

# Congress of the United States

Washington, DC 20515

August 26, 2025

The Honorable Brooke Rollins  
Secretary  
U.S. Department of Agriculture  
Washington, DC 20250

Dear Secretary Rollins:

We write to express our strong disagreement with, and to urge you to reverse, the U.S. Department of Agriculture's ("USDA" or "the Department") recent guidance narrowing protections for lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) students in the National School Lunch Program (NSLP), School Breakfast Program (SBP), and child nutrition programs more broadly,<sup>1</sup> as well as people receiving assistance through the Supplemental Nutrition Assistance Program (SNAP), from food banks, and through other federal anti-hunger programs. The Department's ill-considered crusade *against* nondiscrimination policies will result in vulnerable school-age children going hungry. This guidance is especially concerning because it comes almost immediately following passage of Republican legislation that will cut SNAP assistance for 22.3 million families.<sup>2</sup> It is important that USDA reverses its actions before children and families are directly harmed.

USDA's 2022 policy memo, which this guidance rescinds, required, among other provisions, that schools operating school lunch programs not discriminate against LGBTQI+ students.<sup>3</sup> In the Department's own justification for this recent guidance, the Food and Nutrition Service (FNS) only addresses the original guidance's protections on the basis of gender identity, even though your guidance also attempts to rescind protections based on sexual orientation. This is part of a larger trend of the Administration highlighting its work undermining protections for the transgender community, as it quietly removes protections for the *entire* LGBTQI+ community. All members of the LGBTQI+ community, including transgender people, deserve protection from discrimination.

It is indisputable that LGBTQI+ students face unique challenges while at school, including discrimination and bullying.<sup>4</sup> Survey data also show at least 80% of LGBTQI+ students

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<sup>1</sup> Miller, J. C. (2025). Guidance on the Interpretation of Discrimination Based on "Sex" in USDA Child Nutrition Programs. *USDA Food and Nutrition Service*. <https://www.fns.usda.gov/cn/guidance-discrimination-sex>

<sup>2</sup> Konish, L. (2025). Trump's 'big beautiful bill' cuts food stamps for millions — the average family may lose \$146 per month, report finds. *CNBC*. <https://www.cnbc.com/2025/07/10/trumps-big-beautiful-bill-cuts-snap-for-millions-of-families.html>

<sup>3</sup> USDA Promotes Program Access, Combats Discrimination Against LGBTQ+ Community (May 5, 2022). <https://www.usda.gov/about-usda/news/press-releases/2022/05/05/usda-promotes-program-access-combats-discrimination-against-lgbtqi-community>

<sup>4</sup> Russell, S. T., Bishop, M. D., Saba, V. C., James, I., & Ioverno, S. (2021). Promoting School Safety for LGBTQ and All Students. *Policy insights from the behavioral and brain sciences*, 8(2), 160–166. <https://doi.org/10.1177/23727322211031938>

experienced harassment or assault because of their identity.<sup>5</sup> When a hostile environment is permitted or fostered at school—especially in the lunch line—it can result in marginalized youth going hungry, with survey data demonstrating that 22% of LGBTQI+ students avoid the school cafeteria because they feel unsafe from harassment or assault.<sup>6</sup> As LGBTQI+ youth are 28% more likely to not have enough food at home than their non-LGBTQI+ peers, discrimination in the school cafeteria exacerbates child hunger, impacting more than 371,000 LGBTQI+ students each year.<sup>7</sup> Removing nondiscrimination protections will cause further harm to these students.

The goal of NSLP and SBP is to provide free or reduced-price meals for our neediest students and to reduce or eliminate barriers that our students may face. USDA's *anti* nondiscrimination policy manufactures new barriers, creating an explicitly hostile environment for hungry LGBTQI+ students, just because some people perceive them to be different. All students deserve access to food at schools. We should not be encouraging discrimination against any student, including LGBTQI+ students, who need food assistance.

We ask that you immediately reverse USDA's discriminatory decision and reinstate guidance explicitly clarifying nondiscrimination protections under these school programs and the Food and Nutrition Act of 2008 for vulnerable people. We also request answers to the following questions no later than September 2, 2025.

1. How many complaints on the basis of sexual orientation and gender identity discrimination did USDA receive between May 5, 2022, and July 10, 2025?
2. What stakeholders did USDA consult before rescinding the May 5, 2022, policy? Were national hunger organizations, including organizations that specifically serve LGBTQI+ populations and organizations that support LGBTQI+ students, consulted?
3. How will you ensure LGBTQI+ students do not face discrimination in school meal programs based on their identity, whether real or perceived?

The USDA can—and must—protect vulnerable populations at the same time as it focuses on empowering the American farmer and rural communities. Thank you for your attention to this important matter.

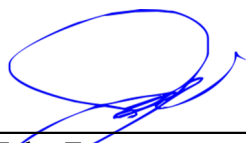
Sincerely,

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<sup>5</sup> Wall, P. (2022). 'Unsafe, unwelcoming': LGBTQ students report facing hostility at school. *Chalkbeat*. <https://www.chalkbeat.org/2022/10/25/23421548/lgbtq-students-mental-health-school-safety-survey/>

<sup>6</sup> Kosciw, J. G., Clark, C. M., & Menard, L. (2021). The 2021 National School Climate Survey: The Experiences of LGBTQ+ Youth in Our Nation's Schools, 12. <https://www.glsen.org/sites/default/files/2022-10/NSCS-2021-Full-Report.pdf>.

<sup>7</sup> See Macklin, M. L., Redfield, E., Conron, K. J. (2023). Food Insecurity Among LGBTQ Youth. <https://williamsinstitute.law.ucla.edu/publications/food-insecurity-lgbtq-youth/>.



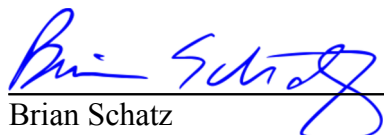
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John Fetterman  
United States Senator



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Mark Takano  
Member of Congress



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Brian Schatz  
United States Senator



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Angie Craig  
Member of Congress



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Amy Klobuchar  
United States Senator  
Ranking Member, Committee  
on Agriculture, Nutrition, and  
Forestry



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Henry C. "Hank" Johnson, Jr.  
Member of Congress



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Delia C. Ramirez  
Member of Congress



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Julie Johnson  
Member of Congress



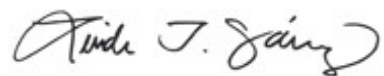
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Lateefah Simon  
Member of Congress



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Emanuel Cleaver, II  
Member of Congress



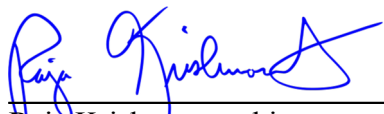
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Linda T. Sánchez  
Member of Congress



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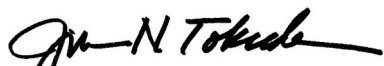
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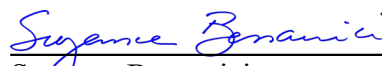
Julia Brownley  
Member of Congress



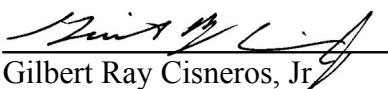
Mary Gay Scanlon  
Member of Congress



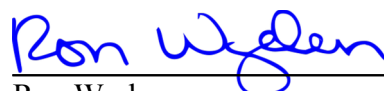
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Jamie Raskin  
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Chrissy Houlahan  
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