



AFL Requests Investigation into Garland Memo Targeting Parents

America First Legal (AFL), a conservative non-profit legal organization headed by former Trump White House Advisor Stephen Miller, has [requested](#) the Office of Inspector General (OIG) to investigate Attorney General Merrick Garland's order to the Federal Bureau of Investigation (FBI) to mobilize against parents who oppose Critical Race Theory (CRT), masking regulations, and LGBTQ-related policies in public schools.

The letter, penned by AFL Senior Counselor Reed Rubinstein and addressed to Inspector General Michael E. Horowitz, argues that parents have a constitutionally protected right to voice their opinions about issues and policies that directly affect their children.

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The letter reads,

The Supreme Court has repeatedly recognized American parents' fundamental liberty interest in and Constitutional right to control and direct the education of their own children. On this basis alone, the nationwide protests by parents against public school policies and practices — regarding Critical Race Theory indoctrination; anti-religious and anti-family gender ideology; and/or forced online education and mask mandates — are entitled to the most robust federal constitutional protection.

AFL, quoting the Attorney General's Memorandum of October 4, 2021, states that instead of respecting the parent's constitutionally protected rights and privileges, the Department of Justice (DOJ), guided by "inappropriate partisan purposes," is committing the full weight of its resources to prevent parents from exercising those rights.

The AFL argued that while parents' opposition to such public school policies as the teaching of CRT and perverted gender-related ideology grew, the "Biden administration stakeholders," such as the National Education Association, the American Federation of Teachers, and others, were trying to "oppress, threaten, and intimidate parents" to prevent them from speaking out.

Since these efforts, "though extensive, have generally proven ineffectual," the letter continues, the powerful lobby decided to silence the parents by launching a "potential federal action" against them, for which it employed a couple of unnamed administration officials. Among them is "a key Biden Domestic Policy Council official" and also a "White House staff." The senior DOJ officials, "including at least one political appointee in the department's Civil Rights Division," are also implicated in the unconstitutional



AP Images
Merrick Garland



Written by [Veronika Kyrylenko](#) on October 12, 2021

targeting of parents, the AFL states.

Those officials, AFL argues, “developed a plan to use a letter from an outside group (‘not the usual suspects’) as pretext for federal action to chill, deter, and discourage parents from exercising their constitutional rights and privileges.”

Here, the ATF is referring to a September 29 letter written by the National School Boards Association (NSBA), which represents more than 90,000 school-board members and “educates” some 51 million American students, to President Joe Biden urging him to “deal with the growing number of threats of violence and acts of intimidation occurring across the nation” carried out by “angry mobs” of parents. The organization, while failing to present any actual evidence of violence, urged the president to designate such parents as “domestic terrorists” and apply a “PARTIOT Act” to them. *The New American* has covered the story [here](#). On a separate note, it is worth mentioning that as of today, at least 11 state-level school board groups have been [reported](#) to either distance themselves from or outright condemning the NSBA letter to President Biden.

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Within mere days of the publication of the NSBA letter, Attorney General Merrick Garland issued his memorandum, in which he expressed the Department’s commitment “to using its authority and resources to discourage these threats [to the school boards’ and schools’ officials], identify them when they occur, and prosecute them when appropriate.”

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Given the short time frame between the NSBA letter and the Garland’s memo, AFL suggests that “either the entire matter was precoordinated and the September 29 but pretext, or that the normal clearance process and standard order both within the department ... and between the department and the White House Counsel’s Office and the Office of Management and Budget, were bypassed or corrupted.”

In addition to that, AFL states that on October 5, following the announcement of the DOJ memo, Biden administration officials met to discuss how to avoid legal consequences of the new policy, which included “how to talk about ‘equity’ initiatives, avoid liability for violating discrimination laws, and hide ‘equity’ measures, initiatives, and action from Freedom of Information Act disclosure.”

The AFL requests the Inspector General to investigate whether the Attorney General’s memo was formulated and issued based on “improper considerations,” it points to the “evident” and “inherent dangers” of the “undue politicization of the department’s criminal and civil law enforcement authorities, and in the corruption of the department’s standard order and process.”

Speaking to [Fox News](#) on Sunday, Miller stated that “Targeting parents in local school boards is atrocious. There’s no lawful basis for doing so. There’s no federal nexus that’s even connected to such an investigation,” adding, “It seems quite obvious that it is meant to chill free speech and intimidate parents into silence and into obedience.”

Assistant Attorney General Kristen Clarke [defended](#) the Garland memo during a Senate Judiciary Committee meeting last Wednesday. She stressed the directive does not violate the parents’ First Amendment-protected rights and is merely concerned with addressing the “threats against public servants.”

The New American reported last week how Garland’s memo drew harsh criticism from the parents’



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groups, conservative politicians, and some of the media (see [here](#) and [here](#)).



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