

# Congress of the United States

Washington, DC 20510

August 15, 2022

The Honorable Miguel Cardona  
Secretary of Education  
U.S. Department of Education  
400 Maryland Ave, SW  
Washington, D.C. 20202

Dear Secretary Cardona,

We write to express concern with the Department of Education's (ED) process when creating the National Parents and Families Engagement Council (NPFEC). To ensure the Council complies with the Federal Advisory Committee Act (FACA), we request further explanation from the Department on the selection of its members.

In response to backlash over school boards limiting parental input into their children's education, the ED announced the creation of the NPFEC to "facilitate strong and effective relationships between schools and parents, families and caregivers".<sup>1</sup> Rather than making a good faith attempt to effectively address legitimate concerns, the ED invited organizations to join the Council that do not reflect the majority of frustrated parents who have appeared before school board meetings across the country.

For example, the National Parents Union, one organization selected to participate in the NPFEC, publicly defended the National School Board's letter sent last year requesting that parents' actions at school board meetings be investigated by the Department of Justice as a "form of domestic terrorism".<sup>2</sup> Another organization selected, the League of United Latin American Citizens (LULAC), openly endorsed you for the Secretary of Education position before the Biden administration even took office.<sup>3</sup>

The Federal Advisory Committee Act Amendments of 1997 (FACA) state that membership of an advisory committee must be "fairly balanced in terms of the points of view represented and the functions to be performed by the advisory committee."<sup>4</sup> When selecting membership of the Council you chose to include organizations that are ideologically parallel to the Biden administration — not fairly balanced. The organization Parents Defending Education went as far

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<sup>1</sup> U.S. Department of Education, "[U.S. Department of Education Creates National Parents and Families Engagement Council to Help Ensure Recovery Efforts Meet Students' Needs](#)," June 14, 2022

<sup>2</sup> Parents Defending Education, "[Full NSBA Letter to Biden Administration and Department of Justice Memo](#)," November 29, 2021

<sup>3</sup> LULAC, "[LULAC National Education Chair Calls Selection of Dr. Miguel Cardona A New Opportunity](#)," December 23, 2020

<sup>4</sup> U.S. Code, "[Federal Advisory Committee Act](#),"

to state that “they would have joined the parents’ Council and offered their differing perspective, but they had no opportunity to formally apply”.<sup>5</sup>

At best, this Council serves as a symbolic gesture aimed to divert attention from the Biden administration’s systemic failures in education policy with a board that will do little more than green-light statements meant to appease dissatisfied parents. At worst, this new body is another attempt by the ED to centralize power over education and govern curriculum across the country. Parental involvement in their children’s education does not require the steering of a Council full of ideologically aligned federal education bureaucrats.

For these reasons, we request that you respond to the following questions thirty days from the receipt of this letter.

1. What authorities will the NPFEC have under the ED?
2. Did the Department of Education follow appropriate steps to file a charter for the Council with the standing committees of the Senate and of the House of Representatives having legislative jurisdiction?
3. What is the legal basis for the Council? Was it given an entry into the Federal Register?
4. Does the ED believe that membership of the Council complies with FACA and that it is comprised in a fair and balanced manner?

Sincerely,



C. Scott Franklin  
Member of Congress



John H. Rutherford  
Member of Congress



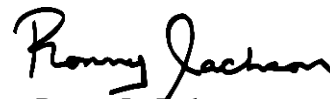
Glenn Grothman  
Member of Congress



Michael Guest  
Member of Congress



Paul Gosar, D.D.S.  
Member of Congress



Ronny L. Jackson  
Member of Congress

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<sup>5</sup> Wall Street Journal, [“Co-Opting the Parents Revolt,”](#) July 17, 2022

Adrian Smith  
Member of Congress

Byron Donalds  
Member of Congress

Markwayne Mullin  
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Ralph Norman  
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