



Eagle Council 54

Saturday, 9/26/26

10:15 am

Speaker: J. Marc Wheat is the General Counsel for Advancing American Freedom. He has filed 146 Friend of the Court (Amicus Curiae) Briefs in Federal courts, including 87 in the Supreme Court, representing over 400 organizations and scholars across the full spectrum of the conservative movement. Eagle Forum has been a close partner in these legal battles, having been represented by Mr. Wheat 86 times.

Mr. Wheat has extensive experience working in and around the Federal government. He was a legislative assistant in a personal office in the U.S. House of Representatives, counsel to the House Energy and Commerce Committee, and staff director and chief counsel to the Subcommittee on Criminal Justice, Drug Policy and Human Resources. He has also served as a senior advisor in the U.S. Department of State and for Republican commissioners at the U.S. Securities and Exchange Commission. He is a member of the board of Faith and Law, a Christian ministry serving principally House and Senate staff, and is an officer of the Virginia Society of the Cincinnati, founded by George Washington's officer corps in 1783.

He holds a Bachelor of Arts degree in Spanish from the University of Illinois at Urbana-Champaign and a law degree from Scalia Law School at George Mason University in Virginia.

Title: *Transgender Ideology and the Assault on Parental Rights*

Outline:

- Advancing American Freedom led a coalition of 76 co-amici in *Mirabelli v. Bonta*, a case in which parents and teachers are challenging a California school policy that requires teachers to deceive parents about their child's gender transition at school. One of the families who brought this challenge did not find out that their daughter was being treated as a boy at school until after she attempted suicide.
- The Biden U.S Department of Justice issued a subpoena to Eagle Forum of Alabama to find out who its members are and what they did to lobby against transgender ideology in the Alabama schools.
- No parent should have to worry that, without their knowledge and consent, their children are being taught gender ideology at school. Yet public school policies have become commonplace across the nation and have recently been challenged in at least ten of the thirteen Federal Circuits.

- In a ruling on the emergency docket earlier this year, the Supreme Court said that the parents in *Mirabelli* were likely to succeed on both their free exercise and due process claims and paused enforcement of California's policy while litigation proceeds. Now the case has returned to the Ninth Circuit to be decided on the merits.
- Americans do not lose their parental rights simply because they are not willing to claim a religious exemption or because they cannot afford to send their children to private schools. We hope the Ninth Circuit rules for plaintiffs so that parents' rights are protected and teachers are not forced to deceive parents as a condition of keeping their jobs.
- The Supreme Court has long held that parents, not school officials, have the right to direct the education and upbringing of their children. Few rights are as deeply rooted and embedded in America's tradition as parental rights.
- The fight against transgender ideology may well vindicate parental rights against state actors, a critical element in advancing educational choice and safeguarding American culture.

Action Items:

- Demand an end to secret transition policies.
- Assert the primacy of the role of parents to protect minor children.
- Fight for the principle that parents can assert their rights without the need to demonstrate a faith-based rationale.
- Insist that the U.S. Department of Justice release records on its assault on Eagle Forum of Alabama.