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**AG Marshall Opposes Biden Administration’s Discriminatory  
Foster Family Policy**

***New Rule Would Deem Faith-Based Providers “Unsafe” due to Sincerely-held Religious Beliefs on Sexuality and Gender***

(Montgomery) – Alabama Attorney General Steve Marshall led a coalition of 19 states in opposing President Biden’s Department of Health and Human Services Administration for Children and Families’ proposed rule, *Safe and Appropriate Foster Care Placement Requirements for Titles IV-E and IV-B*. The proposed rule would require states to label certain foster care providers as “safe,” or by omission “unsafe,” based on the degree to which LGBTQ children would be “affirmed” in their sexual orientation or gender identity. The proposed policy presents serious concerns for faith-based foster care providers and families with traditional viewpoints. Given the high correlation between persons of faith and foster-care, the proposed rule threatens to directly harm children in need by limiting the number of available foster homes, risk kinship placements, and increase costs for states.

“Since the first century, Christians across the globe have answered the call to provide a home and a family to children who had neither. Alabama boasts a particularly strong faith-based foster care and adoption community, and I will fight this Administration for them every step of the way,” said Attorney General Marshall. “Joe Biden continues to harass our State and others like it by implicitly threatening to withhold federal funding for children in need if we do not conform to his ideology, but our values are not for sale.”

The letter notes that states need faith-based organizations in their foster care system. The proposed rule reports that 391,000 children were in foster care in 2022, and anticipates that the number of children in foster care will begin increasing again, with an estimated 416,500 in foster care by 2027. If enacted, the proposed rule would deter faith-based individuals and organizations from participation in the foster care system, further reducing the number of available foster homes. According to the rule, in order for a foster home to be considered a “safe and appropriate placement,” the foster parents must use the child’s identified pronouns and chosen name, allow the child to dress in ways the child believes reflects his or her self-identified gender identity and expression, and facilitate access to “gender-affirming” medical care.

The letter was led by Attorney General Marshall and signed on to by attorneys general in the following states: Alaska, Arkansas, Georgia, Idaho, Indiana, Iowa, Kentucky,



Louisiana, Mississippi, Missouri, Montana, Nebraska, Ohio, South Carolina, Tennessee, Texas, Virginia, and West Virginia.