



Congress of the United States
House of Representatives
Washington, DC 20515-6538

October 26, 2021

The Honorable Merrick B. Garland
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530-0001

Dear Mr. Attorney General:

At the whim of a thinly sourced letter led by the National School Board Association (NSBA) sent on Sept. 29 likening parents to domestic terrorism,¹ you sent a [memo](#) directing your Department to work in concert with the FBI and U.S. Attorney's Offices to implement a strategy to investigate parents at school board meetings.²

Since that letter was first published, the American public has not only learned that individuals in the Biden administration worked with the NSBA to craft that letter, but you yourself [admitted](#) during a recent Congressional hearing that it was the only "source" you had to justify your decision to baselessly investigate parents, chill constitutionally protected acts, and discourage their parental rights to have a say in their children's education.³

It was alarming to hear that the Department was moved to target parents by a single letter, especially a letter that the Administration had a hand in molding. Then late on the evening of Friday, October 22nd, the NSBA - *after facing the [backlash](#) of nearly 20 state school board associations* - publicly released a letter admitting they "[regret and apologize for the letter](#)."⁴ *We ask now: If the NSBA can no longer stand by its letter, how can the Department of Justice proceed with its actions spurred by that same letter?*

¹ Letter from Dr. Viola M. Garcia, President, Nat'l School Board Assoc. & Mr. Chip Slaven, Chief Exec. Officer, Nat'l School Board Assoc., to President Joseph R. Biden, White House (Sept. 29, 2021).

² Memorandum from Atty Gen. Merrick Garland, U.S. Dep't of Justice, Partnership Among Federal, State, Local, Tribal, And Territorial Law Enforcement to Address Threats Against School Administrators, Board Members, Teachers, and Staff (Oct. 4, 2021).

³ *Oversight of the United States Department of Justice: Hearing Before the H. comm. on the Judiciary*, 117th Cong. at 68 (2021) (testimony from Hon. Merrick Garland, Atty Gen., U.S. Dep't of Justice).

⁴ See Kerry Pickett, *National School Boards Association rocked by state members after call for crackdown on parents*, WASH. EXAMINER (Oct. 19, 2021); Memorandum from NSBA Board of Directors, Message to NSBA Members (Oct. 22, 2021).

The past year and a half of lockdowns and school closures motivated parents to take an even closer look at their children's education, sparking a nationwide wave of renewed parental engagement. The Administration should encourage and embrace motivated parents, as research overwhelmingly supports the positive impact parental involvement has on student success.⁵ Instead, the message from the Biden administration, including from his own Secretary of Education, is that they do not believe parents should be the primary stakeholders in their own children's education.⁶ It is a stance they doubled down on when they decided to activate the FBI to investigate school board meetings.

Asking questions about the kinds of books your school district has on their library shelves is not domestic terrorism. Inquiring about politically-charged rhetoric potentially being injected into classrooms is not domestic terrorism. And demanding answers about sexual assault cases that happen on school grounds, is definitely not domestic terrorism. In disavowing their letter, the NSBA has abandoned this train of thought, the Department of Justice should as well.

We believe, like the majority of Americans, that every parent has a right to be involved in their child's education. Second, parents who are concerned about material and curriculums in classrooms should be celebrated and admired, not made to feel like villains for simply asking basic questions regarding curriculums in their local schools.

We are requesting that you immediately retract your October 4th memo, and dissolve any plans to stand up the superficial and unnecessary parent task force. The Biden administration also owes every parent in America an apology, and a clear commitment to end this senseless harassment, intimidation, and targeting of parents.

Sincerely,



KEVIN McCARTHY
Republican Leader



JIM JORDAN
Member of Congress



VIRGINIA FOXX
Member of Congress

⁵ See, e.g., *Report: The Positive Relationship Between Family Involvement and Student Success*, NAT'L PTA, <https://www.pta.org/home/run-your-pta/National-Standards-for-Family-School-Partnerships/Report-The-Positive-Relationship-Between-Family-Involvement-and-Student-Success>.

⁶ *School Reopening During COVID-19: Supporting Students, Educators, and Families: Hearing Before the S. Comm. on Health, Edu., Labor, & Pensions*, 117th Cong. (Sept. 30, 2021) (testimony from Hon. Dr. Miguel Cardona, Sec'y, U.S. Dep't of Edu.).