



Report on the Biden–Harris Administration’s War on Parents

INTRODUCTION

In 2020–21, as many schools across America were shuttered because of COVID–19, parents were sitting at home working virtually, alongside their children learning virtually, and they began to realize that classroom education was no longer focused on math, science, history, English, and other subjects that would prepare young students for success. Now, children were being taught that America was systemically racist, that they were either the oppressors or the oppressed, and that it was their responsibility to call out micro-aggressions and systemic racism and to look down on the now-hateful idea of legal equality for all. They were being taught that racism permeates every aspect of society and that no matter your biological sex, you can be a boy, girl, both, or neither. And they were told that any dissent from this orthodoxy would be met with discipline and social ostracization.

Fearing for their children and aware of the limited time that young students have to learn critical skills in the public school system, parents spontaneously mobilized to protect the integrity of taxpayer-funded public education. They utilized every legal tool at their disposal, from lawsuits and efforts to recall elected officials to simply voicing their opposition to school board members who often seemed committed to ignoring their constituents, to prevent public education from becoming woke indoctrination.

While this movement grew across America, it reached its peak in Virginia, where school systems had not only embraced these divisive concepts but began the process of forcing students as young as five years old to share bathrooms and locker rooms with members of the opposite sex. Teachers who protested were suspended, and parents who spoke out were mocked, vilified, arrested, and verbally attacked by the very elected officials who represented them.

At the same time, Virginia was in the middle of a hotly contested gubernatorial election where education and school board overreach had become an increasingly important issue going into Election Day. At this point, the National School Board Association (“NSBA”) collaborated with the Department of Education and the White House to malign ordinary citizens exercising their rights to advocate for their children’s education, with the apparent goal of stifling dissent around education policy.

Public school teacher unions and bureaucrats provide funds and foot soldiers for Democrat politicians—they are an important Biden-Harris constituency. Therefore, the Biden-Harris Administration was eager to help when they came calling for federal help to shut parents down. NSBA worked with the White House to craft a strategy designed to stifle debate and sow fear among dissenting parents. The plan called for the trade association to “ask” the federal government to investigate parents under the domestic terror provisions of the Patriot Act. At the same time, the White House

was working with the Department of Justice on a plan to quickly do exactly what the NSBA asked.

On September 29, 2021, the NSBA sent a letter to President Biden, requesting the mobilization of the full range of Federal law enforcement agencies to respond and that the PATRIOT Act be invoked against parents for acts of “intimidation and harassment” against school board members and local school bureaucrats.¹ On October 4, 2021, just three business days later, the Department of Justice (“DOJ”) released the now-infamous Garland Memo, directing the Federal Bureau of Investigation (“FBI”) and US Attorneys nationwide to crack down on what was falsely described as “a disturbing spike in harassment, intimidation, and threats of violence against school administrators, board members, teachers, and staff.”²

Throughout the process, the DOJ communicated and coordinated with the White House, the Department of Education, and the NSBA. In fact, the DOJ informed the NSBA of the Garland memo before the Department had even sent it to the US Attorneys throughout the country, or to the FBI’s Office of Public Affairs.

The result was rightful outrage from lawmakers, millions of Americans, and even members of the NSBA Board of Directors who had been kept in the dark. They saw the memo for what it was—a craven attempt to weaponize the DOJ and the FBI against parents, partly in an effort to influence the gubernatorial election in Virginia between Glenn Youngkin and Terry McAuliffe.

The fallout within the DOJ was immediately felt. High-ranking officials struggled to deal with questions about the Garland Memo, admitting that the memo was based on media reports and hastily trying to find statutes that would form the basis for its already-exercised overreach. It was no surprise then that in his October 21, 2021, congressional testimony, Attorney General Garland struggled to answer for his memo and ultimately admitted that it relied exclusively on the NSBA Letter.

On October 22, 2021, the NSBA renounced the letter, apologized, and deleted the letter to the White House from its website. While the DOJ would ultimately open 25 assessments generated by the tip-line contained in the Garland Memo, those assessments resulted in only a single opened investigation. To date, there has not been a single prosecution pursuant to the Garland Memo, the memo was never rescinded, and no apology was ever issued.

America First Legal (“AFL”) and Parents Defending Education (“PDE”) have worked tirelessly over the past three years through a series of Freedom of Information Act

¹ AM. FIRST LEGAL FOUND. & PARENTS DEF. EDUC., REPORT ON THE BIDEN–HARRIS ADMINISTRATION’S WAR ON PARENTS, app. at 1–6 (2024) [hereinafter Appendix], www.aflegal.org/guides/.

² Appendix at 7.

requests to get to the bottom of this historic weaponization of government against parents. The following is a timeline of key events in the Biden-Harris Administration's shameful war against moms and dads—a war that has never been called off and with still more questions that need to be answered. This report was prepared based on a review of the documents, all obtained through FOIA requests and reviewed by staff from AFL and PDE, which are combined in the Appendix to this Report.

KEY PLAYERS

Merrick Garland: Attorney General of the United States of America; signed and released the memo in response to NSBA letter.

Matthew Klapper: Chief of Staff to Attorney General Merrick Garland.

Margaret Goodlander: Former counsel to Attorney General Merrick Garland, current candidate for Congress in New Hampshire. Married to Jake Sullivan, U.S. National Security Advisor.

Kevin Chambers: Former Associate Deputy Attorney General in the Office of the Deputy Attorney General.

Anthony Coley: Former Director of the Office of Public Affairs at the Department of Justice.

Chip Slaven: Former Interim Executive Director & CEO, National School Boards Association.

Dr. Viola Garcia: Former President of the National School Boards. Appointed by the Biden-Harris Administration to the National Assessment Governing Board on October 13, 2021.

Frank Henderson: President of the National School Boards Association, President-elect at the time of the NSBA Letter.

Mary C. Wall: Former member of the White House Domestic Policy Council and currently works at the U.S. Department of Education.

Miguel Cardona: Secretary of the U.S. Department of Education.

TIMELINE

June 22, 2021: The Loudoun County School Board held its final meeting before summer break. The primary topic of the debate was a policy that would allow transgender students to use the bathrooms and locker rooms of their choice. Over 200 people signed up to speak during public comment, which was prematurely concluded by a vote of the board following applause for a former Virginia State Senator who criticized the board. Following the vote, two members of the audience were arrested; one for trespass after refusing to leave and one for acting disorderly and displaying aggressive behavior. Michael Ruiz, *Virginia's Loudoun County School Board Silences Public Comment After Raucous Meeting, 2 Men Arrested*, FOX NEWS (Jun. 22, 2021), <https://perma.cc/N5A3-ZLE4>.

June 28, 2021: Politico emailed the NSBA for an interview on the topic of “parents attending school board meetings and how boards are addressing protesting parents.” The interview was scheduled for July 6. Appendix at 2886.

July 6, 2021: NSBA Executive Director Chip Slaven (“Mr. Slaven”) interviewed with Politico. Appendix at 2886.

July 7, 2021: “Mr. Slaven and other NSBA representatives attended a Department of Education conversation.” Appendix at 2886.

July 15, 2021: Mr. Slaven gave his first report as interim executive director and indicated that “his focus was on providing talking points and push back on critics regarding CRT and transgender policies that are creating ‘hostile situations for school board members.’” Appendix at 2887.

July 30, 2021: Mr. Slaven had a call with Aaliyah Samuel (“Ms. Samuel”), Deputy Assistant Secretary of the Department of Education, “to discuss threats and concerns related to school board members.” During this conversation, Mr. Slaven suggested that Secretary of Education Miguel Cardona (“Secretary Cardona”) “meet with a large group of school board members who serve in leadership capacities to talk with the Secretary in a town-hall style meeting.” That meeting was eventually scheduled for August 16. Appendix at 2887.

August 16, 2021: “NSBA representatives met with Secretary Cardona in a virtual town hall meeting.”

During that meeting, Frank Henderson, NSBA President-Elect, asked, “how can you support us in the efforts to overcome challenges faced by districts in their DEI efforts that serve students and are opposed by anti-CRT groups.” Appendix at 2887.

“This dialog with the Department of Education gave rise to several more town-hall style conversations with Secretary Cardona throughout August, wherein Mr. Slaven related specific instances of activism he considered inappropriate based on the conversations he was having with local school board members.” Appendix at 2861–62.

August 24, 2021: The Guardian published a story in which Mr. Slaven compared the circumstances schools were dealing with to 9/11 and highlighted that school boards like Loudoun County were “under attack” because of “politicized recall elections.” Julia Carrie Wong, *Masks Off: How US School Boards Became “Perfect Battlegrounds” for Vicious Culture Wars*, THE GUARDIAN (Aug. 24, 2021), <https://perma.cc/Y9BA-QJ27>.

Early September 2021: “Mr. Slaven started communicating, via correspondence to various local school board officials and NSBA staff, that he was exploring his options to address these concerns, including contacting the Department of Justice and the Department of Homeland Security directly to ask for threat-assessment support.” Appendix at 2862.

September 8, 2021: “Mr. Slaven received multiple emails from NSBA’s then-Immediate Past President, Mr. Wilson, regarding CRT and alleged threats surrounding school boards.” Mr. Slaven responded by claiming that the rhetoric around school boards reminded him of “similar language during the 1990’s after Waco and Ruby Ridge” and that he was “exploring several options to try and address these issues including contacting the Department of Justice and/or Department of Homeland Security and asking for threat assessment for school boards and public schools.” Appendix at 2862–63.

Mr. Slaven claimed that he came to a decision to send the Letter to the White House after reading an article in Politico that claimed the “Proud Boys” had showed up to a school board meeting in Nashua, NH. Appendix at 2852.

September 9, 2021: “Mr. Slaven directed Deborah Rigsby, via Jane Mellow, to draft a letter to ‘either the Attorney General or the Director of the FBI’ for a threat assessment of the risk to school board members and public schools in the wake of what he deemed ‘confrontational tactics’ being seen across the country.” Appendix at 2863.

“Ms. Rigsby began to work on the initial draft of the Letter, which would not circulate within the NSBA until September 17. Notable, the September 17 draft would ultimately contain most of the substantive content included in the Letter’s final form.” Appendix at 2863.

“In conjunction with directing Ms. Rigsby to draft the Letter, Ms. Mellow contemporaneously asked NSBA’s Senior Research Analyst, Jinghng Cai, to ‘pull together some of the instances of threatening meetings from the media’ to be included in the Letter. NSBA’s research analyst immediately compiled the requested instances, sending Ms. Mellow and Ms. Rigsby a list of twenty-eight instances from the media occurring in sixteen states, which were eventually included within the Letter and ultimately provided to the White House as the ‘egregious examples’ along with a summary of the Letter on September 21.” Appendix at 2863.

September 9, 2021: After participating in a White House call related to President Biden’s speech on the COVID–19 pandemic, Mr. Slaven began corresponding with Mary Wall (“Ms. Wall”), a senior advisor at the White House, who asked “about what they could do to ‘support members making tough calls on behalf of kids.’” Appendix at 2864, 2890.

September 11, 2021: Mr. Slaven responded to Ms. Wall’s September 9th email and stated that “he worries about the ‘many threats school board members are receiving,’ and asked for any help that the White House can provide.” Appendix at 2890.

Mr. Slaven and Ms. Wall continued to speak via email and telephone over the next few weeks, and Mr. Slaven told Ms. Wall about the “NSBA’s plan to send the Letter and ask for formal federal assistance with the White House, including sending the White House a detailed summary of the contents of the Letter and ‘egregious examples.’” Appendix at 2864, 2890–94.

September 14, 2021: Biden-Harris Administration stakeholders held discussions about federal actions in response to school board meeting interest with a member of the Biden-Harris Domestic Policy Council (Jane Doe 1) and a White House staff official (John Doe 1). Stakeholders also held discussions with senior members of the DOJ, including at least one political appointee in the Civil Rights Division (Jane Doe 2).

During those stakeholder meetings, Jane Doe 1, Jane Doe 2, and other Biden-Harris Administration officials developed a plan to use a letter from an outside group (“not the usual suspects”) as a pretext for federal action.

Around the same time, the DOJ began work on what would become the Garland Memo, despite DOJ staff concerns about (1) the absence of federal law enforcement nexus, and (2) the constitutionally protected nature of parental protests at school board meetings. Appendix at 3131–34. These concerns would later be borne out in FBI leadership’s immediate email replies to the memo’s issuance.

September 14, 2021: During the NSBA’s quarterly meeting with state school board association executive directors, Mr. Slaven informed them that the White House had

a meeting that same morning about school board issues and that the NSBA was planning on sending a letter to the President requesting federal law enforcement involvement. Appendix at 1930.

Also on this date, Ms. Wall requested that Mr. Slaven provide her with the “NSBA’s list of ‘egregious examples’ of alleged school board threat and disruptions.” Appendix at 2865.

September 17, 2021: First Draft of the Letter to President Biden completed and shared internally with NSBA staff. Appendix at 2866–67.

September 20, 2021: Early voting begins in the Virginia elections.

September 21, 2021: “Ms. Wall reached out to Mr. Slaven requesting the ‘egregious examples’ that Mr. Slaven promised to send her.” Slaven responded by telling Ms. Wall that he would have his staff send her “some of the most egregious examples” and reminded her that “NSBA is planning to send the President a letter requesting federal assistance.” Appendix at 2867.

Ms. Wall then wrote the following to Mr. Slaven: “Is there any way we can take a look at the letter in advance of release? In specific, I’m meeting with colleagues from other White House offices and the Department of Justice tomorrow morning to see if there might be any options we can pursue here, so if you have concreted recommendations in your letter (e.g. the threat assessment you mentioned), would be good to know so I can include in discussions.” Appendix at 2866–68.

September 22, 2021: There was “a planned meeting between White House officials and the Department of Justice ... on September 22.” Appendix at 2867.

September 26, 2021: Mr. Slaven emailed the Letter to NSBA’s officers—Dr. Viola Garcia (“Dr. Garcia”) (President of NSBA), Mr. Frank Henderson (President-Elect), Ms. Kristi Swett (Secretary-Treasurer), and Mr. Charlie Wilson (Immediate Past President)—who all expressed their approval without substantive changes, only suggesting the addition of Dr. Garcia as a signatory. Dr. Garcia agreed. Appendix at 2892.

September 29, 2021 (1:29pm EST): Mr. Slaven emailed a draft of the Letter to the White House. Appendix at 2893.

September 29, 2021 (3:00pm EST): A finalized draft of the NSBA letter was sent to President Biden via White House Staff. Appendix at 2894.

September 29, 2021 (3:00pm EST): “Ms. Wall emailed Mr. Slaven back to thank him that the Letter was sent in advance of its release. She reiterated that the

President ‘stands with educators who are doing right by kids- and we know they/you all need to be protected now more than ever.’ Appendix at 2894.

October 1, 2021: “The Department of Homeland Security requested a meeting with NSBA staff regarding the Letter and NSBA’s request for federal assistance.” Appendix at 2871.

October 1, 2021: The President of the American Federation of Teachers, “Randi Weingarten[,] called to congratulate Mr. Slaven on the Letter” Appendix at 2894.

October 1–4, 2021: Suzanne Goldberg (“Ms. Goldberg”) (of the Department of Education) emailed Shaheena Simons (“Ms. Simons”) (of the Civil Rights Division of the DOJ). Ms. Goldberg included the NSBA Letter and asked who she should contact at DOJ to discuss. Ms. Simons connected Ms. Goldberg to Shalyn Cochran (“Ms. Cochran”) (Chief of Staff for DOJ’s Civil Rights Division). Appendix at 980.

Ms. Cochran connected Ms. Goldberg to Myesha Braden (“Ms. Braden”) from the Office of the Deputy Attorney General. Ms. Goldberg asked Ms. Braden if “there were plans” by the Justice Department to address the issues in the NSBA letter. Ms. Braden replied that Kevin Chambers (“Mr. Chambers”) from the Office of the Deputy Attorney General was “running a process.” Appendix at 2409–10.

October 2, 2021: “Dr. Garcia emailed Mr. Slaven and the Board thanking them for their responses. She indicates the NSBA had been engaged with the White House and Department of Education for several weeks and promises to coordinate next steps with Mr. Slaven.” Appendix at 2895.

October 4, 2021: Mr. Chambers called Ms. Goldberg and left a voicemail. Appendix at 2409.

October 4, 2021 (2:01 p.m.): DOJ OPA Director Anthony Coley (“Mr. Coley”) emailed Rachel Thomas and Kelly Leon at the Department of Education to tell them that the DOJ was going to have an announcement related to the NSBA letter. Mr. Coley stated that DOJ was “planning to touch base with the Nat’l School Board Ass’n ahead of the announcement” and asked if DOE had any suggestions to “third party groups that we should touch either before or immediately after the announcement.” Appendix at 3071.

October 4, 2021 (3:19–3:41 p.m.): Mr. Coley and Mr. Slaven exchanged emails to set up a phone conversation, which Mr. Coley stated would take place “within the hour.” Appendix at 3084.

October 4, 2021 (3:54 p.m.): Assistant Director of FBI Counterterrorism Timothy Langan sent an email to FBI colleagues making sure they had seen a draft of the

Garland Memo and stated that he was trying to track down additional information. FBI Attorney Miriam Coakley forwarded this email to other FBI colleagues, including Corey Ellis, and added that she had not yet seen the draft and that she “hopes DOJ reconsiders” issuing the memo. Appendix at 966.

October 4, 2021 (3:45–4:45 p.m.): Mr. Coley and DOJ Public Affairs Officer Alivia Roberts (“Ms. Roberts”) had a call with Mr. Slaven to discuss the Garland Memo. Appendix at 2895.

October 4, 2021 (4:12 p.m.): Lee Lofthus of the Department of Justice’s Justice Management Division sent the final Garland Memo to leadership at the FBI and DOJ. Appendix at 2007.

October 4, 2021 (4:58 p.m.): Ms. Roberts emailed the Garland Memo to Mr. Slaven and told him she would let him know when the memo had been released to the public and stated that DOJ hoped to continue a dialogue with the NSBA. Appendix at 2916.

October 4, 2021 (5:18 p.m.): Matthew Klapper (“Mr. Klapper”), Chief of Staff to Attorney General Garland, emailed the DOJ Office of Public Affairs and others in the Attorney General’s office to “[h]old for final signoff” on the press release, which he indicated would be at 5:45.” Appendix at 3092–93.

October 4, 2021 (5:26 p.m.): Mr. Slaven sent a reply email to Ms. Roberts and Mr. Coley. He thanked her for sharing the Garland Memo and for the phone call with Conley in which Slaven was briefed “on the action being taken.” Slaven also stated that the NSBA was “ready to work with you on efforts going forward” and asked for DOJ to let him know how the NSBA could support DOJ’s efforts. Appendix at 3060.

October 4, 2021 (5:28 p.m.): Corey Ellis (FBI) emailed Norman Wong at the Department of Justice’s Executive Office of United States Attorneys (“EOUSA”) and stated that the FBI would like the draft Garland Memo revised. Appendix at 8.

October 4, 2021 (5:44 p.m.): DOJ distributed the Garland Memo to United States Attorneys. Appendix at 2515.

October 4, 2021 (5:50 p.m.): EOUSA’s Monte Wilkinson (former Acting Attorney General in the Biden-Harris administration) replied to Corey Ellis’s 5:28 email to Norman Wong, stating: “It’s a little too late.” Appendix at 966.

October 4, 2021 (6:08 p.m.): The Garland Memo was sent to the media. Appendix at 2179.

October 4, 2021 (6:10 p.m.): Kelsey Pietranton of DOJ OPA forwarded the public release of the Garland Memo to Catherine Milhoan of FBI OPA. Milhoan replied by

asking Pietranton if the Garland Memo had already gone out to the media. After she received a reply from Pietranton confirming that the release had already gone out, Milhoan stated that she was “pretty confident this was not coordinated with [FBI OPA].” Appendix at 3063–64.

October 4, 2021 (6:17 p.m.): Ms. Roberts of DOJ OPA forwarded a press release to Mr. Slaven, who replied later in the evening by thanking Ms. Roberts and informing her that the NSBA put out a statement “praising the swift action.” Appendix at 3053.

October 4, 2021 (9:07 p.m.): Mr. Coley emailed Ms. Roberts and Kelsey Pietranton of DOJ OPA an AP article on the Garland Memo and stated in the subject line: “good quote from Chip Slaven.”³ Appendix at 3046.

October 4, 2021 (8:50 p.m.): In response to Mr. Coley (forwarding an email from Mr. Slaven thanking him for speaking with him in advance of the release of the Garland Memo), Mr. Klapper said “[w]ell done.” Appendix at 3059.

October 5, 2021 (9:49 a.m.): Renee Wohlenhaus of the DOJ’s Civil Rights Division told colleagues in an email that the Garland Memo was in response to requests for help “in addressing threats of violence made against school board members and other officials over COVID policies and critical race theory.” Appendix at 972.

October 5, 2021 (10:54 a.m.): Coley emailed Aaliyah Samuel, Rachel Thomas, and Adam Honeysett of the Department of Education and asked for guidance on additional DOJ outreach. He also stated that he “had a good call with [Mr. Slaven] yesterday ahead of the announcement.” Appendix at 3020.

October 5, 2021 (12:32 p.m.): DOJ OPA Wyn Hornbuckle emailed Ms. Singh and Mr. Chambers from ODAG: “As you are aware, a lot of blowback on this today and interest during the DAG’s testimony. I wonder if we can substantiate beyond the issues raised in the National School Boards Association’s letter and media reports, the foundation for the memo citing an ‘increase in harassment, intimidation and threats of violence against school board members, teachers and workers in our nation’s public schools.’ Such as concerns raised by law enforcement in addition to those raised in the letter.”

³ “Over the last few weeks, school board members and other education leaders have received death threats and have been subjected to threats and harassment, both online and in person,” Slaven said. The department’s action “is a strong message to individuals with violent intent who are focused on causing chaos, disrupting our public schools, and driving wedges between school boards and the parents, students, and communities they serve.” Gary Fields, *Garland Says Authorities Will Target School Board Threats*, AP (Oct. 5, 2021), <https://perma.cc/QLA8-AERD>.

Mr. Chambers responded to Hornbuckle’s question by stating: “In addition to what is contained in the NSBA memo, there are numerous examples in the news over the past few months about threats to school board members, teachers, and even parents, while attending school board meetings, etc.” Appendix at 3010.

October 5, 2021 (10:30 p.m.): Mary Kusler of the NEA emailed Mr. Coley and stated that she was given his name by Maureen Tracey-Mooney from the Biden Domestic Policy Council. Ms. Kusler stated that the NEA was “beyond delighted at the announcement [of the Garland Memo].” She asked Mr. Coley to join a virtual meeting with NEA’s state executive directors. Appendix at 2984.

October 5, 2021: “President Biden personally called Dr. Garcia regarding the letter. According to Garcia, President Biden was ‘appreciative’ of and thanked her for the Letter in a fifteen-minute one-on-one phone call. President Biden also extended an invitation to Dr. Garcia to visit the Oval Office.” Appendix at 2872.

October 5, 2021: The Criminal Chief for the United States Attorney for the Western District of Missouri asks Norman Wong at DOJ about the scope of the Garland Memo, noting that it could “encompass hundreds, perhaps thousands, of school districts.” After Wong forwards the email to Mr. Chambers for guidance on who to direct questions regarding the Garland Memo, Mr. Chambers replies: “Let me get back to you on a POC, it will likely be someone on the [task force], once populated.” Appendix at 2513.

October 5, 2021: In response to an inquiry from David Newman of the Deputy Attorney General’s Office on who DHS Assistant Secretary of Counterterrorism should connect with regarding the Garland Memo, Mr. Chambers responds: “For right now, me. But we won’t have much to share until we launch the [task force] next week.” Appendix at 2510.

October 6, 2021: Ms. Goldberg emailed Mr. Chambers to thank him for his October 4th voicemail and stated that she was “glad to see” that the DOJ was mobilizing in response to the NSBA letter. Appendix at 2409.

October 6, 2021: NSBA board members Marnie Maldonado and Kristi Swett discussed over email that Mr. Slaven “told the officers he was writing a letter to provide information to the White House, from a request by Secretary Cordona [sic].” Appendix at 2813.

October 6, 2021: Ms. Kusler emailed Mr. Coley again to see if anyone from the DOJ could join the NEA meeting. Ms. Kusler cc’ed Ms. Tracey-Mooney and the NEA’s Susana O’Daniel. Mr. Coley replied to Ms. Kusler that the DOJ wouldn’t be able to make the meeting, but was “committed to doing everything it can to address the rise of criminal conduct directed towards school personnel.” Appendix at 2984.

Ms. Kusler thanked Mr. Coley and asked if there was anything that DOJ could share with the NEA for its call with state executive directors. Appendix at 2984–83.

Ms. Tracey-Mooney replied to the email chain by adding Ephraim McDowell from the White House Counsel’s Office.

Mr. Coley then “replied all” directing Ms. Kusler to the Garland Memo and accompanying press release. Appendix at 2983.

October 6, 2021: Mr. Slaven emailed Mr. Coley, asking what to do about the increase in “phone calls and emails to NSBA.” Mr. Coley reached out to Mr. Chambers, who emailed the FBI’s Jay Greenberg that: “The National School Board Association reports to us that they are receiving threatening calls and emails since they issued their letter last week, which have increased since the AG’s memo. Is protocol when one entity is getting multiple threats (via phone/email) to call the local FBI, the 1-800 number, or something else?” Mr. Greenberg responded that either the local office or the 1-800 number would work, and Mr. Chambers forwarded that response to Mr. Coley. Mr. Coley passed this information along via email to Mr. Slaven. Appendix at 2754, 2872.

October 6–7, 2021: “Ms. Samuel [Deputy Assistant Secretary of the Department of Education] checked-in via email with Mr. Slaven saying ‘I know its [sic] been a lot’ and thanking Mr. Slaven for his ‘leadership.’” Appendix at 2854.

October 7, 2021: “Ms. Wall emailed Mr. Slaven: ‘we have your back, and we’re exploring every avenue we can.’” Appendix at 2872.

October 13, 2021: Dr. Viola Garcia was appointed to the Federal Education Advisory Board. Appendix at 2872.

October 13, 2021: Attorneys in the Office of the Attorney General email drafts of a “Memorandum on Statutes” that could be used to justify the Garland Memo. Appendix at 2174–75, 2503.

October 14, 2021: Mr. Chambers emailed Tamarra Matthews-Johnson from the Office of the Attorney General stating: “Over the weekend, the designated members of the task force reviewed and proposed a number of statutes that they believe are at least in part applicable to threats made against school board members, administrators, teachers, and staff. Part of the work of the task force, which meets for the first time on Wednesday, will be to mine for additional, potentially applicable statutes. Accordingly, the list may grow, though this represents a fairly thorough list based on experience across components with threats.” Appendix at 2507.

October 20, 2021: The FBI Counterterrorism and Criminal Divisions announced to all FBI special agents in charge that there would be a new threat tag to track school board-related threats—“EDUOFFICIALS.” Appendix at 2912.

The FBI would ultimately open 25 “Guardian assessments” with the EDUOFFICIALS threat tag, each of which was based on “tips” reported through the snitch line included in the Garland Memo. Seventeen of those assessments were assigned to the Criminal Investigative Division, six to the Counterterrorism Division, and two to the Weapons of Mass Destruction Directorate. The FBI determined that only one such assessment warranted an investigation. The FBI has acknowledged that it “has not observed an uptick of threats directed at school officials since it began tracking the data.” There have been no federal prosecutions as a result of the Garland Memo. Appendix at 2912.

October 21, 2021: “Attorney General Merrick Garland testified at a Justice Department Oversight Hearing about his memo, acknowledging that he relied on the Letter as a basis for issuing his October 4 Memo.” Appendix at 2897.

October 22, 2021: “[T]he NSBA Board of Directors issued an apology memorandum to NSBA Members about the Letter, against Mr. Slaven’s ‘strong objections[.]’” Appendix at 2873.

October 27, 2021: Margaret Goodlander, formerly of the Office of Attorney General and currently running for Congress in New Hampshire, sent an email to an undisclosed recipient in which she highlighted Congressman Jim Jordan’s questions to Attorney General Garland on whether he ever spoke with anyone at the White House about his memo prior to releasing it. Appendix at 1943.

June 2022: Over the course of the next nine months, twenty-five state school board associations had left the NSBA. Dillon Burroughs, *25 States Have Now Left National School Boards Association As Nebraska Departs*, DAILY WIRE (Jun. 23, 2022), <https://perma.cc/N5A3-ZLE4>.

UNANSWERED QUESTIONS

- What level of involvement did Secretary Miguel Cardona have in the writing of the NSBA Letter?
- Was Vice President Kamala Harris involved in any of the events of the NSBA/DOJ/DOE saga?
- Does Vice President Harris know that the DOJ memo targeting parents was never revoked? Does she support this? Does she support the memo's withdrawal? Has she requested its withdrawal?
- Has anyone at the White House who was involved in the creation of the NSBA letter been terminated? Has anyone been held accountable?
- Was it truly Chip Slaven's idea to send a letter to President Biden? Or was the NSBA coaxed into writing it by someone at the White House?
- What additional documents or emails have not yet been released to the public regarding the events of the NSBA Letter to President Biden and the DOJ memo?
- Who were the "third party groups" that the Department of Justice and Department of Education intended to alert to the Attorney General's memo upon release?
- Did any elected or public officials for the Commonwealth of Virginia coordinate with Chip Slaven, Miguel Cardona, or the White House for the NSBA's issuance of the letter?
- Which of DOJ's resources were shifted toward investigating parents protesting school board meetings, and away from serious criminal investigations?
- Why hasn't the Department of Justice's Inspector General launched an investigation into the circumstances of the Garland Memo?

CONCLUSION

The collusion between the National School Boards Association, the Biden-Harris White House, and the Department of Justice was an unprecedented weaponization of federal law enforcement against parents for exercising their fundamental rights of free speech and to petition the government for redress of grievances. Those rights are fundamental to our system of government, and the Biden-Harris Administration's drastic step to chill those rights through threats of prosecution has drastically shaken the faith of the American people in our institutions. The fact that the memo has never been rescinded and that President Biden, Vice President Harris, and Attorney General Garland have never apologized for such a gross abuse of power stands as a testament to their fidelity to politics over the United States Constitution and the fundamental tenets of our nation.

APPENDIX

AM. FIRST LEGAL FOUND. & PARENTS DEF. EDUC., REPORT ON THE BIDEN–HARRIS ADMINISTRATION'S WAR ON PARENTS (2024), www.aflegal.org/guides/.