



State AGs: Biden's "support LGBT for school lunch" rule is illegal

Description

USA: A group of 26 state attorneys general (AGs) argued in a letter that President Joe Biden's edict making funding for school lunches contingent on sexual identity policies is against the law.

Led by Tennessee AG Herbert Slattery III, the Republican state AGs put down their argument against the rule in a June 14 letter addressed to Biden. They also furnished copies of the letter to Senate Majority Leader Chuck Schumer (D-NY), Senate Minority Leader Mitch McConnell (R-KY), House Speaker Nancy Pelosi (D-CA) and House Minority Leader Kevin McCarthy (R-CA). Agriculture Secretary Tom Vilsack and two other officials of the *U.S. Department of Agriculture* (USDA) were also provided with copies.

The USDA announced the edict on May 5, which mandates entities that disburse nutritional assistance to children from low-income families to agree not to discriminate on the basis of a person's "gender identity." Schools are also required "to update their non-discrimination policies and signage to include prohibitions against discrimination based on gender identity and sexual orientation," as per the rule. Failure to adhere to the rule meant institutions would lose their federal funding for their respective lunch programs.

"By vastly expanding the concept of 'discrimination on the basis of sex' to include gender identity and sexual orientation, the guidance does much more than offer direction. It imposes new and unlawful regulatory measures on state agencies and operators receiving federal financial assistance from the USDA," the AGs wrote. "The inevitable result is regulatory chaos that would threaten the effective provision of essential nutritional services to some of our most vulnerable citizens."

Moreover, the AGs argued that the Biden administration violated the Administrative Procedures Act (APA) by not posting the edict for public comment and calling it a "clarification." According to the group, the APA "requires that the public be given notice and afforded the opportunity to comment when a government agency engages in substantive law- or policymaking." Thus, the top state attorneys concluded their letter by calling on Vilsack to rescind the rule.

DeSantis: Biden “off his rocker” for tying school lunches to LGBT support

[In a May 5 press release](#), Vilsack said the USDA “is committed to administering all of its programs with equity and fairness, and serving those in need with the highest dignity.”

“A key step in advancing these principles is rooting out discrimination in any form – including discrimination based on sexual orientation and gender identity. We must recognize the vulnerability of the LGBT communities and provide them with an avenue to grieve any discrimination they face. We hope that by standing firm against these inequities we will help bring about much-needed change.”

Stacy Dean, USDA deputy undersecretary for food, nutrition and consumer services, said: “Whether you are grocery shopping, standing in line at the school cafeteria, or picking up food from a food bank, you should be able to do so without fear of discrimination. No one should be denied access to nutritious food simply because of who they are or how they identify.”

The edict has drawn criticism from various GOP politicians, most notably Florida Gov. Ron DeSantis.

“We’re prepared for what Biden throws our way ... [including] intentionally destructive policies like trying to deny school lunch programs for states that don’t do transgender ideology in the schools,” [he said during a June 2 press conference](#). “I mean, give me a break. [He’s] totally off his rocker to be doing that.”

Earlier, DeSantis signed the so-called Parental Rights in Education Bill into law in March amid a barrage of criticism. Wrongly branded by the mainstream media as the “Don’t Say Gay Bill,” the proposal forbade discussions of sexuality or gender identity to children from kindergarten until the third grade.

“We will make sure that parents can send their kids to school to get an education, not an indoctrination,” said the Florida governor as he signed the bill.

Watch South Dakota Gov. Kristi Noem below [threatening to sue the Biden administration](#) for tying LGBT support to school lunch programs.

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Date Created
06/20/2022