

# Congress of the United States

Washington, DC 20515

October 11, 2022

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

Dear Secretary Cardona:

As the Republican leaders on the Committees on Oversight and Reform and Education and Labor, we are continuing Republicans' investigation into the misuse of COVID-19 relief dollars intended for virus mitigation, the safe reopening of schools, and addressing catastrophic learning loss. On September 14, 2022, Committee Republicans requested documents and communications from your office to understand better how the Department of Education has allowed states to spend COVID-relief funds, specifically the Elementary and Secondary School Emergency Relief (ESSER) funds. You failed to respond by the September 28, 2022, deadline.<sup>1</sup> Despite your failure to respond, the American people are providing numerous examples of wasteful spending of ESSER funds.

One particularly bizarre example is from Newburyport, Massachusetts, where the Newburyport Public Schools spent at least \$56,800 in ESSER funds to hire a consultant named Michael Eatman.<sup>2</sup> According to documents obtained by Committee on Oversight and Reform Republicans, Mr. Eatman's services included "coaching" a high school principal to use a racial slur in front of other faculty members.<sup>3</sup> While the use of a racial slur rightfully made some teachers uncomfortable, others, such as an assistant superintendent for curriculum & instruction, stated that its use and the principal's explanatory e-mail memorializing the incident was the "perfect message to your staff."<sup>4</sup> Other teachers said the use of the slur in front of faculty members was "amazing" and "model[ed] for all of us what courage and vulnerability look[ed] like in action."<sup>5</sup> This is not what federal COVID aid was intended for, but according to information obtained by Committee Republicans, taxpayer dollars paid for this session.

This activity appears to have nothing to do with COVID-19 mitigation. Moreover, under no circumstances should the American people fund the "coaching" of educators to use racial slurs for any purpose and/or at any time. This is both a waste and a misuse of taxpayer dollars.

We therefore reiterate the six requests made in our September 14, 2022, letter and urge your prompt response no later than October 18, 2022. Additionally, please provide the following information no later than October 25, 2022:

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<sup>1</sup> Letter from Rep. James Comer, Ranking Member, Oversight and Reform Comm., et. al, to Miguel Cardona, Sec. U.S. Dept. of Ed. (Sep. 14, 2022).

<sup>2</sup> Three Newburyport Public Schools purchase orders dated Jul. 8, 2022, (on file with the Committee).

<sup>3</sup> Email from Principal dated Jan. 13, 2021, (on file with the Committee).

<sup>4</sup> Email from Assistant Superintendent dated Jan. 14, 2021, (on file with the Committee).

<sup>5</sup> Emails from Staff dated Jan. 13, 2021, and Jan. 14, 2021, (on file with the Committee).

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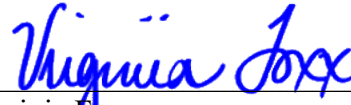
1. All documents and communications related to the approval of the Commonwealth of Massachusetts's Plan for American Recovery Plan ESSER funds.
2. All documents and communications related to the review of ESSER funds used to pay consultants for various professional development sessions in state and local school districts.

To ask any follow-up or related questions, please contact Committee on Oversight and Reform Republican staff at (202) 225-5074 or Committee on Education and Labor Republican staff at (202) 225-6558. The Committee on Oversight and Reform is the principal oversight committee of the U.S. House of Representatives and has broad authority to investigate "any matter" at "any time" under House Rule X, and the Committee on Education and Labor has jurisdiction over matters of education under such rule. Thank you in advance for your cooperation with this inquiry.

Sincerely,



James Comer  
Ranking Member  
Committee on Oversight and Reform



Virginia Foxx  
Ranking Member  
Committee on Education and Labor

cc: The Honorable Carolyn B. Maloney, Chairman  
House Committee on Oversight and Reform

The Honorable Robert "Bobby" Scott  
House Committee on Education and Labor