

# TEXAS EAGLE FORUM

January 2022

Dear Eagles,

The year has just started and Texas Eagle Forum is already looking ahead to the Republican Primary Election on Tuesday, March 1 (early voting begins on February 14). We want to make sure you and your like-minded family and friends take every opportunity to vote and attend your precinct convention. Each county determines how they will handle precinct conventions. All senatorial conventions statewide will be held on Saturday, March 26th, and the Republican State Convention will be held June 16–18 in Houston. Contact your county chairperson to find out how your county will handle these important meetings. [Texasgop.org](https://www.texasgop.org) lists their names and contact information under the “people” heading.

For those of you who would like to learn about or brush up on how to become a delegate to your county convention, and perhaps to the GOP State Convention in June, TEF is planning a Zoom call to help you. Please send your email address to [TEF@TexasEagleForum.com](mailto:TEF@TexasEagleForum.com) if you are interested and we will send you the date, time, and Zoom link or number to call.

It is imperative we elect TRUE conservatives in the Primary, who will then be our candidates in the November mid-term election. TEF, along with other grassroots organizations, is vetting these candidates and may offer suggestions, but please do your own homework before you vote on March 1. For several statewide offices, there are a slew of candidates; for example, the race for Governor has eight GOP candidates, and Lt. Governor has six, including former TEF President Trayce Bradford, whom our TEF PAC has endorsed. Begin now to do your research and make every effort to attend candidate forums in your local community. Stay informed and engaged ... our liberty depends on you!

This month's *TORCH* features an excellent article by Ryan Bangert, J.D., senior counsel and vice president for legal strategy at Alliance Defending Freedom (ADF), on the unconstitutional vaccine mandates imposed by the Biden administration. TEF, along with many Texans, has asked Governor Greg Abbott to call a special session to ban this executive overreach and any other future federal mandates. But he has failed to do so, leaving Texans vulnerable to the whims of the Democrats in power. Although the Governor has an executive order in place, many Texans are fighting their employers who are ignoring it. Please call Gov. Abbott's office today (512-463-2000) and ask him to call a special session to ensure Texas stays FREE.

On January 6th, the Supreme Court heard the oral arguments on the OSHA vaccine mandate and in less than a week, came back with a 6-3 decision to ban the mandate (liberals Breyer, Kagan and Sotomayor voted against). Unfortunately, the Court kept in place the vaccine mandate for healthcare workers 5-4. We applaud the OSHA decision, but wonder why Justices Roberts and Kavanaugh voted with the liberals if they found the OSHA decision unconstitutional.

(over, please)

Another issue before the U.S. Supreme Court is abortion. January 22nd is the 49th anniversary of *Roe v. Wade*. According to *The Dallas Morning News*, since the case was decided, the U.S. has enacted 1,336 abortion restrictions; yet it is estimated that over 62 million legal abortions have been performed since 1973. In his book, *Abortion and the Conscience of the Nation*, written while he was president, Ronald Reagan lays out reasons why abortion is antithetical to American values and to the sanctity of human life. He writes, “We will never recognize the true value of our own lives until we affirm the value in the life of others ... there is no cause more important.” We could not think of anyone more articulate and eloquent to present the case of ending legalized abortion and have included excerpts from his book in this month’s *TORCH*.

Another reason to encourage Gov. Abbott to call a special session is to vote to finally ban gender modification for minor children. Last August, during the third special session, Gov. Abbott wrote a letter to the head of the Texas Department of Family Protective Services asking if gender reassignment surgeries for transgender children was child abuse. Bills banning sex reassignment for minors never got to the floor for a vote in the House, and many felt the Governor’s letter was simply an attempt to appease his base. Acknowledging this *is* child abuse but failing to pass a law to stop dangerous puberty blockers, cross-sex hormone treatments, and disfiguring surgeries is inexcusable.

Thank you for engaging in the fight with Texas Eagle Forum. Speaking-up for the Judeo-Christian values our Founders knew were essential to a free nation will never be a waste of your time. You don’t always know where the seeds you plant might grow—and even thrive—but your children and grandchildren will remember you fought for liberty in our State and Nation. Even if our Nation does not make it out of this current and swift decline, you won’t regret you stood up for truth.

Our God is great and He is with us. He chose each of us for this time and place (Acts 17:26). Stay strong and be bold! I love walking and fighting next to each of you. Thank you for the privilege.

Faithfully,

A handwritten signature in black ink that reads "Cindi Castilla". The script is cursive and fluid, with a large initial "C".

Cindi Castilla  
President of Texas Eagle Forum

P.S. Thank you, too, for your prayers and financial gifts. We couldn’t do what we do without your support!

# THE TORCH

TEXAS EAGLE FORUM

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## The Federal Government's Great Vaccine Mandate Overreach

By Ryan Bangert, J.D.

The COVID-19 pandemic will soon enter its second year. Most agree that COVID-19 poses some especially challenging problems. Many disagree, however, on how best to meet those challenges. That disagreement has played out across the country as states have taken widely divergent approaches to corralling the COVID-19 virus. That is as it should be; our federal system allows states to experiment and tailor solutions to meet the needs of their citizens. At least, that is how our system is supposed to work.

Unfortunately, when it comes to COVID-19, the federal government has, in the words of President Biden's Chief of Staff, Ron Klain, "worked around" the Constitution and federal law to impose a series of national vaccine mandates on American workers. Those mandates represent some of the most egregious abuses of federal power in recent memory. Nowhere does our Constitution confer upon the federal government authority to force private citizens to inject vaccines into their bodies. Nor does it allow the federal government to dragoon private employers, on pain of massive fines, into compelling that same result.



An absence of legal authority, however, seemingly poses no constraint on the administration's ambition to decide for all Americans how they should protect themselves from COVID-19. When he announced the private employer vaccine mandate, President Biden said his decision was "not about freedom or personal choice." "My job as president," Biden said, "is to protect all Americans."

That gets it backwards. The Constitution confers only select, enumerated powers on the federal government for the purpose of making space for freedom and self-government. The president's job is to faithfully discharge his constitutional duties, first and foremost. If he lacks power to take a certain action—no matter how seemingly urgent—it is his duty not to act, generally in deference to the states to whom the Constitution reserves the power to regulate for the health, safety, and welfare of their citizens.

Some may perceive the concepts of limited government and federalism as quaint, or even dangerous, in the face of a global pandemic. That's wrong. It's during times of crisis when those bedrock

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[TexasEagleForum.com](https://www.texasagleforum.com)

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Thank you so much for partnering with us for liberty!

principles must be most forcefully asserted. And it's when illegitimate government action comes clothed in the name of public health and safety that those principles must be vigorously defended.

Our government has not been immune to abusing its power in times of danger: the Alien and Sedition Act and President Truman's seizure of steel mills during the Korean War come to mind, to name just a few examples. And now, the federal government seeks to follow suit in the face of COVID-19.

Over the past month, several federal courts have rebuffed the Biden Administration's efforts to "work around" the Constitution. On November 12, the Fifth Circuit Court of Appeals blocked the vaccine mandate issued by OSHA and aimed at private employers, noting that Congress never "intended to authorize a workplace safety administration in the deep recesses of the federal bureaucracy to make sweeping pronouncements on matters of public health affecting every member of society in the profoundest of ways."<sup>1</sup> That ruling was later undone on December 17 by a separate order from the Sixth Circuit Court of Appeals.<sup>2</sup> The U.S. Supreme Court will now consider the legality of the OSHA mandate on an expedited basis.

In blocking a similar mandate imposed upon health care workers by the Centers for Medicare and Medicaid Services, a Missouri district court observed that the mandate sought "to overtake an area of traditional state authority by imposing an unprecedented demand to federally dictate the private medical decisions of millions of Americans."<sup>3</sup> "Such action," the court found, "challenges traditional notions of federalism." Finally, a federal court in Georgia blocked the mandate directed at federal contractors. The court acknowledged "the tragic toll that the COVID-19 pandemic has wrought throughout the nation and the globe," but then found that "even in times of crisis this Court must preserve the rule of law and ensure that all branches of government act with the bounds of their constitutionally granted authorities."<sup>4</sup>

These court decisions striking down government-imposed mandates recognize that inherent in our nation's political structure is the principle that most decisions affecting individual citizens should be made at the state and local levels—and by individuals themselves—not by the federal government. The devolution of decision-making to those who most directly bear the consequences of those decisions protects individual freedom. It also produces rational outcomes. According to the Mayo Clinic, as of September 2021, more than 80 percent of adults 65 and over are fully vaccinated. Significant majorities of those aged 18–64 are vaccinated. The only demographic with rates below 50 percent are minors aged 12–17. In short, "vaccine hesitancy" increases as risk of severe COVID-19 infection decreases.

To the Biden administration, however, this exercise in organic decision making by free citizens—and their elected state officers—is intolerable. The sledgehammer of federal power must be invoked, even if unlawfully, to supplant free choice in favor of the "vision of the anointed," to use a Thomas Sowell phrase. But that will plunge millions of Americans into crisis. Employees will be faced with loss of employment or burdensome

and costly weekly testing; employers will be saddled with massive compliance costs and impossible decisions about whether to terminate valued employees or face crushing fines.

The vaccine mandate is bad policy. It's also illegal. If allowed to stand, it will mark a massive transfer of power from individuals and their local governments to the federal bureaucracy. Such transfers are rarely undone and only embolden greater overreach. If Americans can be compelled to undergo a newly developed medical treatment during a time of real or perceived crisis, further encroachments on freedom, including the freedoms of

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*"Some may perceive the concepts of limited government and federalism as quaint, or even dangerous, in the face of a global pandemic. That's wrong."*

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speech, liberty, and even religion, become more likely. Several brave citizens—including many clients of my firm, Alliance Defending Freedom—have stood up and said, "enough is enough." The courts have largely agreed thus far, and now the Supreme Court will have an opportunity to buttress freedom by upholding limited government.

- 1 *BST Holdings, LLC v. OSHA*, No. 21-60845 (5th Cir. Nov. 12, 2021).
- 2 *In re MCP No. 165*, No. 21-7000 (6th Cir. Dec. 17, 2021).
- 3 *State of Missouri v. Biden*, No. 4:21-cv-01329-MTS (E.D. Mo. Nov. 29, 2021), DKT 28.
- 4 *State of Georgia v. Biden*, No. 1:21-cv-00163-RSB-BKE (S.D. Ga. Dec. 7, 2021), DKT 94.

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**Ryan Bangert** is senior counsel and vice president of legal strategy at Alliance Defending Freedom (@AllianceDefends).

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NOTE: On January 13th, the Supreme Court blocked the federal OSHA vaccine mandate in a 6-3 decision. "The Supreme Court correctly concluded that the federal administrative state has no authority to treat unvaccinated employees like workplace hazards and to compel employers to carry out the government's unlawful national vaccine mandate," writes Mr. Bangert. "The Biden administration's mandate would have a profoundly negative effect on those employers and the 80 million American workers who are affected, and that is why the Supreme Court was right to immediately halt its enforcement. Sadly, mandating vaccines through an OSHA emergency rule is yet another example of government overreach."

# Excerpts from *Abortion and the Conscience of the Nation*

By **President Ronald Reagan**, 1983

**T**he 10th anniversary of the Supreme Court decision in *Roe v. Wade* is a good time for us to pause and reflect. Our nationwide policy of abortion-on-demand through all nine months of pregnancy was neither voted for by our people nor enacted by our state legislators—not a single state had such unrestricted abortion before the Supreme Court decreed it to national policy in 1973.

Make no mistake, abortion-on-demand is not a right granted by our Constitution. No serious scholar, including one disposed to agree with the Court's result, has argued that the framers of the Constitution intended to create such a right.

As an act of "raw judicial power," the decision by the seven man-majority in *Roe v. Wade* has so far been made to stick. But the Court's decision has by no means settled the debate. Instead *Roe v. Wade* has become a continuing prod to the conscience of the nation.

Abortion concerns not just the unborn child, it concerns every one of us. We cannot diminish the value of one category of human life—the unborn—without diminishing the value of all human life.

Over the first two years of my Administration I have followed and assisted efforts in Congress to reverse the tide of abortion. Regrettably, I have also seen the massive efforts of those who, under the banner of "freedom of choice," have so far blocked every effort to reverse nationwide abortion-on-demand.

I have often said that when we talk about abortion, we are talking about two lives—the life of the mother and the life of the unborn child. Why else do we call a pregnant woman a mother? I have also said that anyone who doesn't feel sure whether we are talking about a second human life should clearly give life the benefit of the doubt. If you don't know whether a body is alive or dead, you would never bury it. I think this consideration itself should be enough for all of us to insist on protecting the unborn.

The real question today is not when human life begins, but

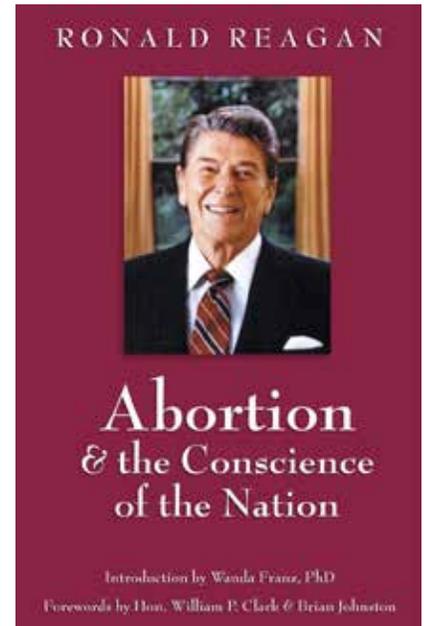
*What is the value of human life? The abortionist who reassembles the arms and legs of a tiny baby to make sure all its parts have been torn from its mother's body can hardly doubt whether it is a human being. The real question for him and for all of us is whether the tiny human life has a God-given right to be protected by the law—the same right we have.*

America was founded by men and women who shared a vision of the value of each and every individual. They stated this vision clearly from the very start in the Declaration of Independence, using words that every schoolboy and schoolgirl can recite:

*We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness.*

Prayer and action are needed to uphold the sanctity of human life. We cannot survive as a free nation when some men decide that others are not fit to live and should be abandoned to abortion or infanticide. There is no cause more important for preserving that freedom than affirming the transcendent right to life of all human beings, the right without which no other rights have any meaning.

*NOTE: It has been 39 years since President Reagan wrote those words (January 22nd is the 49th anniversary of Roe v. Wade). It is estimated more than 62 million unborn children have lost their lives to abortion since then. Medical science has made huge strides since 1983, including the sonogram machine, which clearly shows a human life developing in the womb. If the U.S. Supreme Court reverses Roe (decision due in June), abortion will go back to each individual state to decide (Texas law bans abortion if Roe is reversed). It is past time to end America's war on the sanctity of human life. Pray the Supreme Court Justices have the moral courage to reverse abortion-on-demand, and 2022 will be known forever as the Year of Life!*



## Biden's Mail-Order Abortion Push Doesn't Affect Texas

A recent change by the federal Food and Drug Administration allows abortifacient medications to be sent by mail. Abortion activists have long tried to expand the

use of these deadly drugs with some activists advocating for self-managed, "DIY" abortions.

The Lone Star State will largely be unaffected by the new regulations, explains Texas Right to Life, because state law requires that women have an in-person examination before an abortion, chemical or otherwise.

SOURCE: The Texas Minute, 12/23/21



## Two Eagle Leaders Receive Award

On December 4th, the Texas Scorecard hosted their Conservative Leader Awards honoring citizens who do the work to advance self-governance in the Lone Star State. Of the over 150 nominations received from across the State of citizen-leaders whose activism serves as an exemplary model for how to impact public policy at the grassroots level, 14 were selected, including two outstanding TEF Eagles:

**Betty Anderson:** “President of the Montgomery County Eagle Forum and a dedicated local activist, Betty juggles multiple responsibilities with the grace and poise of both experience and faith.” Betty was unable to attend the award dinner.

**Sue Evenwel, TEF PAC Chairman:** “is a topnotch multi-tasker, Sue is relentless in her pursuit to educate and organize the grassroots movement into a fierce force for conservatism and freedom in Texas.” Congratulations to these wonderful and dedicated Eagles!



## The “Genocide Olympics”

The 2022 Winter Olympics are scheduled for next month and should be a time of celebration and competition. Instead the games are a celebration of communist genocide. Former Secretary of State Mike Pompeo said in a recent interview he “truly regrets” that the 2022 International Olympic Committee did not move the winter games out of Beijing. Communist China is engaged in a brutal genocide against ethnic Muslims known as Uighurs. Millions of Uighurs are imprisoned in concentration camps, and hundreds of thousands have been forced into slave labor. Yet we are rewarding them with the Olympic Games. The games are a huge propaganda coup for President Xi Jinping, and the Communist Chinese Party will not hesitate to take full advantage of the opportunity, highlighting communist China’s power for all the world to see. No doubt Beijing sees this “reward” as a sign of its power and influence, and a vindication of its aggressive foreign policy.

SOURCE: Gary Bauer’s End of Day Report, 12/27/21

## Blue State Exodus

It’s no secret that those who were frustrated with blue states’ authoritarian policies left their states en masse to live in states that promote freedom, and now there is ample data to prove it. The U.S. Census Bureau released a map comparing the percentage of population changes in all 50 states from July 2020 to July 2021, which covers the bulk of the pandemic. California, New York, Illinois, and Hawaii, which are all deep blue states with Democratic governors, were the only states that saw a decrease in population. By contrast, Texas, Arizona, Idaho, Montana, South Carolina, Utah, and Delaware all grew substantially in population, and all but Delaware boast conservative leadership at the helm. Unfortunately, this does not mean the former residents of those blue states are going to assimilate right away. Former Californians and New Yorkers might feel inclined to still vote for Democrats despite their policies being the root cause of their move.

SOURCE: The Western Journal, 12/27/21

## Quote of the Month

*“The apparent political revenge and retaliation against some of the January 6th detainees by the Biden administration’s Department Of Justice should chill every American to the bone.”*

~ Texas Representative  
Louie Gohmert, Liberty  
Action Network, 1/7/22

## Great American Quote

*“Let us remember that if we suffer tamely a lawless attack upon our liberty, we encourage it, and involve others in our doom!”*

~ Samuel Adams, known  
as the “Father of the  
American Revolution, 1771

## Texas Eagle Forum

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## Subscription Information

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