
DOJ to “Protect” Local School Boards from Parents

National School Board Association’s (NSBA) letter to President Biden September 29, 2021, asked that the federal Department of Justice repel extremist hate organizations showing up at school board meetings, with “the growing number of threats of violence and acts of intimidation occurring across the nation.” NSBA complained of parental opposition to curricula in certain states, such as Georgia and highly publicized local board hearings in Loudon County, Virginia.

In response, President Biden prompted Attorney General Merrick B. Garland’s October 4th press release, of the Department of Justice plan for a series of efforts to quell behavior NSBA identifies as “domestic terrorism.” DOJ will create (a) a task force from seven DOJ offices¹ and give (b) specialized training for local school boards and school administrators to identify/report threats, while collecting and preserving evidence of “crimes” to be investigated and prosecuted.

Response to AG Garland’s Memo

The U.S. Senate responded to the DOJ plan on October 27, 2021 by requiring AG Garland to give sworn testimony before a Capitol Hill Senate Judiciary Committee hearing entitled, “Oversight of the United States Department of Justice.”

Governor-Elect Glenn Youngkin responded to parents’ complaints in Loudon County by promising to increase the number of charter schools in the state. However, charter schools aren’t the answer. In Georgia, parents deal with elected boards of education for traditional schools, charter schools are controlled by contract with the SBOE and an appointed committee.

Pitfalls of Charter Schools

Break-the-Mold, Remove Local Control, Focus on Job Training, Dilute Academics

“The fact that a local board has to approve a charter school is immaterial as the law is that the local board cannot delegate its duty to contract or manage, as shown by numerous cases.”

– Heard, Leverett & Guner Legal Opinion, 1997 in Georgia

Parents, beware! Elected boards of education adjust to parental counsel, but charter schools governed by contract and an appointed committee are never comprised of a parental majority.

- Locally controlled public schools and charter-controlled schools *are not the same*.
- Charter schools are unconstitutional on both Federal and State levels.
- President G.H.W. Bush created New American Schools Development Corporation in 1991.
- Charter schools were/are Public-Private Partnerships (PPP) of government and business.
- PPP began developing “radical, break-the-mold schools,” one in each U.S. House district.
- Goal one of charter schools was to break the hold of locally elected boards of education.
- Charters dilute parental influence over schools; State school boards hold the charters.
- There is never a majority of parents on the charter school committee.
- Charter schools may waive state and local control, they CANNOT waive federal control.
- Appointed committee replaces elected school board, controls schools as required by charter.
- Teachers are not required to be U.S. citizens or U.S. nationals.

¹ The DOJ Criminal Division, National Security Division, Civil Rights Division, the Executive Office for U.S. Attorneys, the FBI, Community Relations Service and Office of Justice Programs.

SCOTUS to Rule on “Heartbeat” Laws in Texas and Mississippi

*Alabama, Arkansas, Georgia, Kentucky, Louisiana, Montana,
Missouri, Ohio, Oklahoma, South Carolina, Utah and Tennessee*

– State Pre-viability Bans Struck Down Since 2019

Despite its unprecedented requirements, the U.S. Supreme Court refused to block the Texas Heartbeat Act, which became effective September 1, 2021. The working title, accurately, describes the author’s intent as, “Relating to abortion, including abortions after detection of an unborn child’s heartbeat; authorizing a private civil right action.” Therefore, Texas (a) deems it illegal to abort an unborn child whose heart has begun to beat and (b) transfers enforcement to the private sector, instead of government law enforcement officials.

This highly unusual construction of S.B. 8 ignited national attention, when it was introduced by Republican Senator Bryan Hughes and his fellow Senate Republicans.

An unprecedented provision of S.B. 8 authorizes private citizens to sue the performer of the abortion and anyone who “aids or abets” it. Meaning, a private individual who files suit under this law could be awarded more than \$10,000 from the guilty party, thereby denying pro-abortionists a government agency or entity to sue.

Currently

Effective September 1, abortions are prohibited in Texas if a doctor detects a fetal heartbeat (about the 6th week). The law will be enforced by private individuals who sue violators. The Texas Heartbeat Act does not prohibit abortion if the mother’s life is in danger.

The Texas question before SCOTUS: Is the federal government authorized to stop state officials or private parties from enforcing the Texas Heartbeat Act?

On the Fast-Track! While refusing to block the Texas ban and returning it for more litigation in lower courts, the Justices agreed to hear arguments in *Whole Woman’s Health v Jackson* and *United States v. Texas*. The Justices are pondering procedural questions in the Texas law

What about *Roe* and *Casey*? The fact that SCOTUS is hearing these cases leads some to believe the Justices may alter the decisions in *Roe v. Wade*, which established a constitutional right to abortion, and *Casey v. Planned Parenthood*, which affirmed *Roe* and authorized states to regulate abortion, protect the life of the mother, and prohibit abortion of viable fetuses.

Georgia Abortion Ban Differs from the Texas Ban

Georgia’s Heartbeat Law of 2019 went into effect January 1, 2020. Judge Steve C. Jones blocked it in 2020, and his ruling has been appealed.

On September 27th, a three-judge panel wrote, “We STAY this appeal pending a decision of the Supreme Court of the U. S. in *Dobbs v. Jackson Women’s Health Organization*.” So, the SCOTUS ruling may affect the Georgia Heartbeat Law.

In contrast, SCOTUS *did not rule* on the Texas Heartbeat Act *and did not block it*. SCOTUS returned it to the lower court for further litigation, and it took effect September 1st as required in the legislation. The Texas Heartbeat Act is new territory for the legal system. Its deliberately constructed complication was designed to provide difficulty for the law to be challenged.

Q. How did S.B. 8 do that? It requires an unprecedented, non-government method of enforcement. Therefore, the SCOTUS ruling on the “fast-track” cases may affect the Texas Act.

Daylight Saving Time's 100-year Debate

"Why not 'save summer' by having June begin at the end of February?"

– *Saturday Evening Post* Columnist, 1918

November 4, 2021 the *Old Farmers Almanac* published a hilarious account of the 100-year battle for daylight saving time (DST). In 1784 Ben Franklin wrote *An Economical Project* to "compel citizens to rise at the crack of dawn to save the expense of candlelight."

This is one of Franklin's proposals: "Every morning, as soon as the Sun rises, let all the bells in every church be set ringing; and if that is not sufficient, let cannon be fired in every street to wake the sluggards effectually.... Oblige a man to rise at four in the morning, and it is probable that he will go willingly to bed at eight in the evening."

London builder William Willet wrote his 1907 manifesto, *The Waste of Daylight*, to use when he lobbied both Parliament and the U.S. Congress. He wanted clocks set ahead 20 minutes on each of the four Sundays in April and reverse them on consecutive Sundays in September. Some opposed the change on moral grounds, citing it as a sin of "lying" about true time.

When President Woodrow Wilson declared war in April 1917, the National Daylight Saving Convention distributed postcards of Uncle Sam holding a garden hoe and rifle, while turning back the hands of a huge pocket watch. Printed on the postcard: "Uncle Sam, your enemies have been up and are at work in the extra hour of daylight – when will YOU wake up?"

Congress passed the Standard Time Act in 1918 to create time zones and a committee to research the benefits of DST. Many thought DST was intended to make late sleepers get up early; others said using "clock time" instead of "sun time" was unnatural.

Following the war, farmers demanded an end to DST, claiming it "benefited only office workers and the leisure class." Parents are disturbed about children at bus stops before daylight.

DST was repealed in 1920 after at least 28 bills were introduced in Congress and dairy farmers complained, "Cows don't pay attention to clocks." DST was implemented on-and-off over the years, but the 1966 Uniform Time Act caused unheard-of mass confusion in interstate bus and train service. Bus drivers and passengers had seven time changes on a 35-mile stretch of Route 2 between Moundsville, W.VA and Steubenville, Ohio.

The Energy Policy Act of 2005 took effect in 2007 and is current law. Also in 2005, Indiana became the 48th state to observe DST. The two that didn't are Hawaii and Arizona.

Since 2015, at least 350 DST bills and resolutions have been introduced throughout the states, and in 2018 Florida became the first state to enact legislation to install DST permanently.

Georgia's S.B. 100 that passed in 2021 cannot go into effect until Congress changes the federal law. Neither can the Florida law and every other DST law awaiting congressional approval.

Currently in Congress

H.R. 69 Sunshine Protection Act (makes DST the new permanent standard time)

H.R. 214 Daylight Act (authorizes DST year round)

S.623 Sunshine Protection Act (makes DST permanent)

ACTION – Express your opinion. Call 1 877 762-8762 and ask for each Chair and Ranking Member as follows:

H.R. 69 and H.R. 214 are in the House Subcommittee on Consumer Protection & Commerce, whose leaders are Ch. Schakowsky (D), and Ranking Member Bilirakis (R)

S.623 Call the Commerce, Science & Transportation Committee Leaders: Ch. Cantwell (D), Ranking Member Wicker (R).

Special Legislative Session Began November 3rd

“The General Assembly shall apportion the Senate and House districts. Such districts shall be composed of contiguous territory. The apportionment of the Senate and of the House of Representatives shall be changed by the General Assembly as necessary after each United States decennial census.”

– The Constitution of the State of Georgia, Article III, Section II, Paragraph II

July 23, 2021. Georgia’s Senate and House Reapportionment Committees¹ announced town hall meetings, for which Georgia residents could submit written comments prior to the nine meetings² and attend in person the local meeting. The meetings occurred between June 28th and July 29th. The tenth was virtual-only participation. Those meetings gleaned district-specific testimony legislators could use when reconfiguring district maps.

Since Georgia’s population increased almost ten percent to 10.7 million people over the last decade, redistricting is necessary. The Census, also, revealed that most new residents are concentrated in Atlanta and along the coast, while many rural areas may have lost population. Reapportioning 10.7 million people assigns 765,136 to each of our 14 U.S. House districts; an average of 191,284 in the 56 state Senate districts; and an average of 59,511 in the 180 state House districts. Currently, Republicans have an 8 – 6 majority in the congressional delegation.

For the first time in decades federal approval is unnecessary for the several mostly southern states, including Georgia, that were affected when the Voting Rights Act was changed.

September 23, 2021. Governor Brian Kemp issued a Proclamation Convening the General Assembly of Georgia in Special Session on November 3, 2021, to redraw legislative districts that accommodate population shifts in the last ten years. His proclaimed agenda follows:

- The General Assembly will divide Georgia into districts for (a) members of the state Senate, (b) members of the House of Representatives; and (c) the U.S. House of Representatives.
- Consider amending Code Section 48-1-2 for certain taxable years, based on amendments to the federal IRS Code of 1986, as amended/passed between January 1st and March 11, 2021.
- Enact, revise, repeal or amend local laws³ to avoid unreasonable hardship or undue impairment to public functions if such action is postponed.
- Ratify provisions of four Executive Orders issued by Governor Brian Kemp in May 2021.

September 27, 2021. Senate Republicans published a proposal for new congressional districts.

October 21, 2021. Georgia Democrats released a proposed congressional map that would produce a 7 – 7 party split of the 14 congressional districts.

ACTION – For redistricting inquiries, call Representative Rich, 404 656-5087, and Senator Kennedy, 404 656-0045.

H.R. 3EX and S.R. 5 EX were introduced November 4th to ratify Governor Kemp’s four May 2021 executive orders that suspended the collection of motor fuel and diesel fuel taxes during the crisis. Those bills are currently in committee for discussion and recommendation.

ACTION – To comment on S.R. 5EX, call Finance Committee Chairman Senator Chuck Hufstetler, 404 656- 0034; to comment on H.R. 3EX, call Ways & Means Committee Chairman Representative Shaw Blackmon, 404 656-5103.

¹ House Legislative & Congressional Reapportionment Committee, Representative Bonnie Rich, Chairman, 404 656-5087
Senate Reapportionment & Redistricting Committee, Senator John Kennedy, Chairman, 404 656-0045

² In-person meetings occurred in Atlanta, Cumming, Dalton, Athens, Augusta, Brunswick, Albany, Columbus, and Macon.

³ ALERT: This does not limit or specify subjects of bills that may be introduced, considered or passed. So, beware.