proposed regulation more effectively achieves the statute's purpose of making information about gifts from and contracts with foreign sources publicly available. Specifically, Section 117(e) provides that disclosure reports are public records. In order to most effectively achieve transparency as Congress intended and the statute requires, the information within these public records must be accurate and timely. If institutions provided true copies of gifts and contracts at the time that they submit their Section 117 disclosure reports, then the Department would be able to more quickly determine whether the reported information is accurate. In

contrast, the Department's auditing/monitoring activities do not uncover inaccuracies until well after the disclosure reports are made public. Therefore, relying on auditing/monitoring would not be as effective as these proposed regulations in ensuring that the public has access to accurate information about institutions' gifts from and contracts with foreign sources.

Similarly, the Department did not choose the second alternative of continuing to rely on investigations as the primary method of ensuring that disclosure reports under Section 117 are accurate. We decided against this approach for the same reasons that we do not believe increased auditing/monitoring would be a better alternative: investigations do not uncover inaccurate reporting until well after the information has been publicly disclosed. Additionally, Section 117 investigations consume significant amounts of time and resources, both for the Department and for institutions under investigation. The burden on an institution to provide true copies of gifts and contracts is less in comparison.

We note that the NOI we published on November 13, 2020, in the *Federal Register* (85 FR 72567) clarifies the Department's enforcement authority for failure to adequately report under section 117. The range of

enforcement actions for non-compliance with section 117, announced in the NOI, may increase institutions' motivation to submit section 117 reports in the first place; however, the NOI does not provide a direct link for the Department to verify in a timely manner the accuracy of 117 reports that are submitted. In fact, the subpoena authority described in the NOI applies only after the Department has initiated an investigation. Therefore, we are proposing this rule to promote accurate reporting, and the Department's ability to quickly verify the accuracy of that reporting, at the time that institutions submit their reports.

Elsewhere in this section under Paperwork Reduction Act of 1995, we identify and explain burdens specifically associated with information collection requirements.

Clarity of the Regulation:

Executive Order 12866 and the Presidential memorandum "Plain Language in Government Writing" require each agency to write regulations that are easy to understand. The Secretary invites comments on how to make the regulation easier to understand, including answers to questions such as the following:

- Are the requirements in the proposed regulation clearly stated?

- Does the proposed regulation contain technical terms or other wording that interferes with its clarity?
- Does the format of the proposed regulation (use of headings, paragraphing, etc.) aid or reduce its clarity?
- Would the proposed regulation be easier to understand if we divided it into more (but shorter) sections? (A "section" is preceded by the symbol "\$" and a numbered heading; for example, § 106.9 Dissemination of policy.)
- Could the description of the proposed regulation in the SUPPLEMENTARY INFORMATION section of this preamble be more helpful in making the proposed regulation easier to understand? If so, how?
- What else could we do to make the proposed regulation easier to understand?

To send any comments that concern how the Department could make these proposed regulations easier to understand, see the instructions in the ADDRESSES section.

Regulatory Flexibility Act Certification

The Secretary certifies that the proposed regulation would not have a significant economic impact on a substantial number of small entities. As described in the *Discussion of Costs and Benefits* section of this notice,

the Department estimates that the proposed regulations would result in cost-savings.

The U.S. Small Business Administration Size Standards define proprietary institutions as small businesses if they are independently owned and operated, are not dominant in their field of operation, and have total annual revenue below \$7,000,000. Non-profit institutions are defined as small entities if they are independently owned and operated and not dominant in their field of operation. Public institutions are defined as small organizations if they are operated by a government overseeing a population below 50,000. The Department recently proposed a size classification based on enrollment using IPEDS data that established the percentage of institutions in various sectors considered to be small entities, as shown in Table 8. This size classification is as follows:

- Two-year IHEs, enrollment less than 500 FTE; and
- Four-year IHEs, enrollment less than 1,000 FTE.

The Department discussed this proposed standard with the Chief Counsel for Advocacy of the Small Business Administration. The Department continues to believe this approach better reflects a common basis for determining size categories that is linked to the provision of educational services.

Table 8: Small Entities Under Enrollment Based Definition				
<u>Level</u>	<u>Type</u>	<u>Small</u>	<u>Total</u>	<u>Percent</u>
2-year	Public	342	1,240	28%
2-year	Private	219	259	85%
2-year	Proprietary	2,147	2,463	87%
4-year	Public	64	759	8%
4-year	Private	799	1,672	48%
4-year	Proprietary	425	558	76%
Total		3,996	6,951	57%

The proposed regulation would affect a small percentage of small entities under the proposed size classification standard. Based on the one and only reporting cycle that has occurred since the Department created the Section 117 electronic reporting portal, only 15 of the 293 institutions that disclosed foreign gift and contracts are considered small entities. This amounts to less than one percent of the 3,996 total small institutions. Furthermore, institutions already have to report information about their gifts from and contracts with foreign sources to the Department under the existing ICR. Therefore, we estimate that requiring institutions to provide a true copy of each reported transaction in PDF format will increase the burden on small entities by only 15 minutes per each true copy. This small burden increase

per reported transaction is more than offset by the cost-savings from an expected reduction in investigations as noted in the Discussion of Costs and Benefits section above. As a result, the proposed regulations are not expected to have a significant economic impact on entities classified as small under the proposed size classification standard.

The Department invites comment from members of the public regarding our estimates and whether this proposed rule may have a significant economic impact on a substantial number of small entities.

Paperwork Reduction Act of 1995

As part of its continuing effort to reduce paperwork and respondent burdens, the Department provides the general public and Federal agencies with an opportunity to comment on proposed and continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c) (2) (A)). This helps to ensure that the public understands the Department's proposed instructions, respondents can provide the requested information in an optimal format, reporting burden (time and financial resources) is minimized, and the Department can properly assess the impact of collection requirements on respondents.

This proposed regulation is designed to improve the accuracy of Section 117 reporting conducted under an existing ICR, OMB control number 1801-0006, which provided the questions institutions must answer when submitting information to the Department about gifts from and contracts with foreign sources.⁹ Under the existing ICR, the Department created an electronic reporting portal for institutions to input the information they disclose under Section 117. The proposed regulation would revise the existing ICR by adding a field to the existing electronic reporting portal for institutions to upload the true copies of gifts and contracts that institutions disclose under Section 117. The Department is modifying the existing ICR, OMB control number 1801-0006, to add the burden of converting (as needed) true copies to a PDF and uploading the true copies into the Department's Section 117 electronic reporting portal.

Under the proposed regulations, institutions would be required to electronically submit true copies of agreements of all gifts, contracts, and/or restricted or conditional gifts or contracts from or with statutorily defined foreign

⁹ Details on this ICR can be found at https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=202002-1801-002.

sources in a PDF version. Institutions are currently required to disclose to the Department information contained within true copies of these agreements, and so minimal time and effort should be required to retrieve the documents. Additionally, converting (as needed) the documents to a PDF version and electronically submitting the documents should require very little additional time and effort. We believe such an electronic submission would take no longer than 15 minutes per agreement to be performed by professional staff at a rate of \$15.95/hour.

We have initiated a modification to the existing ICR to revise our burden estimates that were set out in the supporting statement to the ICR (OMB Control Number 1801-0006).¹⁰ These revised estimates are based on the disclosure reports we have received since the ICR went into effect and institutions began using the Section 117 reporting portal to submit their disclosure reports. After we issued the ICR and developed the electronic reporting portal as part of the ICR, institutions reported a total of 2,975 transactions involving gifts received or contracts entered into during the July 31, 2020, reporting cycle (the second of the two bi-annual reporting deadlines). As

¹⁰ <https://www.reginfo.gov/public/do/DownloadDocument?objectID=98504002>.

explained in the Regulatory Impact Analysis (RIA) above, we expect the number of transactions institutions will report in the future to decrease because about half of these 2,975 transactions reflect catch-up reporting from prior reporting cycles when institutions failed to timely report these transactions. Using the estimates from the RIA above, assuming this rule is effective by the July 2021 reporting deadline, we expect 4,500 reported transactions in year 1 and 3,000 transaction in years 2 and 3. So for the three years that this information collection request would be approved by OMB, there would be an average of 3,500 total transactions institutions would report per year. Using our estimate of 15 minutes to convert a true copy into a PDF and submit it through the electronic portal, the proposed regulation would add 875 total burden hours ($3,500/4$ (at 15 minutes per transaction, an institution can upload 4 true copies per hour)). Thus, the proposed regulations would add a total cost of \$13,956 ($875 \times \15.95 wage/hour). The following chart provides the total cost estimates for the ICR, which we have revised based on the recent data from the July 2020 reporting cycle and for which we added the 15 minutes of additional burden that would be created by these proposed regulations:

Institution Type	Respondents	Responses/Year	Hours/Response	Burden Hours	Cost
Public	185	2,162	X 20.25 hours	43,781	\$1,044,246
Private, Not for Profit	105	1,219	X 20.25 hours	24,685	\$588,777
Proprietary	10	119	X 20.25 hours	2,410	\$57,477
TOTAL	300	3,500	X 20.25 hours	70,876	\$1,690,500

Intergovernmental Review

These proposed regulations are not subject to EO 12372 and the regulations in 34 CFR part 79.

Assessment of Educational Impact

In accordance with section 411 of the General Education Provisions Act (GEPA), 20 U.S.C. 1221e-4, the Secretary particularly requests comments on whether the proposed regulations would require transmission of information that any other agency or authority of the United States gathers or makes available.

Accessible Format: On request to the program contact person listed under FOR FURTHER INFORMATION CONTACT, individuals with disabilities can obtain this document and a copy of the application package in an accessible format. The Department will provide the requestor with an accessible format that may include Rich Text Format (RTF) or text format (txt), a thumb drive, an MP3 file, braille,

large print, audiotape, or compact disc, or other accessible format.

Electronic Access to This Document: The official version of this document is the document published in the *Federal Register*. You may access the official edition of the *Federal Register* and the Code of Federal Regulations at www.govinfo.gov. At this site you can view this document, as well as all other documents of this Department published in the *Federal Register*, in text or PDF. To use PDF you must have Adobe Acrobat Reader, which is available at no cost to the user at the site.

You may also access documents of the Department published in the *Federal Register* by using the article search feature at: www.federalregister.gov. Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

List of Subjects

34 CFR Part 695

Colleges and universities, Reporting and recordkeeping requirements, Foreign investments in U.S.

Dated:

Mitchell Zais,
Acting Secretary of Education.

For the reasons discussed in the preamble, the Secretary of Education proposes to add part 695 of title 34 of the Code of Federal Regulations as follows:

34 CFR PART 695--COLLEGES AND UNIVERSITIES, REPORTING AND DISCLOSURE REQUIREMENTS, FOREIGN GIFTS AND CONTRACTS

1. The authority citation for part 695 would read as follows:

Authority: 20 U.S.C. 1011f(a)-(h), 1221e-3, 3474, unless otherwise noted.

2. Add § 695.1 to part 695 to read as follows:

§ 695.1 Electronic submission of true copies of gifts and contracts disclosed under Section 117 of the Higher Education Act of 1965, as amended.

(a) Institutions required to file a disclosure report(s) with the Secretary under the provisions of Section 117(a)-(c) of the HEA (20 U.S.C. 1011f(a)-(c)) must electronically submit unredacted true copies of all gifts, contracts, and/or restricted or conditional gifts or contracts relevant to each disclosure report in evidentiary support of the disclosure report at the time of submission of the disclosure report.

A "true copy" is defined as an exact or duplicate copy of an original document. True copies are not required to be identified by a Notary Public as exact copies

but true copies may be identified by a Notary Public as exact copies, if an institution chooses to use a Notary Public.

(b) True copies of all covered gifts, contracts, and/or restricted or conditional gifts or contracts must be electronically submitted to the Department in standardized portable document format (PDF) version.

(c) True copies of all covered gifts, contracts, and/or restricted or conditional gifts or contracts must be electronically submitted to the Department, at the same time an institution submits any related information about the reported transaction, through its official reporting portal website, accessible at <https://nces.ed.gov/ipeds/report-your-data>.

(d) True copies of substantive modifications and/or amendments to the original document must be provided to the Department (as described in paragraphs (a)-(c) of this section) by the statutory reporting deadline of either January 31 or July 31, whichever date occurs sooner after the date of the substantive modification and/or amendment of the original document.

(e) Where applicable, the Department will follow the procedures described in (34 CFR 5.11(d)-(j)). The public disclosure report that the Department will disseminate

consists of the information submitted through the section 117 reporting portal except the foreign sources' names and addresses, and true copies of gifts or contracts.

To amend the Higher Education Act of 1965 to provide clarity for Institutes of Higher Education when reporting foreign gifts, contracts, and other sources of income, and for other purposes.

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From: Harry, Deborah
Subject: FW: Sec117 - Yale University
To: Foss, Ian
Sent: April 7, 2021 3:52 PM (UTC-04:00)
Attached: Entries to Delete from Section 117 Public Records Database.pdf, Copy of Historical Foreign Gift 2020_10_19 v1 Yale.xlsx, RE_ Foreign Gift Steering Committee Meeting.eml

Hi Ian,

I talked to Robin and we feel that this should be referred to OGC as we no longer own the website or the process. Thanks.

Debi

From: Pickett, Veronica <Veronica.Pickett@ed.gov>
Sent: Friday, April 2, 2021 11:42 AM
To: Foss, Ian <Ian.Foss@ed.gov>
Cc: Storey, Melanie <melanie.storey@ed.gov>
Subject: FW: Sec117 - Yale University

Hi Ian,

Attached are the documents for our meeting this afternoon, regarding Yale's request to delete historical data from the attached spreadsheet that is posted on the public foreign gift website. (b)(5)

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Veronica

From: Pickett, Veronica
Sent: Friday, April 2, 2021 9:36 AM
To: Hammond, Cynthia <Cynthia.Hammond@ed.gov>; Williams, Monica <Monica.Williams@ed.gov>; Bradshaw, Patrick <Patrick.Bradshaw@ed.gov>; Perez, Sergio <Sergio.Perez@ed.gov>
Subject: RE: Sec117 - Yale University

Good Morning All,

Can we discuss the email string below and the attachments during your 10 am meeting this morning? Thanks.

Veronica

From: Bowder, Susan
Sent: Thursday, April 1, 2021 7:46 PM
To: Curry, Christopher <Christopher.Curry@ed.gov>; Meadows, Kim <Kim.Meadows@ed.gov>; Fernandez-Rosario, Martina <Martina.Fernandez-Rosario@ed.gov>
Cc: Uhlir, Jennifer <Jennifer.Uhlir@ed.gov>; Martinez, Teresa <Teresa.Martinez@ed.gov>; Pickett, Veronica <Veronica.Pickett@ed.gov>; Kimbrough, Kai <Kai.Kimbrough@ed.gov>; Perez, Sergio <Sergio.Perez@ed.gov>
Subject: RE: Sec117 - Yale University

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Susan

From: Curry, Christopher <Christopher.Curry@ed.gov>
Sent: Thursday, April 1, 2021 2:47 PM
To: Meadows, Kim <Kim.Meadows@ed.gov>; Fernandez-Rosario, Martina <Martina.Fernandez-Rosario@ed.gov>
Cc: Uhler, Jennifer <Jennifer.Uhler@ed.gov>; Martinez, Teresa <Teresa.Martinez@ed.gov>; Pickett, Veronica <Veronica.Pickett@ed.gov>; Kimbrough, Kai <Kai.Kimbrough@ed.gov>; Bowder, Susan <Susan.Bowder@ed.gov>; Perez, Sergio <Sergio.Perez@ed.gov>
Subject: FW: Sec117 - Yale University

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From: Meadows, Kim <Kim.Meadows@ed.gov>
Sent: Thursday, April 1, 2021 5:30 PM
To: Fernandez-Rosario, Martina <Martina.Fernandez-Rosario@ed.gov>; Curry, Christopher <Christopher.Curry@ed.gov>; Uhler, Jennifer <Jennifer.Uhler@ed.gov>; Martinez, Teresa <Teresa.Martinez@ed.gov>
Cc: Pickett, Veronica <Veronica.Pickett@ed.gov>; Kimbrough, Kai <Kai.Kimbrough@ed.gov>; Perez, Sergio <Sergio.Perez@ed.gov>; Bowder, Susan <Susan.Bowder@ed.gov>
Subject: RE: Sec117 - Yale University

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Let me know.

Kim Meadows

Branch Chief
U.S. Department of Education, Federal Student Aid
School Eligibility & Oversight Group
San Francisco/Seattle School Participation Division
Telephone: (202)377-3058
Email: kim.meadows@ed.gov

From: Fernandez-Rosario, Martina <Martina.Fernandez-Rosario@ed.gov>
Sent: Thursday, April 1, 2021 5:19 PM
To: Curry, Christopher <Christopher.Curry@ed.gov>; Uhler, Jennifer <Jennifer.Uhler@ed.gov>; Martinez, Teresa <Teresa.Martinez@ed.gov>
Cc: Meadows, Kim <Kim.Meadows@ed.gov>; Pickett, Veronica <Veronica.Pickett@ed.gov>; Kimbrough, Kai <Kai.Kimbrough@ed.gov>; Perez, Sergio <Sergio.Perez@ed.gov>
Subject: FW: Sec117 - Yale University

Hello Everyone,

Please review this message and take appropriate action.

I'm copying Kim Meadows in case she can assist on this since she was involved in developing the reporting of Foreign Gifts.

Thank you.

Martina

From: Perez, Sergio <Sergio.Perez@ed.gov>
Sent: Thursday, April 1, 2021 10:48 AM
To: Fernandez-Rosario, Martina <Martina.Fernandez-Rosario@ed.gov>
Cc: Pickett, Veronica <Veronica.Pickett@ed.gov>; Kimbrough, Kai <Kai.Kimbrough@ed.gov>
Subject: FW: Sec117 - Yale University

Hi Martina,

Veronica asked that I forward this message from Yale to you for follow-up. Let me know if you have any questions. Thanks.

Sergio

From: Sarro, Rachele <rachele.sarro@yale.edu>
Sent: Tuesday, March 30, 2021 9:31 AM
To: ForeignGiftsAccess <ForeignGiftsAccess@ed.gov>
Subject: RE: Sec117 - Yale University

Hi,

I have not heard back on this. Is there an update?

From: ForeignGiftsAccess <ForeignGiftsAccess@ed.gov>
Sent: Friday, March 5, 2021 9:56 AM
To: Sarro, Rachele <rachele.sarro@yale.edu>; ForeignGiftsAccess <ForeignGiftsAccess@ed.gov>
Subject: RE: Sec117 - Yale University

Morning Rachele,

This inbox only handles issues for the Foreign Gifts site. That said, we are investigating to find someone to – possibly – assist with responding to your inquiry.

Regards,

Foreign Gifts Access Team

From: Sarro, Rachele <rachele.sarro@yale.edu>
Sent: Thursday, March 4, 2021 1:31 PM
To: ForeignGiftsAccess <ForeignGiftsAccess@ed.gov>
Subject: RE: Sec117 - Yale University

Hello,

We would like the items flagged for withdrawal. There aren't ID numbers for these. They predate the current online submission portal. These gifts and contracts were submitted via the E-App system that the Department of Education

uses for Title IV compliance. That system doesn't assign ID numbers for individual submissions. Would you be able to search the Section 117 public record Excel file posted on your website to find these and withdraw?

Rachele

From: ForeignGiftsAccess <ForeignGiftsAccess@ed.gov>
Sent: Thursday, March 4, 2021 11:46 AM
To: Sarro, Rachele <rachele.sarro@yale.edu>; ForeignGiftsAccess <ForeignGiftsAccess@ed.gov>
Subject: RE: Sec117 - Yale University

Morning Rachele,

Thank you for your email. Unfortunately, we cannot delete submissions. However, you can flag a submission for withdrawal. Withdrawn items are no longer part of an institution's submission. If necessary, your institution would be responsible for creating a new submission and entering the correct information.

Please let us know if you would like to flag the submission for withdrawal. By responding to the affirmative you confirm you understand the items above. In addition to the OPEID you've already provided, you must provide the submission ID number of the items to be withdrawn. If you would like to have the items withdrawn, do not send an attachment. Please advise.

Regards,

Foreign Gifts Access Team

From: Sarro, Rachele <rachele.sarro@yale.edu>
Sent: Thursday, March 4, 2021 10:55 AM
To: ForeignGiftsAccess <ForeignGiftsAccess@ed.gov>
Subject: Sec117 - Yale University

To whom it may concern:

I am requesting on behalf of Yale University (School OPEID 00142600) that Federal Student Aid delete several entries submitted in the past by Yale from the Department's Section 117 public records database. Please see the attached spreadsheet for the entries to be deleted. Yale was notified by the donors responsible for the gifts listed in the spreadsheet that they are U.S. citizens; and we identified two agreements that were inadvertently double-reported as both "gifts" and "contracts."

Thanks,

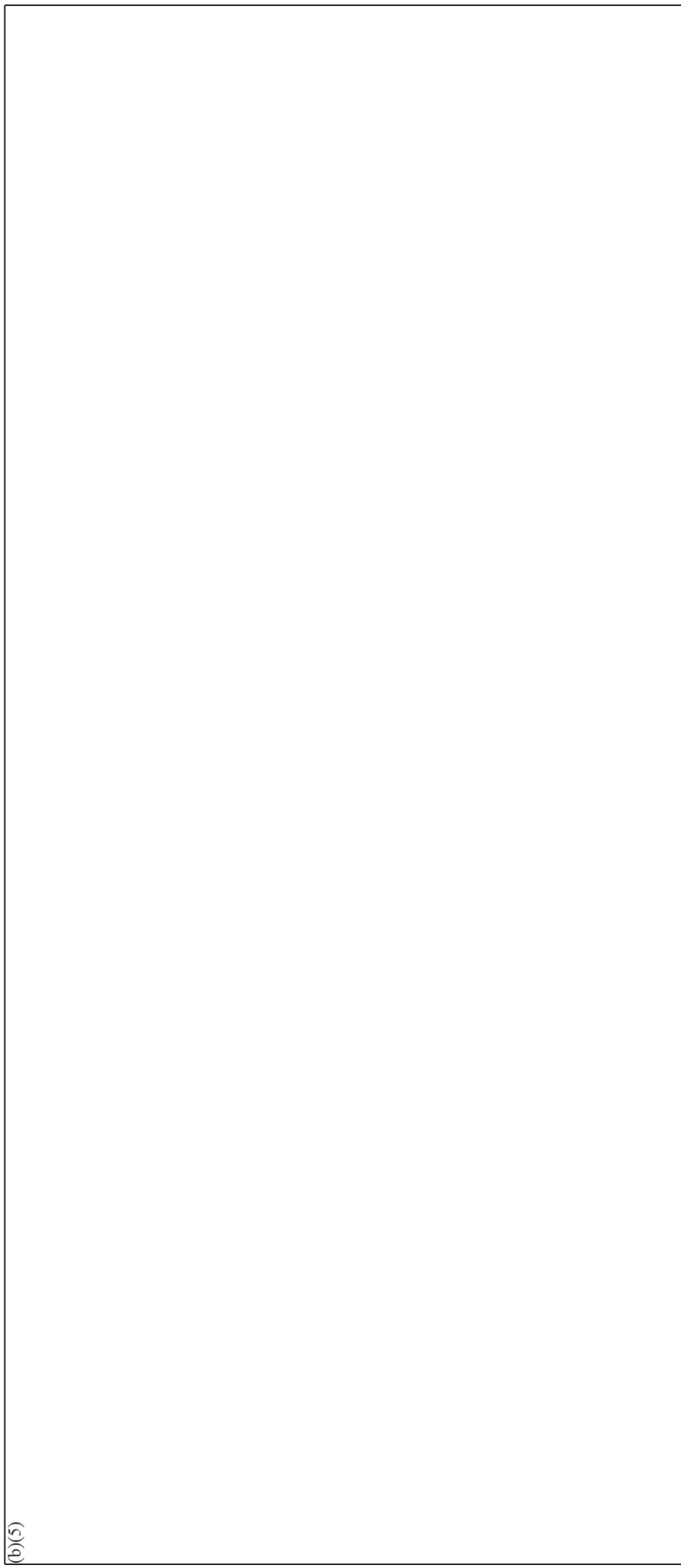
Rachele Sarro, CPA

Yale University, Financial Compliance Manager, Controller's Office
25 Science Park, 150 Munson Street, New Haven, CT 06511
☎: 203.436.8356 | ✉: Rachele.Sarro@yale.edu



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Withheld pursuant to exemption

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of the Freedom of Information and Privacy Act

Withheld pursuant to exemption

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Withheld pursuant to exemption

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Withheld pursuant to exemption

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of the Freedom of Information and Privacy Act

Withheld pursuant to exemption

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of the Freedom of Information and Privacy Act

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of the Freedom of Information and Privacy Act

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of the Freedom of Information and Privacy Act

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of the Freedom of Information and Privacy Act

Withheld pursuant to exemption

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of the Freedom of Information and Privacy Act

OGC FOIA_s STATUS REPORT
4/13//2021

(b)(5)

From: Malawer, Hilary
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA
To: Payne, Alexander
Sent: April 21, 2021 8:32 PM (UTC-04:00)

Thanks, Alexander.

From: Payne, Alexander <Alexander.Payne@ed.gov>
Sent: Wednesday, April 21, 2021 5:38 PM
To: Malawer, Hilary <Hilary.Malawer@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Thank you all for this. I'll let you know if there are more additional questions from HELP.

From: Malawer, Hilary <Hilary.Malawer@ed.gov>
Sent: Wednesday, April 21, 2021 4:45 PM
To: Payne, Alexander <Alexander.Payne@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

All--

(b)(5)

Thanks,

Hilary

From: Payne, Alexander <Alexander.Payne@ed.gov>
Sent: Wednesday, April 21, 2021 1:45 PM
To: Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Thanks Kevin, I'll provide the yellow number for now and if asked to be broken down can provide the green.

(b)(5)

Melanie, I'll be sure to communicate that when I send the yellow number.

From: Muenzer, Melanie <Melanie.Muenzer@ed.gov>
Sent: Wednesday, April 21, 2021 1:34 PM
To: Slupe, Kevin <Kevin.Slupe@ed.gov>; Payne, Alexander <Alexander.Payne@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Alex --

(b)(5)

Thanks

From: Slupe, Kevin <Kevin.Slupe@ed.gov>
Sent: Wednesday, April 21, 2021 10:27 AM
To: Payne, Alexander <Alexander.Payne@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Good afternoon,

(b)(5)

Regards,
Kevin

From: Payne, Alexander <Alexander.Payne@ed.gov>

Sent: Tuesday, April 20, 2021 2:56 PM

To: Darcus, Joanna <Joanna.Darcus@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>

Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>

Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Hi All,

A couple follow up questions:

(b)(5)

From: Darcus, Joanna <Joanna.Darcus@ed.gov>

Sent: Tuesday, April 20, 2021 11:21 AM

To: Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Payne, Alexander <Alexander.Payne@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>

Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>

Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

+ Greg

Thanks, all.

Joanna

From: Muenzer, Melanie <Melanie.Muenzer@ed.gov>

Sent: Tuesday, April 20, 2021 10:46 AM

To: Merolli, Emily <Emily.Merolli@ed.gov>; Payne, Alexander <Alexander.Payne@ed.gov>

Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie

<Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

I've put my questions/comments on OGC's comments in red below. If I didn't add a note, I'm ok with OGC's response.

Thanks

From: Merolli, Emily <Emily.Merolli@ed.gov>
Sent: Tuesday, April 20, 2021 6:52 AM
To: Payne, Alexander <Alexander.Payne@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Good morning, Alex:

OGC's responses to each of the questions are included in blue, below. (b)(5)

(b)(5)

Please let me know if you have any questions,
Emily

From: Payne, Alexander
Sent: Friday, April 16, 2021 6:25 PM
To: Merolli, Emily <Emily.Merolli@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Hi all,

A few follow up questions. HELP doesn't need these until Tues morning.

(b)(5)

(b)(5)

Alex

From: Merolli, Emily <Emily.Merolli@ed.gov>
Sent: Friday, April 16, 2021 11:52 AM
To: Payne, Alexander <Alexander.Payne@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Good morning, all:

Please see the attached, which are Bucky's comments on the revised document for consideration.

(b)(5)

From: Payne, Alexander <Alexander.Payne@ed.gov>
Sent: Thursday, April 15, 2021 6:39 PM
To: Merolli, Emily <Emily.Merolli@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>
Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <Jill.Siegelbaum@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Here is the document. This is a redline to current law of the Republican HELP response to the D's offer.

(b)(5)

From: Payne, Alexander
Sent: Thursday, April 15, 2021 6:06 PM
To: Merolli, Emily <Emily.Merolli@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>
Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <Jill.Siegelbaum@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Thank you! Will get that to you all as soon as I receive it. Also, will hold off on sending the FOIA TA to Bryce since it seems like it was sufficiently discussed on the call.

From: Merolli, Emily <Emily.Merolli@ed.gov>
Sent: Thursday, April 15, 2021 6:01 PM
To: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>
Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <Jill.Siegelbaum@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Payne, Alexander <Alexander.Payne@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Hi all- Kevin and I are going to discuss (b)(5) and I'll work on the language, with the goal of circulating to our group by noon tomorrow. Alex, I'll wait until I see the new proposal Bryce mentioned and work from that.

Thanks,
Emily

From: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>
Sent: Thursday, April 15, 2021 3:31 PM
To: Muenzer, Melanie <Melanie.Muenzer@ed.gov>
Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <Jill.Siegelbaum@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Payne, Alexander <Alexander.Payne@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Melanie: I agree with your view on this. I recommend discussing it informally if needed, and then deciding (after the call) what to send. Thanks for sharing your views.

Phil

From: Muenzer, Melanie <Melanie.Muenzer@ed.gov> **Sent:** Thursday, April 15, 2021 3:23 PM
To: Payne, Alexander <Alexander.Payne@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>
Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <Jill.Siegelbaum@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

I'd actually recommend just talking about it first on the call and then sending it over.

From: Payne, Alexander <Alexander.Payne@ed.gov>
Sent: Thursday, April 15, 2021 12:18 PM
To: Riddle, Paul <Paul.Riddle@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>
Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <Jill.Siegelbaum@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

I will share this with Bryce in advance of the call unless there are objections.

From: Payne, Alexander
Sent: Thursday, April 15, 2021 3:03 PM
To: Riddle, Paul <Paul.Riddle@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>
Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <Jill.Siegelbaum@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

+ Melanie and Julie so they're aware.

From: Riddle, Paul <Paul.Riddle@ed.gov>
Sent: Thursday, April 15, 2021 2:04 PM
To: Merolli, Emily <Emily.Merolli@ed.gov>; Payne, Alexander <Alexander.Payne@ed.gov>
Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <Jill.Siegelbaum@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

+ OGC colleagues

From: Merolli, Emily <Emily.Merolli@ed.gov>
Sent: Thursday, April 15, 2021 2:01 PM
To: Payne, Alexander <Alexander.Payne@ed.gov>
Cc: Riddle, Paul <Paul.Riddle@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Hi Alex:

(b)(5)

Thanks,
Emily

From: Merolli, Emily <Emily.Merolli@ed.gov>
Sent: Wednesday, April 14, 2021 1:32 PM
To: Payne, Alexander <Alexander.Payne@ed.gov>
Cc: Riddle, Paul <Paul.Riddle@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Hi Alex:

I'd suggest including Gregory Smith, the FOIA Director and Robert Wehausen, the FOIA Public Liaison/Team Lead. The ED FOIA website lists Madeleine Huizinga as the FOIA contact for your office, so she may have more of an idea of who else should take a look.

I've also asked our FOIA attorneys to take a look.

Best,
Emily

From: Payne, Alexander <Alexander.Payne@ed.gov>
Sent: Wednesday, April 14, 2021 1:08 PM
To: Riddle, Paul <Paul.Riddle@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>
Cc: Petersen, Molly <Molly.Petersen@ed.gov>; Hoblitzell, Barbara <Barbara.Hoblitzell@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

If you have a chance to look through the language before tomorrow's meeting so you can provide Bryce with your thoughts based on the updated language when we have the meeting that would be great.

Who at the FOIA office should I include on the meeting invite?

From: Riddle, Paul <Paul.Riddle@ed.gov>
Sent: Wednesday, April 14, 2021 12:34 PM
To: Payne, Alexander <Alexander.Payne@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>
Cc: Petersen, Molly <Molly.Petersen@ed.gov>; Hoblitzell, Barbara <Barbara.Hoblitzell@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

What, if anything, do you want from us before the meeting in response to this?

Also, **please add the FOIA office** to the discussion (b)(5)

Thanks.

From: Payne, Alexander <Alexander.Payne@ed.gov>
Sent: Wednesday, April 14, 2021 12:25 PM
To: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>
Cc: Petersen, Molly <Molly.Petersen@ed.gov>; Hoblitzell, Barbara <Barbara.Hoblitzell@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>
Subject: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Hi All,

Attached is updated Sec. 117 language from the Senate (I included a redline to current law). Bryce suggested the meeting could be a discussion about this updated language. I let him know while we'd try, staff may not be able to get through it all by tomorrow. That said, I believe the broader discussion we talked about on Monday will still be a major part of the discussion tomorrow.

Have a good afternoon,
Alex

Alex Payne
Special Assistant
Office of Legislation and Congressional Affairs
Department of Education
E: Alexander.Payne@ed.gov | C: (b)(6)

From: Muenzer, Melanie
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA
To: Schmidt, Gregory
Sent: April 21, 2021 10:17 PM (UTC-04:00)

Sounds great – thanks

From: Schmidt, Gregory <Gregory.Schmidt@ed.gov>
Sent: Wednesday, April 21, 2021 1:51 PM
To: Muenzer, Melanie <Melanie.Muenzer@ed.gov>
Subject: FW: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Hi Melanie – (b)(5)

(b)(5)

I'll set a 15-minute meeting with you and Clare in advance of it to talk through a few considerations and dynamics.

From: Malawer, Hilary <Hilary.Malawer@ed.gov>
Sent: Wednesday, April 21, 2021 4:45 PM
To: Payne, Alexander <Alexander.Payne@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

All--

(b)(5)

Thanks,

Hilary

From: Payne, Alexander <Alexander.Payne@ed.gov>
Sent: Wednesday, April 21, 2021 1:45 PM
To: Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Thanks Kevin, I'll provide the yellow number for now and if asked to be broken down can provide the green.

(b)(5)

From: Muenzer, Melanie <Melanie.Muenzer@ed.gov>
Sent: Wednesday, April 21, 2021 1:34 PM
To: Slupe, Kevin <Kevin.Slupe@ed.gov>; Payne, Alexander <Alexander.Payne@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Alex –

(b)(5)

Thanks

From: Slupe, Kevin <Kevin.Slupe@ed.gov>
Sent: Wednesday, April 21, 2021 10:27 AM
To: Payne, Alexander <Alexander.Payne@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Good afternoon,

The following chart provides summary data for all transactions reportedly occurring during calendar year (CY) 2020:

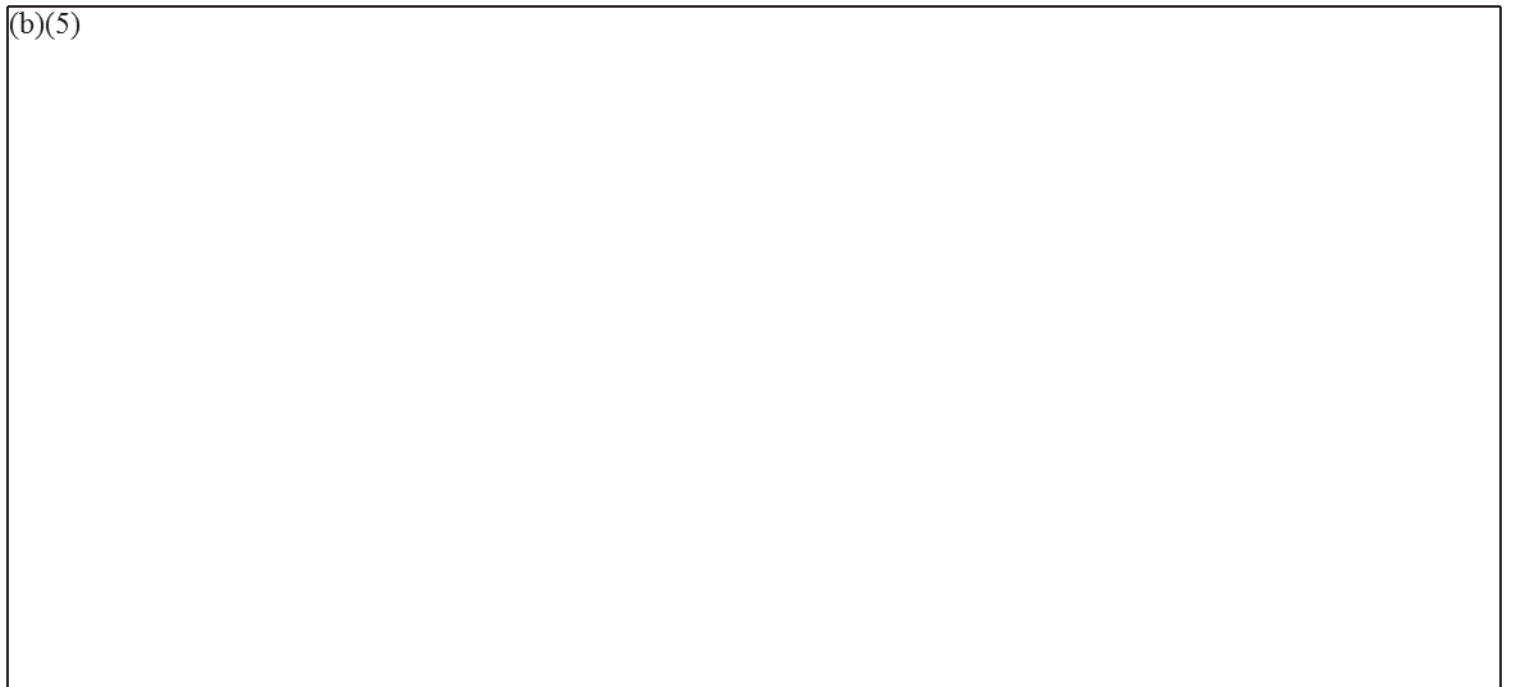


Regards,
Kevin

From: Payne, Alexander <Alexander.Payne@ed.gov>
Sent: Tuesday, April 20, 2021 2:56 PM
To: Darcus, Joanna <Joanna.Darcus@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Hi All,

A couple follow up questions:



From: Darcus, Joanna <Joanna.Darcus@ed.gov>
Sent: Tuesday, April 20, 2021 11:21 AM
To: Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Payne, Alexander <Alexander.Payne@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

+ Greg

Thanks, all.

Joanna

From: Muenzer, Melanie <Melanie.Muenzer@ed.gov>
Sent: Tuesday, April 20, 2021 10:46 AM

To: Merolli, Emily <Emily.Merolli@ed.gov>; Payne, Alexander <Alexander.Payne@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

I've put my questions/comments on OGC's comments in red below. If I didn't add a note, I'm ok with OGC's response.

Thanks

From: Merolli, Emily <Emily.Merolli@ed.gov>
Sent: Tuesday, April 20, 2021 6:52 AM
To: Payne, Alexander <Alexander.Payne@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Good morning, Alex:

OGC's responses to each of the questions are included in blue, below (b)(5)

(b)(5)

Please let me know if you have any questions,
Emily

From: Payne, Alexander
Sent: Friday, April 16, 2021 6:25 PM
To: Merolli, Emily <Emily.Merolli@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Hi all,

A few follow up questions. HELP doesn't need these until Tues morning.

(b)(5)

(b)(5)

Alex

From: Merolli, Emily <Emily.Merolli@ed.gov>
Sent: Friday, April 16, 2021 11:52 AM
To: Payne, Alexander <Alexander.Payne@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Good morning, all:

Please see the attached, which are Bucky's comments on the revised document for consideration.

(b)(5)

From: Payne, Alexander <Alexander.Payne@ed.gov>
Sent: Thursday, April 15, 2021 6:39 PM
To: Merolli, Emily <Emily.Merolli@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>
Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <Jill.Siegelbaum@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Here is the document. This is a redline to current law of the Republican HELP response to the D's offer.

(b)(5)

From: Payne, Alexander
Sent: Thursday, April 15, 2021 6:06 PM
To: Merolli, Emily <Emily.Merolli@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>
Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <Jill.Siegelbaum@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Thank you! Will get that to you all as soon as I receive it. Also, will hold off on sending the FOIA TA to Bryce since it seems like it was sufficiently discussed on the call.

From: Merolli, Emily <Emily.Merolli@ed.gov>
Sent: Thursday, April 15, 2021 6:01 PM
To: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>
Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill

<Jill.Siegelbaum@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Payne, Alexander <Alexander.Payne@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Hi all- Kevin and I are going to discuss (b)(5) and I'll work on the language, with the goal of circulating to our group by noon tomorrow. Alex, I'll wait until I see the new proposal Bryce mentioned and work from that.
Thanks,
Emily

From: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>
Sent: Thursday, April 15, 2021 3:31 PM
To: Muenzer, Melanie <Melanie.Muenzer@ed.gov>
Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <Jill.Siegelbaum@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Payne, Alexander <Alexander.Payne@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Melanie: I agree with your view on this. I recommend discussing it informally if needed, and then deciding (after the call) what to send. Thanks for sharing your views.

Phil

From: Muenzer, Melanie <Melanie.Muenzer@ed.gov> **Sent:** Thursday, April 15, 2021 3:23 PM
To: Payne, Alexander <Alexander.Payne@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>
Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <Jill.Siegelbaum@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

I'd actually recommend just talking about it first on the call and then sending it over.

From: Payne, Alexander <Alexander.Payne@ed.gov>
Sent: Thursday, April 15, 2021 12:18 PM
To: Riddle, Paul <Paul.Riddle@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>
Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <Jill.Siegelbaum@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

I will share this with Bryce in advance of the call unless there are objections.

From: Payne, Alexander
Sent: Thursday, April 15, 2021 3:03 PM
To: Riddle, Paul <Paul.Riddle@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>
Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <Jill.Siegelbaum@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

+ Melanie and Julie so they're aware.

From: Riddle, Paul <Paul.Riddle@ed.gov>
Sent: Thursday, April 15, 2021 2:04 PM
To: Merolli, Emily <Emily.Merolli@ed.gov>; Payne, Alexander <Alexander.Payne@ed.gov>
Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <Jill.Siegelbaum@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

+ OGC colleagues

From: Merolli, Emily <Emily.Merolli@ed.gov>
Sent: Thursday, April 15, 2021 2:01 PM
To: Payne, Alexander <Alexander.Payne@ed.gov>
Cc: Riddle, Paul <Paul.Riddle@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Hi Alex:

(b)(5)

Thanks,
Emily

From: Merolli, Emily <Emily.Merolli@ed.gov>
Sent: Wednesday, April 14, 2021 1:32 PM
To: Payne, Alexander <Alexander.Payne@ed.gov>
Cc: Riddle, Paul <Paul.Riddle@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Hi Alex:

I'd suggest including Gregory Smith, the FOIA Director and Robert Wehausen, the FOIA Public Liaison/Team Lead. The ED FOIA website lists Madeleine Huizinga as the FOIA contact for your office, so she may have more of an idea of who else should take a look.

I've also asked our FOIA attorneys to take a look.

Best,
Emily

From: Payne, Alexander <Alexander.Payne@ed.gov>
Sent: Wednesday, April 14, 2021 1:08 PM
To: Riddle, Paul <Paul.Riddle@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>
Cc: Petersen, Molly <Molly.Petersen@ed.gov>; Hoblitzell, Barbara <Barbara.Hoblitzell@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

If you have a chance to look through the language before tomorrow's meeting so you can provide Bryce with your thoughts based on the updated language when we have the meeting that would be great.

Who at the FOIA office should I include on the meeting invite?

From: Riddle, Paul <Paul.Riddle@ed.gov>
Sent: Wednesday, April 14, 2021 12:34 PM
To: Payne, Alexander <Alexander.Payne@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>
Cc: Petersen, Molly <Molly.Petersen@ed.gov>; Hoblitzell, Barbara <Barbara.Hoblitzell@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

What, if anything, do you want from us before the meeting in response to this?

Also, please add the FOIA office to the discussion, (b)(5)

Thanks.

From: Payne, Alexander <Alexander.Payne@ed.gov>
Sent: Wednesday, April 14, 2021 12:25 PM
To: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>
Cc: Petersen, Molly <Molly.Petersen@ed.gov>; Hoblitzell, Barbara <Barbara.Hoblitzell@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>
Subject: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Hi All,

Attached is updated Sec. 117 language from the Senate (I included a redline to current law). Bryce suggested the meeting could be a discussion about this updated language. I let him know while we'd try, staff may not be able to get through it all by tomorrow. That said, I believe the broader discussion we talked about on Monday will still be a major part of the discussion tomorrow.

Have a good afternoon,
Alex

Alex Payne
Special Assistant
Office of Legislation and Congressional Affairs
Department of Education
E: Alexander.Payne@ed.gov | C: (b)(6)

From: Malawer, Hilary
Subject: FW: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA
To: Schlichter, Levon
Sent: April 22, 2021 3:42 PM (UTC-04:00)
Attached: Consolidated Interagency Comments Safeguarding American Innovation Act FINAL.docx

From: Payne, Alexander <Alexander.Payne@ed.gov>
Sent: Thursday, April 22, 2021 11:36 AM
To: Malawer, Hilary <Hilary.Malawer@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Hi All,

Request for ED's response to interagency TA ED provided a while ago to a bill affecting Sec. 117. I attached that bill and the TA provided to this email

(b)(5)

(b)(5)

From: Payne, Alexander
Sent: Wednesday, April 21, 2021 5:38 PM
To: Malawer, Hilary <Hilary.Malawer@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Thank you all for this. I'll let you know if there are more additional questions from HELP.

From: Malawer, Hilary <Hilary.Malawer@ed.gov>
Sent: Wednesday, April 21, 2021 4:45 PM
To: Payne, Alexander <Alexander.Payne@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

All--

(b)(5)

Thanks,

Hilary

From: Payne, Alexander <Alexander.Payne@ed.gov>
Sent: Wednesday, April 21, 2021 1:45 PM
To: Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Thanks Kevin, I'll provide the yellow number for now and if asked to be broken down can provide the green.

(b)(5)

(b)(5)

From: Muenzer, Melanie <Melanie.Muenzer@ed.gov>
Sent: Wednesday, April 21, 2021 1:34 PM
To: Slupe, Kevin <Kevin.Slupe@ed.gov>; Payne, Alexander <Alexander.Payne@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Alex –

(b)(5)

Thanks

From: Slupe, Kevin <Kevin.Slupe@ed.gov>
Sent: Wednesday, April 21, 2021 10:27 AM
To: Payne, Alexander <Alexander.Payne@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Good afternoon,

(b)(5)

Regards,
Kevin

From: Payne, Alexander <Alexander.Payne@ed.gov>
Sent: Tuesday, April 20, 2021 2:56 PM
To: Darcus, Joanna <Joanna.Darcus@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Hi All,

A couple follow up questions:

(b)(5)

(b)(5)

From: Darcus, Joanna <Joanna.Darcus@ed.gov>
Sent: Tuesday, April 20, 2021 11:21 AM
To: Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Payne, Alexander <Alexander.Payne@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

+ Greg

Thanks, all.

Joanna

From: Muenzer, Melanie <Melanie.Muenzer@ed.gov>
Sent: Tuesday, April 20, 2021 10:46 AM
To: Merolli, Emily <Emily.Merolli@ed.gov>; Payne, Alexander <Alexander.Payne@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

I've put my questions/comments on OGC's comments in red below. If I didn't add a note, I'm ok with OGC's response.

Thanks

From: Merolli, Emily <Emily.Merolli@ed.gov>
Sent: Tuesday, April 20, 2021 6:52 AM
To: Payne, Alexander <Alexander.Payne@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Good morning, Alex:

(b)(5)

Please let me know if you have any questions,
Emily

From: Payne, Alexander
Sent: Friday, April 16, 2021 6:25 PM
To: Merolli, Emily <Emily.Merolli@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Hi all,

(b)(5)

(b)(5)

Alex

From: Merolli, Emily <Emily.Merolli@ed.gov>

Sent: Friday, April 16, 2021 11:52 AM

To: Payne, Alexander <Alexander.Payne@ed.gov>

Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>

Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Good morning, all:

Please see the attached, which are Bucky's comments on the revised document for consideration.

(b)(5)

From: Payne, Alexander <Alexander.Payne@ed.gov>
Sent: Thursday, April 15, 2021 6:39 PM
To: Merolli, Emily <Emily.Merolli@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>
Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <Jill.Siegelbaum@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Here is the document. This is a redline to current law of the Republican HELP response to the D's offer.

(b)(5)

From: Payne, Alexander
Sent: Thursday, April 15, 2021 6:06 PM
To: Merolli, Emily <Emily.Merolli@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>
Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <Jill.Siegelbaum@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Thank you! Will get that to you all as soon as I receive it. Also, will hold off on sending the FOIA TA to Bryce since it seems like it was sufficiently discussed on the call.

From: Merolli, Emily <Emily.Merolli@ed.gov>
Sent: Thursday, April 15, 2021 6:01 PM
To: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>
Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <Jill.Siegelbaum@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Payne, Alexander <Alexander.Payne@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Hi all- Kevin and I are going to discuss (b)(5) and I'll work on the language, with the goal of circulating to our group by noon tomorrow. Alex, I'll wait until I see the new proposal Bryce mentioned and work from that.

Thanks,
Emily

From: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>
Sent: Thursday, April 15, 2021 3:31 PM
To: Muenzer, Melanie <Melanie.Muenzer@ed.gov>
Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <Jill.Siegelbaum@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Payne, Alexander <Alexander.Payne@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Melanie: I agree with your view on this. I recommend discussing it informally if needed, and then deciding (after the call) what to send. Thanks for sharing your views.

Phil

From: Muenzer, Melanie <Melanie.Muenzer@ed.gov> **Sent:** Thursday, April 15, 2021 3:23 PM
To: Payne, Alexander <Alexander.Payne@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>
Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <Jill.Siegelbaum@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

I'd actually recommend just talking about it first on the call and then sending it over.

From: Payne, Alexander <Alexander.Payne@ed.gov>
Sent: Thursday, April 15, 2021 12:18 PM
To: Riddle, Paul <Paul.Riddle@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>
Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <Jill.Siegelbaum@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

I will share this with Bryce in advance of the call unless there are objections.

From: Payne, Alexander
Sent: Thursday, April 15, 2021 3:03 PM
To: Riddle, Paul <Paul.Riddle@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>
Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <Jill.Siegelbaum@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

+ Melanie and Julie so they're aware.

From: Riddle, Paul <Paul.Riddle@ed.gov>
Sent: Thursday, April 15, 2021 2:04 PM
To: Merolli, Emily <Emily.Merolli@ed.gov>; Payne, Alexander <Alexander.Payne@ed.gov>
Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <Jill.Siegelbaum@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

+ OGC colleagues

From: Merolli, Emily <Emily.Merolli@ed.gov>
Sent: Thursday, April 15, 2021 2:01 PM
To: Payne, Alexander <Alexander.Payne@ed.gov>
Cc: Riddle, Paul <Paul.Riddle@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Hi Alex:

(b)(5)

Thanks,
Emily

From: Merolli, Emily <Emily.Merolli@ed.gov>
Sent: Wednesday, April 14, 2021 1:32 PM
To: Payne, Alexander <Alexander.Payne@ed.gov>
Cc: Riddle, Paul <Paul.Riddle@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Hi Alex:

I'd suggest including Gregory Smith, the FOIA Director and Robert Wehausen, the FOIA Public Liaison/Team Lead. The ED FOIA website lists Madeleine Huizinga as the FOIA contact for your office, so she may have more of an idea of who else should take a look.

I've also asked our FOIA attorneys to take a look.

Best,
Emily

From: Payne, Alexander <Alexander.Payne@ed.gov>
Sent: Wednesday, April 14, 2021 1:08 PM
To: Riddle, Paul <Paul.Riddle@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>
Cc: Petersen, Molly <Molly.Petersen@ed.gov>; Hoblitzell, Barbara <Barbara.Hoblitzell@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

If you have a chance to look through the language before tomorrow's meeting so you can provide Bryce with your thoughts based on the updated language when we have the meeting that would be great.

Who at the FOIA office should I include on the meeting invite?

From: Riddle, Paul <Paul.Riddle@ed.gov>
Sent: Wednesday, April 14, 2021 12:34 PM
To: Payne, Alexander <Alexander.Payne@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>
Cc: Petersen, Molly <Molly.Petersen@ed.gov>; Hoblitzell, Barbara <Barbara.Hoblitzell@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

What, if anything, do you want from us before the meeting in response to this?

Also, please add the FOIA office to the discussion, (b)(5)

Thanks.

From: Payne, Alexander <Alexander.Payne@ed.gov>
Sent: Wednesday, April 14, 2021 12:25 PM
To: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>
Cc: Petersen, Molly <Molly.Petersen@ed.gov>; Hoblitzell, Barbara <Barbara.Hoblitzell@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>
Subject: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Hi All,

Attached is updated Sec. 117 language from the Senate (I included a redline to current law). Bryce suggested the meeting could be a discussion about this updated language. I let him know while we'd try, staff may not be able to get through it all by tomorrow. That said, I believe the broader discussion we talked about on Monday will still be a major part of the discussion tomorrow.

Have a good afternoon,
Alex

Alex Payne
Special Assistant
Office of Legislation and Congressional Affairs
Department of Education

From: Malawer, Hilary
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA
To: Schlichter, Levon
Sent: April 23, 2021 11:00 AM (UTC-04:00)

I think it will suffice.

From: Schlichter, Levon <Levon.Schlichter@ed.gov>
Sent: Friday, April 23, 2021 10:33 AM
To: Malawer, Hilary <Hilary.Malawer@ed.gov>
Subject: FW: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Will this suffice or do you want me to reach out to Cynthia and/or follow-up with Kevin?

From: Slupe, Kevin <Kevin.Slupe@ed.gov>
Sent: Friday, April 23, 2021 9:08 AM
To: Schlichter, Levon <Levon.Schlichter@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Good morning Levon—the procurement and development of the new systems (b)(5)

Regards,
Kevin

From: Schlichter, Levon <Levon.Schlichter@ed.gov>
Sent: Thursday, April 22, 2021 5:22 PM
To: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>
Subject: FW: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Hey guys,

(b)(5)

Levon

From: Malawer, Hilary <Hilary.Malawer@ed.gov>
Sent: Thursday, April 22, 2021 3:42 PM
To: Schlichter, Levon <Levon.Schlichter@ed.gov>
Subject: FW: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

From: Payne, Alexander <Alexander.Payne@ed.gov>
Sent: Thursday, April 22, 2021 11:36 AM
To: Malawer, Hilary <Hilary.Malawer@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Hi All,

Request for ED's response to interagency TA ED provided a while ago to a bill affecting Sec. 117. I attached that bill and the TA provided to this email (b)(5)

(b)(5)

From: Payne, Alexander
Sent: Wednesday, April 21, 2021 5:38 PM
To: Malawer, Hilary <Hilary.Malawer@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Thank you all for this. I'll let you know if there are more additional questions from HELP.

From: Malawer, Hilary <Hilary.Malawer@ed.gov>
Sent: Wednesday, April 21, 2021 4:45 PM
To: Payne, Alexander <Alexander.Payne@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

All--

(b)(5)

Thanks,

Hilary

From: Payne, Alexander <Alexander.Payne@ed.gov>
Sent: Wednesday, April 21, 2021 1:45 PM
To: Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Thanks Kevin, I'll provide the yellow number for now and if asked to be broken down can provide the green.

(b)(5)

From: Muenzer, Melanie <Melanie.Muenzer@ed.gov>
Sent: Wednesday, April 21, 2021 1:34 PM
To: Slupe, Kevin <Kevin.Slupe@ed.gov>; Payne, Alexander <Alexander.Payne@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Alex --

(b)(5)

Thanks

From: Slupe, Kevin <Kevin.Slupe@ed.gov>
Sent: Wednesday, April 21, 2021 10:27 AM
To: Payne, Alexander <Alexander.Payne@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Good afternoon,

(b)(5)

(b)(5)

Regards,
Kevin

From: Payne, Alexander <Alexander.Payne@ed.gov>

Sent: Tuesday, April 20, 2021 2:56 PM

To: Darcus, Joanna <Joanna.Darcus@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>

Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>

Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Hi All,

A couple follow up questions:

(b)(5)

From: Darcus, Joanna <Joanna.Darcus@ed.gov>

Sent: Tuesday, April 20, 2021 11:21 AM

To: Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Payne, Alexander <Alexander.Payne@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>

Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>

Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

+ Greg

Thanks, all.

Joanna

From: Muenzer, Melanie <Melanie.Muenzer@ed.gov>

Sent: Tuesday, April 20, 2021 10:46 AM

To: Merolli, Emily <Emily.Merolli@ed.gov>; Payne, Alexander <Alexander.Payne@ed.gov>

Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>

Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

I've put my questions/comments on OGC's comments in red below. If I didn't add a note, I'm ok with OGC's response.

Thanks

From: Merolli, Emily <Emily.Merolli@ed.gov>

Sent: Tuesday, April 20, 2021 6:52 AM

To: Payne, Alexander <Alexander.Payne@ed.gov>

Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian

<Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Good morning, Alex:

OGC's responses to each of the questions are included in blue, below. (b)(5)

(b)(5)

Please let me know if you have any questions,
Emily

From: Payne, Alexander
Sent: Friday, April 16, 2021 6:25 PM
To: Merolli, Emily <Emily.Merolli@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Hi all,

A few follow up questions. HELP doesn't need these until Tues morning.

(b)(5)

Alex

From: Merolli, Emily <Emily.Merolli@ed.gov>
Sent: Friday, April 16, 2021 11:52 AM
To: Payne, Alexander <Alexander.Payne@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Good morning, all:

Please see the attached, which are Bucky's comments on the revised document for consideration.

(b)(5)

From: Payne, Alexander <Alexander.Payne@ed.gov>
Sent: Thursday, April 15, 2021 6:39 PM
To: Merolli, Emily <Emily.Merolli@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>
Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <Jill.Siegelbaum@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Here is the document. This is a redline to current law of the Republican HELP response to the D's offer.

(b)(5)

From: Payne, Alexander
Sent: Thursday, April 15, 2021 6:06 PM
To: Merolli, Emily <Emily.Merolli@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>
Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <Jill.Siegelbaum@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Thank you! Will get that to you all as soon as I receive it. Also, will hold off on sending the FOIA TA to Bryce since it seems like it was sufficiently discussed on the call.

From: Merolli, Emily <Emily.Merolli@ed.gov>
Sent: Thursday, April 15, 2021 6:01 PM
To: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>
Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <Jill.Siegelbaum@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Payne, Alexander <Alexander.Payne@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Hi all- Kevin and I are going to discuss (b)(5) and I'll work on the language, with the goal of circulating to our group by noon tomorrow. Alex, I'll wait until I see the new proposal Bryce mentioned and work from that.

Thanks,
Emily

From: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>
Sent: Thursday, April 15, 2021 3:31 PM
To: Muenzer, Melanie <Melanie.Muenzer@ed.gov>
Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <Jill.Siegelbaum@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Payne, Alexander <Alexander.Payne@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Melanie: I agree with your view on this. I recommend discussing it informally if needed, and then deciding (after the call) what to send. Thanks for sharing your views.

Phil

From: Muenzer, Melanie <Melanie.Muenzer@ed.gov> **Sent:** Thursday, April 15, 2021 3:23 PM
To: Payne, Alexander <Alexander.Payne@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>
Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <jill.Siegelbaum@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

I'd actually recommend just talking about it first on the call and then sending it over.

From: Payne, Alexander <Alexander.Payne@ed.gov>
Sent: Thursday, April 15, 2021 12:18 PM
To: Riddle, Paul <Paul.Riddle@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>
Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <jill.Siegelbaum@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

I will share this with Bryce in advance of the call unless there are objections.

From: Payne, Alexander
Sent: Thursday, April 15, 2021 3:03 PM
To: Riddle, Paul <Paul.Riddle@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>
Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <jill.Siegelbaum@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

+ Melanie and Julie so they're aware.

From: Riddle, Paul <Paul.Riddle@ed.gov>
Sent: Thursday, April 15, 2021 2:04 PM
To: Merolli, Emily <Emily.Merolli@ed.gov>; Payne, Alexander <Alexander.Payne@ed.gov>
Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <jill.Siegelbaum@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

+ OGC colleagues

From: Merolli, Emily <Emily.Merolli@ed.gov>
Sent: Thursday, April 15, 2021 2:01 PM
To: Payne, Alexander <Alexander.Payne@ed.gov>
Cc: Riddle, Paul <Paul.Riddle@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Hi Alex:

(b)(5)

Thanks,
Emily

From: Merolli, Emily <Emily.Merolli@ed.gov>
Sent: Wednesday, April 14, 2021 1:32 PM
To: Payne, Alexander <Alexander.Payne@ed.gov>
Cc: Riddle, Paul <Paul.Riddle@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Hi Alex:

I'd suggest including Gregory Smith, the FOIA Director and Robert Wehausen, the FOIA Public Liaison/Team Lead. The ED FOIA website lists Madeleine Huizinga as the FOIA contact for your office, so she may have more of an idea of who else should take a look.

I've also asked our FOIA attorneys to take a look.

Best,
Emily

From: Payne, Alexander <Alexander.Payne@ed.gov>
Sent: Wednesday, April 14, 2021 1:08 PM
To: Riddle, Paul <Paul.Riddle@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>
Cc: Petersen, Molly <Molly.Petersen@ed.gov>; Hoblitzell, Barbara <Barbara.Hoblitzell@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

If you have a chance to look through the language before tomorrow's meeting so you can provide Bryce with your thoughts based on the updated language when we have the meeting that would be great.

Who at the FOIA office should I include on the meeting invite?

From: Riddle, Paul <Paul.Riddle@ed.gov>

Sent: Wednesday, April 14, 2021 12:34 PM

To: Payne, Alexander <Alexander.Payne@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>

Cc: Petersen, Molly <Molly.Petersen@ed.gov>; Hoblitzell, Barbara <Barbara.Hoblitzell@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>

Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

What, if anything, do you want from us before the meeting in response to this?

Also, **please add the FOIA office** to the discussion, (b)(5)

Thanks.

From: Payne, Alexander <Alexander.Payne@ed.gov>

Sent: Wednesday, April 14, 2021 12:25 PM

To: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>

Cc: Petersen, Molly <Molly.Petersen@ed.gov>; Hoblitzell, Barbara <Barbara.Hoblitzell@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>

Subject: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Hi All,

Attached is updated Sec. 117 language from the Senate (I included a redline to current law). Bryce suggested the meeting could be a discussion about this updated language. I let him know while we'd try, staff may not be able to get through it all by tomorrow. That said, I believe the broader discussion we talked about on Monday will still be a major part of the discussion tomorrow.

Have a good afternoon,
Alex

Alex Payne

Special Assistant

Office of Legislation and Congressional Affairs

Department of Education

E: Alexander.Payne@ed.gov | C: (b)(6)

From: Malawer, Hilary
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA - CONTROLLED UNCLASSIFIED INFORMATION - CUI//SP-ADPO
To: Methfessel, Bucky
Sent: April 23, 2021 12:22 PM (UTC-04:00)

Thank you, Bucky!

From: Methfessel, Bucky <Bucky.Methfessel@ed.gov>
Sent: Friday, April 23, 2021 12:21 PM
To: Payne, Alexander <Alexander.Payne@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>; Schlichter, Levon <Levon.Schlichter@ed.gov>; Mahaffie, Lynn <Lynn.Mahaffie@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA - CONTROLLED UNCLASSIFIED INFORMATION - CUI//SP-ADPO

Alex – Below is additional information you requested on (b)(5)

(b)(5)

Thanks.

Bucky

Harley A.J. (Bucky) Methfessel, Esq.
Senior Counsel for Information and Technology
U.S. Department of Education
Office of the General Counsel
400 Maryland Avenue, Suite 6E307
Washington, DC 20202
202.401.6676 o
202.256.5792 m
Bucky.Methfessel@ed.gov

From: Payne, Alexander <Alexander.Payne@ed.gov>
Sent: Thursday, April 22, 2021 11:36 AM
To: Malawer, Hilary <Hilary.Malawer@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Hi All,

Request for ED's response to interagency TA ED provided a while ago to a bill affecting Sec. 117. I attached that bill and the TA provided to this email (b)(5)

(b)(5)

(b)(5)

From: Payne, Alexander

Sent: Wednesday, April 21, 2021 5:38 PM

To: Malawer, Hilary <Hilary.Malawer@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>

Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>

Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Thank you all for this. I'll let you know if there are more additional questions from HELP.

From: Malawer, Hilary <Hilary.Malawer@ed.gov>

Sent: Wednesday, April 21, 2021 4:45 PM

To: Payne, Alexander <Alexander.Payne@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>

Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>

Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

All--

(b)(5)

Thanks,

Hilary

From: Payne, Alexander <Alexander.Payne@ed.gov>

Sent: Wednesday, April 21, 2021 1:45 PM

To: Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>

Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>

Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Thanks Kevin, I'll provide the yellow number for now and if asked to be broken down can provide the green.

(b)(5)

Melanie, I'll be sure to communicate that when I send the yellow number.

From: Muenzer, Melanie <Melanie.Muenzer@ed.gov>

Sent: Wednesday, April 21, 2021 1:34 PM

To: Slupe, Kevin <Kevin.Slupe@ed.gov>; Payne, Alexander <Alexander.Payne@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>

Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>

Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Alex --

(b)(5)

Thanks

From: Slupe, Kevin <Kevin.Slupe@ed.gov>

Sent: Wednesday, April 21, 2021 10:27 AM

To: Payne, Alexander <Alexander.Payne@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>

Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>

Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Good afternoon,

(b)(5)

Regards,
Kevin

From: Payne, Alexander <Alexander.Payne@ed.gov>

Sent: Tuesday, April 20, 2021 2:56 PM

To: Darcus, Joanna <Joanna.Darcus@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>

Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>

Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Hi All,

A couple follow up questions:

(b)(5)

From: Darcus, Joanna <Joanna.Darcus@ed.gov>

Sent: Tuesday, April 20, 2021 11:21 AM

To: Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Payne, Alexander <Alexander.Payne@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>

Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>

Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

+ Greg

Thanks, all.

Joanna

From: Muenzer, Melanie <Melanie.Muenzer@ed.gov>

Sent: Tuesday, April 20, 2021 10:46 AM

To: Merolli, Emily <Emily.Merolli@ed.gov>; Payne, Alexander <Alexander.Payne@ed.gov>

Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

I've put my questions/comments on OGC's comments in red below. If I didn't add a note, I'm ok with OGC's response.

Thanks

From: Merolli, Emily <Emily.Merolli@ed.gov>
Sent: Tuesday, April 20, 2021 6:52 AM
To: Payne, Alexander <Alexander.Payne@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Good morning, Alex:

OGC's responses to each of the questions are included in blue, below. (b)(5)

(b)(5)

Please let me know if you have any questions,
Emily

From: Payne, Alexander
Sent: Friday, April 16, 2021 6:25 PM
To: Merolli, Emily <Emily.Merolli@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Hi all,

A few follow up questions. HELP doesn't need these until Tues morning.

(b)(5)

(b)(5)

Alex

From: Merolli, Emily <Emily.Merolli@ed.gov>
Sent: Friday, April 16, 2021 11:52 AM
To: Payne, Alexander <Alexander.Payne@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Good morning, all:

Please see the attached, which are Bucky's comments on the revised document for consideration.

(b)(5)

From: Payne, Alexander <Alexander.Payne@ed.gov>
Sent: Thursday, April 15, 2021 6:39 PM
To: Merolli, Emily <Emily.Merolli@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>
Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <Jill.Siegelbaum@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Here is the document. This is a redline to current law of the Republican HELP response to the D's offer.

(b)(5)

From: Payne, Alexander
Sent: Thursday, April 15, 2021 6:06 PM
To: Merolli, Emily <Emily.Merolli@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>
Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <Jill.Siegelbaum@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Thank you! Will get that to you all as soon as I receive it. Also, will hold off on sending the FOIA TA to Bryce since it seems like it was sufficiently discussed on the call.

From: Merolli, Emily <Emily.Merolli@ed.gov>
Sent: Thursday, April 15, 2021 6:01 PM
To: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>
Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <Jill.Siegelbaum@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Payne, Alexander <Alexander.Payne@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>

Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Hi all- Kevin and I are going to discuss (b)(5) and I'll work on the language, with the goal of circulating to our group by noon tomorrow. Alex, I'll wait until I see the new proposal Bryce mentioned and work from that.

Thanks,
Emily

From: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>

Sent: Thursday, April 15, 2021 3:31 PM

To: Muenzer, Melanie <Melanie.Muenzer@ed.gov>

Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <Jill.Siegelbaum@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Payne, Alexander <Alexander.Payne@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>

Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Melanie: I agree with your view on this. I recommend discussing it informally if needed, and then deciding (after the call) what to send. Thanks for sharing your views.

Phil

From: Muenzer, Melanie <Melanie.Muenzer@ed.gov> **Sent:** Thursday, April 15, 2021 3:23 PM

To: Payne, Alexander <Alexander.Payne@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>

Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <Jill.Siegelbaum@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>

Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

I'd actually recommend just talking about it first on the call and then sending it over.

From: Payne, Alexander <Alexander.Payne@ed.gov>

Sent: Thursday, April 15, 2021 12:18 PM

To: Riddle, Paul <Paul.Riddle@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>

Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <Jill.Siegelbaum@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>

Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

I will share this with Bryce in advance of the call unless there are objections.

From: Payne, Alexander

Sent: Thursday, April 15, 2021 3:03 PM

To: Riddle, Paul <Paul.Riddle@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>

Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <Jill.Siegelbaum@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>

Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

+ Melanie and Julie so they're aware.

From: Riddle, Paul <Paul.Riddle@ed.gov>

Sent: Thursday, April 15, 2021 2:04 PM

To: Merolli, Emily <Emily.Merolli@ed.gov>; Payne, Alexander <Alexander.Payne@ed.gov>

Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <Jill.Siegelbaum@ed.gov>

Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

+ OGC colleagues

From: Merolli, Emily <Emily.Merolli@ed.gov>

Sent: Thursday, April 15, 2021 2:01 PM

To: Payne, Alexander <Alexander.Payne@ed.gov>

Cc: Riddle, Paul <Paul.Riddle@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>

Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Hi Alex:

(b)(5)

Thanks,
Emily

From: Merolli, Emily <Emily.Merolli@ed.gov>

Sent: Wednesday, April 14, 2021 1:32 PM

To: Payne, Alexander <Alexander.Payne@ed.gov>

Cc: Riddle, Paul <Paul.Riddle@ed.gov>

Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Hi Alex:

I'd suggest including Gregory Smith, the FOIA Director and Robert Wehausen, the FOIA Public Liaison/Team Lead. The ED FOIA website lists Madeleine Huizinga as the FOIA contact for your office, so she may have more of an idea of who else should take a look.

I've also asked our FOIA attorneys to take a look.

Best,
Emily

From: Payne, Alexander <Alexander.Payne@ed.gov>
Sent: Wednesday, April 14, 2021 1:08 PM
To: Riddle, Paul <Paul.Riddle@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>
Cc: Petersen, Molly <Molly.Petersen@ed.gov>; Hoblitzell, Barbara <Barbara.Hoblitzell@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

If you have a chance to look through the language before tomorrow's meeting so you can provide Bryce with your thoughts based on the updated language when we have the meeting that would be great.

Who at the FOIA office should I include on the meeting invite?

From: Riddle, Paul <Paul.Riddle@ed.gov>
Sent: Wednesday, April 14, 2021 12:34 PM
To: Payne, Alexander <Alexander.Payne@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>
Cc: Petersen, Molly <Molly.Petersen@ed.gov>; Hoblitzell, Barbara <Barbara.Hoblitzell@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

What, if anything, do you want from us before the meeting in response to this?

Also, **please add the FOIA office** to the discussion, given the new language in subsection (e)(2).

Thanks.

From: Payne, Alexander <Alexander.Payne@ed.gov>
Sent: Wednesday, April 14, 2021 12:25 PM
To: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>
Cc: Petersen, Molly <Molly.Petersen@ed.gov>; Hoblitzell, Barbara <Barbara.Hoblitzell@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>
Subject: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Hi All,

Attached is updated Sec. 117 language from the Senate (I included a redline to current law). Bryce suggested the meeting could be a discussion about this updated language. I let him know while we'd try, staff may not be able to get through it all by tomorrow. That said, I believe the broader discussion we talked about on Monday will still be a major part of the discussion tomorrow.

Have a good afternoon,
Alex

Alex Payne
Special Assistant
Office of Legislation and Congressional Affairs
Department of Education
E: Alexander.Payne@ed.gov | C: (b)(6)

From: Muenzer, Melanie
Subject: FW: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA - CONTROLLED UNCLASSIFIED INFORMATION - CUI//SP-ADPO
To: Mccann, Clare; Schmidt, Gregory
Sent: April 23, 2021 2:12 PM (UTC-04:00)

From: Payne, Alexander <Alexander.Payne@ed.gov>
Sent: Friday, April 23, 2021 10:07 AM
To: Riddle, Paul <Paul.Riddle@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA - CONTROLLED UNCLASSIFIED INFORMATION - CUI//SP-ADPO

(b)(5)

From: Methfessel, Bucky <Bucky.Methfessel@ed.gov>
Sent: Friday, April 23, 2021 12:21 PM
To: Payne, Alexander <Alexander.Payne@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>; Schlichter, Levon <Levon.Schlichter@ed.gov>; Mahaffie, Lynn <Lynn.Mahaffie@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA - CONTROLLED UNCLASSIFIED INFORMATION - CUI//SP-ADPO

Alex – Below is additional information you requested on funding we (the OGC) believe (b)(5)

(b)(5)

Thanks.

Bucky

Harley A.J. (Bucky) Methfessel, Esq.
Senior Counsel for Information and Technology
U.S. Department of Education
Office of the General Counsel
400 Maryland Avenue, Suite 6E307
Washington, DC 20202
202.401.6676 o
(b)(6) m
Bucky.Methfessel@ed.gov

From: Payne, Alexander <Alexander.Payne@ed.gov>
Sent: Thursday, April 22, 2021 11:36 AM
To: Malawer, Hilary <Hilary.Malawer@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Hi All,

Request for ED's response to interagency TA ED provided a while ago to a bill affecting Sec. 117. I attached that bill and the TA provided to this email. The specific question from HELP is:

(b)(5)

From: Payne, Alexander

Sent: Wednesday, April 21, 2021 5:38 PM

To: Malawer, Hilary <Hilary.Malawer@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>

Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>

Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Thank you all for this. I'll let you know if there are more additional questions from HELP.

From: Malawer, Hilary <Hilary.Malawer@ed.gov>

Sent: Wednesday, April 21, 2021 4:45 PM

To: Payne, Alexander <Alexander.Payne@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>

Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>

Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

All--

(b)(5)

Thanks,

Hilary

From: Payne, Alexander <Alexander.Payne@ed.gov>

Sent: Wednesday, April 21, 2021 1:45 PM

To: Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>

Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>

Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Thanks Kevin, I'll provide the yellow number for now and if asked to be broken down can provide the green.

(b)(5)

From: Muenzer, Melanie <Melanie.Muenzer@ed.gov>

Sent: Wednesday, April 21, 2021 1:34 PM

To: Slupe, Kevin <Kevin.Slupe@ed.gov>; Payne, Alexander <Alexander.Payne@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>

Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>

Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Alex --

(b)(5)

Thanks

From: Slupe, Kevin <Kevin.Slupe@ed.gov>
Sent: Wednesday, April 21, 2021 10:27 AM
To: Payne, Alexander <Alexander.Payne@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Good afternoon,

(b)(5)

Regards,
Kevin

From: Payne, Alexander <Alexander.Payne@ed.gov>
Sent: Tuesday, April 20, 2021 2:56 PM
To: Darcus, Joanna <Joanna.Darcus@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Hi All,

A couple follow up questions:

(b)(5)

From: Darcus, Joanna <Joanna.Darcus@ed.gov>
Sent: Tuesday, April 20, 2021 11:21 AM
To: Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Payne, Alexander <Alexander.Payne@ed.gov>; Schmidt, Gregory <Gregory.Schmidt@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>

Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

+ Greg

Thanks, all.

Joanna

From: Muenzer, Melanie <Melanie.Muenzer@ed.gov>

Sent: Tuesday, April 20, 2021 10:46 AM

To: Merolli, Emily <Emily.Merolli@ed.gov>; Payne, Alexander <Alexander.Payne@ed.gov>

Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>

Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

I've put my questions/comments on OGC's comments in red below. If I didn't add a note, I'm ok with OGC's response.

Thanks

From: Merolli, Emily <Emily.Merolli@ed.gov>

Sent: Tuesday, April 20, 2021 6:52 AM

To: Payne, Alexander <Alexander.Payne@ed.gov>

Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Cooper, Michelle <Michelle.Cooper@ed.gov>; Siegel, Brian <Brian.Siegel@ed.gov>; Leheny, Emma <Emma.Leheny@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>; Miller, Benjamin <Benjamin.Miller@ed.gov>

Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Good morning, Alex:

(b)(5)

Please let me know if you have any questions,
Emily

From: Payne, Alexander

Sent: Friday, April 16, 2021 6:25 PM

To: Merolli, Emily <Emily.Merolli@ed.gov>

Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>

Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Hi all,

A few follow up questions. HELP doesn't need these until Tues morning.

(b)(5)

(b)(5)

Alex

From: Merolli, Emily <Emily.Merolli@ed.gov>
Sent: Friday, April 16, 2021 11:52 AM
To: Payne, Alexander <Alexander.Payne@ed.gov>
Cc: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Good morning, all:

Please see the attached, which are Bucky's comments on the revised document for consideration.

(b)(5)

From: Payne, Alexander <Alexander.Payne@ed.gov>
Sent: Thursday, April 15, 2021 6:39 PM
To: Merolli, Emily <Emily.Merolli@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>
Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <Jill.Siegelbaum@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

(b)(5)

From: Payne, Alexander
Sent: Thursday, April 15, 2021 6:06 PM

To: Merolli, Emily <Emily.Merolli@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>
Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <Jill.Siegelbaum@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Thank you! Will get that to you all as soon as I receive it. Also, will hold off on sending the FOIA TA to Bryce since it seems like it was sufficiently discussed on the call.

From: Merolli, Emily <Emily.Merolli@ed.gov>
Sent: Thursday, April 15, 2021 6:01 PM
To: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>
Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <Jill.Siegelbaum@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Payne, Alexander <Alexander.Payne@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Hi all- Kevin and I are going to discuss the scholarships issue and I'll work on the language, with the goal of circulating to our group by noon tomorrow. Alex, I'll wait until I see the new proposal Bryce mentioned and work from that.
Thanks,
Emily

From: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>
Sent: Thursday, April 15, 2021 3:31 PM
To: Muenzer, Melanie <Melanie.Muenzer@ed.gov>
Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <Jill.Siegelbaum@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Payne, Alexander <Alexander.Payne@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Melanie: I agree with your view on this. I recommend discussing it informally if needed, and then deciding (after the call) what to send. Thanks for sharing your views.

Phil

From: Muenzer, Melanie <Melanie.Muenzer@ed.gov> **Sent:** Thursday, April 15, 2021 3:23 PM
To: Payne, Alexander <Alexander.Payne@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>
Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <Jill.Siegelbaum@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

I'd actually recommend just talking about it first on the call and then sending it over.

From: Payne, Alexander <Alexander.Payne@ed.gov>
Sent: Thursday, April 15, 2021 12:18 PM
To: Riddle, Paul <Paul.Riddle@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>
Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <Jill.Siegelbaum@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

I will share this with Bryce in advance of the call unless there are objections.

From: Payne, Alexander
Sent: Thursday, April 15, 2021 3:03 PM
To: Riddle, Paul <Paul.Riddle@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>
Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <Jill.Siegelbaum@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

+ Melanie and Julie so they're aware.

From: Riddle, Paul <Paul.Riddle@ed.gov>
Sent: Thursday, April 15, 2021 2:04 PM
To: Merolli, Emily <Emily.Merolli@ed.gov>; Payne, Alexander <Alexander.Payne@ed.gov>
Cc: Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Sasser, Tracey <Tracey.Sasser@ed.gov>; Siegelbaum, Jill <Jill.Siegelbaum@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

+ OGC colleagues

From: Merolli, Emily <Emily.Merolli@ed.gov>
Sent: Thursday, April 15, 2021 2:01 PM
To: Payne, Alexander <Alexander.Payne@ed.gov>
Cc: Riddle, Paul <Paul.Riddle@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Hi Alex:

(b)(5)

(b)(5)

Thanks,
Emily

From: Merolli, Emily <Emily.Merolli@ed.gov>
Sent: Wednesday, April 14, 2021 1:32 PM
To: Payne, Alexander <Alexander.Payne@ed.gov>
Cc: Riddle, Paul <Paul.Riddle@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Hi Alex:

I'd suggest including Gregory Smith, the FOIA Director and Robert Wehausen, the FOIA Public Liaison/Team Lead. The ED FOIA website lists Madeleine Huizinga as the FOIA contact for your office, so she may have more of an idea of who else should take a look.

I've also asked our FOIA attorneys to take a look.

Best,
Emily

From: Payne, Alexander <Alexander.Payne@ed.gov>
Sent: Wednesday, April 14, 2021 1:08 PM
To: Riddle, Paul <Paul.Riddle@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>
Cc: Petersen, Molly <Molly.Petersen@ed.gov>; Hoblitzell, Barbara <Barbara.Hoblitzell@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

If you have a chance to look through the language before tomorrow's meeting so you can provide Bryce with your thoughts based on the updated language when we have the meeting that would be great.

Who at the FOIA office should I include on the meeting invite?

From: Riddle, Paul <Paul.Riddle@ed.gov>
Sent: Wednesday, April 14, 2021 12:34 PM
To: Payne, Alexander <Alexander.Payne@ed.gov>; Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>
Cc: Petersen, Molly <Molly.Petersen@ed.gov>; Hoblitzell, Barbara <Barbara.Hoblitzell@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>
Subject: RE: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

What, if anything, do you want from us before the meeting in response to this?

Also, **please add the FOIA office** to the discussion, g (b)(5)

Thanks.

From: Payne, Alexander <Alexander.Payne@ed.gov>
Sent: Wednesday, April 14, 2021 12:25 PM
To: Rosenfelt, Phil <Phil.Rosenfelt@ed.gov>; Merolli, Emily <Emily.Merolli@ed.gov>; Malawer, Hilary <Hilary.Malawer@ed.gov>; Methfessel, Bucky <Bucky.Methfessel@ed.gov>; Slupe, Kevin <Kevin.Slupe@ed.gov>
Cc: Petersen, Molly <Molly.Petersen@ed.gov>; Hoblitzell, Barbara <Barbara.Hoblitzell@ed.gov>; Muenzer, Melanie <Melanie.Muenzer@ed.gov>; Morgan, Julie <Julie.Morgan@ed.gov>; Riddle, Paul <Paul.Riddle@ed.gov>
Subject: Updated Language: Meeting w/ Bryce (Senate HELP) on Sec. 117 TA

Hi All,

Attached is updated Sec. 117 language from the Senate (I included a redline to current law). Bryce suggested the meeting could be a discussion about this updated language. I let him know while we'd try, staff may not be able to get through it all by tomorrow. That said, I believe the broader discussion we talked about on Monday will still be a major part of the discussion tomorrow.

Have a good afternoon,
Alex

Alex Payne
Special Assistant
Office of Legislation and Congressional Affairs
Department of Education
E: Alexander.Payne@ed.gov | C: (b)(6)

From: Schmidt, Gregory
Subject: FW: Potential items to raise at check-in meetings tomorrow
To: Darcus, Joanna
Sent: May 5, 2021 8:37 PM (UTC-04:00)

Hi Joanna – could you let me know when you'll be able to weigh in on the below? Thanks!

From: Desmond, William <William.Desmond@ed.gov>
Sent: Wednesday, May 5, 2021 8:12 PM
To: Schmidt, Gregory <Gregory.Schmidt@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>
Subject: RE: Potential items to raise at check-in meetings tomorrow

Some minor edits in red below on the OCR/OSERS petition. Thanks!

From: Schmidt, Gregory <Gregory.Schmidt@ed.gov>
Sent: Wednesday, May 5, 2021 5:36 PM
To: Darcus, Joanna <Joanna.Darcus@ed.gov>; Desmond, William <William.Desmond@ed.gov>
Subject: RE: Potential items to raise at check-in meetings tomorrow

Hi all – please let me know of any revisions/additions/responses/confirmations by 8 pm tonight (or just let me know if you need more time). Thanks!

(b)(5)

(b)(5)

From: Schmidt, Gregory

Sent: Tuesday, May 4, 2021 6:50 PM

To: Leheny, Emma <Emma.Leheny@ed.gov>

Cc: Darcus, Joanna <Joanna.Darcus@ed.gov>; Desmond, William <William.Desmond@ed.gov>

Subject: RE: Potential items to raise at check-in meetings tomorrow

We've conferred on updates and meeting-specific notes for tomorrow:

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From: Schmidt, Gregory

Sent: Monday, May 3, 2021 8:19 PM

To: Leheny, Emma <Emma.Leheny@ed.gov>

Cc: Darcus, Joanna <Joanna.Darcus@ed.gov>; Desmond, William <William.Desmond@ed.gov>

Subject: RE: Potential items to raise at check-in meetings tomorrow

We've conferred on updates and meeting-specific notes for tomorrow:

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From: Schmidt, Gregory

Sent: Sunday, May 2, 2021 9:04 PM

To: Leheny, Emma <Emma.Leheny@ed.gov>

Cc: Darcus, Joanna <Joanna.Darcus@ed.gov>; Desmond, William <William.Desmond@ed.gov>

Subject: RE: Potential items to raise at check-in meetings tomorrow

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To: Leheny, Emma <Emma.Leheny@ed.gov>

Cc: Darcus, Joanna <Joanna.Darcus@ed.gov>; Desmond, William <William.Desmond@ed.gov>

Subject: RE: Potential items to raise at check-in meetings tomorrow

We've conferred on updates and meeting-specific notes for tomorrow:

(b)(5)

From: Schmidt, Gregory
Sent: Wednesday, April 28, 2021 8:05 PM
To: Leheny, Emma <Emma.Leheny@ed.gov>
Cc: Darcus, Joanna <Joanna.Darcus@ed.gov>; Desmond, William <William.Desmond@ed.gov>
Subject: RE: Potential items to raise at check-in meetings tomorrow

We've conferred on updates and meeting-specific notes for tomorrow:

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From: Schmidt, Gregory
Sent: Tuesday, April 27, 2021 8:07 PM
To: Leheny, Emma <Emma.Leheny@ed.gov>
Cc: Darcus, Joanna <Joanna.Darcus@ed.gov>; Desmond, William <William.Desmond@ed.gov>
Subject: RE: Potential items to raise at check-in meetings tomorrow

We've conferred on updates and meeting-specific notes for tomorrow:

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(b)(5)

From: Schmidt, Gregory
Sent: Monday, April 26, 2021 9:07 PM
To: Leheny, Emma <Emma.Leheny@ed.gov>
Cc: Darcus, Joanna <Joanna.Darcus@ed.gov>; Desmond, William <William.Desmond@ed.gov>
Subject: RE: Potential items to raise at check-in meetings tomorrow

We've conferred on updates and meeting-specific notes for tomorrow:

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From: Schmidt, Gregory

Sent: Monday, April 26, 2021 1:06 AM

To: Leheny, Emma <Emma.Leheny@ed.gov>

Cc: Darcus, Joanna <Joanna.Darcus@ed.gov>; Desmond, William <William.Desmond@ed.gov>

Subject: RE: Potential items to raise at check-in meetings tomorrow

Updates and meeting-specific notes for tomorrow are below:

(b)(5)

(b)(5)

From: Schmidt, Gregory
Sent: Friday, April 23, 2021 3:16 AM
To: Leheny, Emma <Emma.Leheny@ed.gov>
Cc: Darcus, Joanna <Joanna.Darcus@ed.gov>; Desmond, William <William.Desmond@ed.gov>
Subject: RE: Potential items to raise at check-in meetings tomorrow

We've conferred on tomorrow's check-ins:

(b)(5)

From: Schmidt, Gregory
Sent: Thursday, April 22, 2021 7:06 AM
To: Leheny, Emma <Emma.Leheny@ed.gov>
Cc: Darcus, Joanna <Joanna.Darcus@ed.gov>; Desmond, William <William.Desmond@ed.gov>
Subject: RE: Potential items to raise at check-in meetings tomorrow

We've conferred on today's check-ins:

(b)(5)

(b)(5)

From: Schmidt, Gregory

Sent: Wednesday, April 21, 2021 12:51 AM

To: Leheny, Emma <Emma.Leheny@ed.gov>

Cc: Darcus, Joanna <Joanna.Darcus@ed.gov>; Desmond, William <William.Desmond@ed.gov>

Subject: RE: Potential items to raise at check-in meetings tomorrow

We've conferred on tomorrow's check-ins:

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(b)(5)

From: Schmidt, Gregory

Sent: Tuesday, April 20, 2021 6:06 AM

To: Leheny, Emma <Emma.Leheny@ed.gov>

Cc: Darcus, Joanna <Joanna.Darcus@ed.gov>; Desmond, William <William.Desmond@ed.gov>

Subject: RE: Potential items to raise at check-in meetings tomorrow

We've conferred on today's check-ins:

(b)(5)

(b)(5)

From: Schmidt, Gregory

Sent: Monday, April 19, 2021 8:41 PM

To: Darcus, Joanna <Joanna.Darcus@ed.gov>; Desmond, William <William.Desmond@ed.gov>

Subject: RE: Potential items to raise at check-in meetings tomorrow

Anything else for tomorrow's check-ins?

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Subject: RE: Potential items to raise at check-in meetings tomorrow

We've conferred on tomorrow's check-ins:

(b)(5)

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From: Schmidt, Gregory

Sent: Friday, April 16, 2021 12:55 AM

To: Leheny, Emma <Emma.Leheny@ed.gov>

Cc: Darcus, Joanna <Joanna.Darcus@ed.gov>; Desmond, William <William.Desmond@ed.gov>

Subject: RE: Potential items to raise at check-in meetings tomorrow

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To: Leheny, Emma <Emma.Leheny@ed.gov>

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Subject: RE: Potential items to raise at check-in meetings tomorrow

We've conferred on tomorrow's check-ins:

(b)(5)

(b)(5)

(b)(5)

From: Darcus, Joanna
Subject: Re: Potential items to raise at check-in meetings tomorrow
To: Schmidt, Gregory
Sent: May 5, 2021 9:26 PM (UTC-04:00)

Just saw that my email was got stranded in my outbox and it has now gone through!

Joanna Darcus

From: Schmidt, Gregory <Gregory.Schmidt@ed.gov>
Sent: Wednesday, May 5, 2021 8:37:17 PM
To: Darcus, Joanna <Joanna.Darcus@ed.gov>
Subject: FW: Potential items to raise at check-in meetings tomorrow

Hi Joanna – could you let me know when you'll be able to weigh in on the below? Thanks!

From: Desmond, William <William.Desmond@ed.gov>
Sent: Wednesday, May 5, 2021 8:12 PM
To: Schmidt, Gregory <Gregory.Schmidt@ed.gov>; Darcus, Joanna <Joanna.Darcus@ed.gov>
Subject: RE: Potential items to raise at check-in meetings tomorrow

Some minor edits in red below on the OCR/OSERS petition. Thanks!

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To: Darcus, Joanna <Joanna.Darcus@ed.gov>; Desmond, William <William.Desmond@ed.gov>
Subject: RE: Potential items to raise at check-in meetings tomorrow

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Sent: Tuesday, May 4, 2021 6:50 PM

To: Leheny, Emma <Emma.Leheny@ed.gov>

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To: Leheny, Emma <Emma.Leheny@ed.gov>

Cc: Darcus, Joanna <Joanna.Darcus@ed.gov>; Desmond, William <William.Desmond@ed.gov>

Subject: RE: Potential items to raise at check-in meetings tomorrow

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Cc: Darcus, Joanna <Joanna.Darcus@ed.gov>; Desmond, William <William.Desmond@ed.gov>
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To: Leheny, Emma <Emma.Leheny@ed.gov>

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To: Darcus, Joanna
Sent: May 5, 2021 9:26 PM (UTC-04:00)

Got it — thanks!

On May 5, 2021, at 9:25 PM, Darcus, Joanna <Joanna.Darcus@ed.gov> wrote:

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Subject: RE: Potential items to raise at check-in meetings tomorrow

We've conferred on updates and meeting-specific notes for tomorrow:

(b)(5)

From: Schmidt, Gregory

Sent: Wednesday, April 28, 2021 8:05 PM

To: Leheny, Emma <Emma.Leheny@ed.gov>

Cc: Darcus, Joanna <Joanna.Darcus@ed.gov>; Desmond, William <William.Desmond@ed.gov>

Subject: RE: Potential items to raise at check-in meetings tomorrow

We've conferred on updates and meeting-specific notes for tomorrow:

(b)(5)

(b)(5)

From: Schmidt, Gregory

Sent: Tuesday, April 27, 2021 8:07 PM

To: Leheny, Emma <Emma.Leheny@ed.gov>

Cc: Darcus, Joanna <Joanna.Darcus@ed.gov>; Desmond, William <William.Desmond@ed.gov>

Subject: RE: Potential items to raise at check-in meetings tomorrow

We've conferred on updates and meeting-specific notes for tomorrow:

(b)(5)

(b)(5)

From: Schmidt, Gregory

Sent: Monday, April 26, 2021 9:07 PM

To: Leheny, Emma <Emma.Leheny@ed.gov>

Cc: Darcus, Joanna <Joanna.Darcus@ed.gov>; Desmond, William <William.Desmond@ed.gov>

Subject: RE: Potential items to raise at check-in meetings tomorrow

We've conferred on updates and meeting-specific notes for tomorrow:

(b)(5)

(b)(5)

(b)(5)

From: Schmidt, Gregory

Sent: Monday, April 26, 2021 1:06 AM

To: Leheny, Emma <Emma.Leheny@ed.gov>

Cc: Darcus, Joanna <Joanna.Darcus@ed.gov>; Desmond, William <William.Desmond@ed.gov>

Subject: RE: Potential items to raise at check-in meetings tomorrow

Updates and meeting-specific notes for tomorrow are below:

(b)(5)

(b)(5)

From: Schmidt, Gregory

Sent: Friday, April 23, 2021 3:16 AM

To: Leheny, Emma <Emma.Leheny@ed.gov>

Cc: Darcus, Joanna <Joanna.Darcus@ed.gov>; Desmond, William <William.Desmond@ed.gov>

Subject: RE: Potential items to raise at check-in meetings tomorrow

We've conferred on tomorrow's check-ins:

(b)(5)

From: Schmidt, Gregory

Sent: Thursday, April 22, 2021 7:06 AM

To: Leheny, Emma <Emma.Leheny@ed.gov>

Cc: Darcus, Joanna <Joanna.Darcus@ed.gov>; Desmond, William <William.Desmond@ed.gov>

Subject: RE: Potential items to raise at check-in meetings tomorrow

We've conferred on today's check-ins:

(b)(5)

(b)(5)

From: Schmidt, Gregory

Sent: Wednesday, April 21, 2021 12:51 AM

To: Leheny, Emma <Emma.Leheny@ed.gov>

Cc: Darcus, Joanna <Joanna.Darcus@ed.gov>; Desmond, William <William.Desmond@ed.gov>

Subject: RE: Potential items to raise at check-in meetings tomorrow

We've conferred on tomorrow's check-ins:

(b)(5)

(b)(5)

From: Schmidt, Gregory

Sent: Tuesday, April 20, 2021 6:06 AM

To: Leheny, Emma <Emma.Leheny@ed.gov>

Cc: Darcus, Joanna <Joanna.Darcus@ed.gov>; Desmond, William <William.Desmond@ed.gov>

Subject: RE: Potential items to raise at check-in meetings tomorrow

We've conferred on today's check-ins:

(b)(5)

(b)(5)

From: Schmidt, Gregory

Sent: Monday, April 19, 2021 8:41 PM

To: Darcus, Joanna <Joanna.Darcus@ed.gov>; Desmond, William <William.Desmond@ed.gov>

Subject: RE: Potential items to raise at check-in meetings tomorrow

Anything else for tomorrow's check-ins?

(b)(5)

(b)(5)

From: Schmidt, Gregory

Sent: Monday, April 19, 2021 12:27 AM

To: Leheny, Emma <Emma.Leheny@ed.gov>

Cc: Darcus, Joanna <Joanna.Darcus@ed.gov>; Desmond, William <William.Desmond@ed.gov>

Subject: RE: Potential items to raise at check-in meetings tomorrow

We've conferred on tomorrow's check-ins:

(b)(5)

From: Schmidt, Gregory

Sent: Friday, April 16, 2021 12:55 AM

To: Leheny, Emma <Emma.Leheny@ed.gov>

Cc: Darcus, Joanna <Joanna.Darcus@ed.gov>; Desmond, William <William.Desmond@ed.gov>

Subject: RE: Potential items to raise at check-in meetings tomorrow

We've conferred on tomorrow's check-ins:

(b)(5)

From: Schmidt, Gregory
Sent: Thursday, April 15, 2021 12:06 AM
To: Leheny, Emma <Emma.Leheny@ed.gov>
Cc: Darcus, Joanna <Joanna.Darcus@ed.gov>; Desmond, William <William.Desmond@ed.gov>
Subject: RE: Potential items to raise at check-in meetings tomorrow

We've conferred on tomorrow's check-ins:

(b)(5)

(b)(5)