



Written by [R. Cort Kirkwood](#) on June 17, 2021

## Judge Blocks Biden's Anti-white Farm Program. Gov't Can't Forgive Loans Only for Minorities

A federal court has bluntly shut down the Biden administration's plan to discriminate against white farmers by creating a loan forgiveness program only for blacks and other minorities.

In a temporary restraining order issued June 10, the U.S. District Court for the Eastern District of Wisconsin blocked the Agriculture Department's Farm Services Agency from forgiving the loans pursuant to the American Rescue Plan Act of 2021. The law sought to help farmers supposedly affected by the China Virus pandemic.



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[Judge William C. Griesbach sharply stated](#) Biden and his agriculture bureaucrats cannot discriminate against whites.

### Not So Fast, Biden

The five original plaintiffs, all white farmers, argued that ARPA's provision trespasses the Constitution's prohibition of racial discrimination.

As the FSA said of the program, "the American Rescue Plan Act of 2021 provides historic debt relief to socially disadvantaged producers including Black/African American, American Indian or Alaskan native, Hispanic or Latino, and Asian American or Pacific Islander."

Translation: Whitey need not apply.

### [Argued the white farmers:](#)

While Defendants' public statements about ARPA describe their generalized goal of ending "systemic racism," such broad goals do not override the constitutional ban on race discrimination. In fact, the Supreme Court has "rejected the interest in remedying societal discrimination because it had no logical stopping point. ... In short, "[t]he way to stop discrimination on the basis of race is to stop discriminating on the basis of race." ...

The liberty protected by the Fifth Amendment's Due Process Clause contains within it the prohibition against denying to any person the equal protection of the laws. ...

The racial classifications under Section 1005 of ARPA are unconstitutional because they violate the Equal Protection guarantee in the United States Constitution.

The number of plaintiffs grew to 12 before the judge ruled.



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## Court Agrees

The court issued the temporary restraining order (TRO) because the white plaintiffs are likely to succeed in their claim, [Judge Griesbach wrote](#).

Though the defendants “point to statistical and anecdotal evidence of a history of discrimination within the agricultural industry,” that doesn’t justify harming whites:

Defendants cannot rely on a “generalized assertion that there has been past discrimination in an entire industry” and they “have no evidence of intentional discrimination by the USDA in the implementation of the recent agriculture subsidies and pandemic relief efforts.

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Nor did Biden and his anti-white subalterns “establish that it has a compelling interest in remedying the effects of past and present discrimination through the distribution of benefits on the basis of racial classifications.”

Even better, the judge explained that “the obvious response to a government agency that claims it continues to discriminate against farmers because of their race or national origin is to direct it to stop: It is not to direct it to intentionally discriminate against others on the basis of their race and national origin.”

Biden “cannot discriminate on the basis of race.”

Though the administration argues that loan forgiveness is meant to help “socially-disadvantaged farmers affected by COVID-19,” [Griesbach wrote](#), “it does not provide relief based on losses sustained during the pandemic.”

Instead, the only consideration in determining whether a farmer or rancher’s loans should be completely forgiven is the person’s race or national origin. Plaintiffs are completely excluded from participation in the program based on their race. If the Court does not issue an injunction, the USDA will spend the allocated money and forgive the loans of minority farmers while the case is pending and will have no incentive to provide similar relief on an equitable basis to others. Plaintiffs are excluded from the program based on their race and are thus experiencing discrimination at the hands of their government.

The judge ruled that white farmers “have established a strong likelihood” the loan forgiveness section of ARPA is unconstitutional.

Though Biden’s side said any TRO should apply only to the plaintiffs, the judge disagreed and issued a nationwide injunction:

Defendants’ proposal to set aside funds to pay off any of Plaintiffs’ qualified loans is unworkable. If the USDA forgave Plaintiffs’ loans, it would be required to forgive every farmer’s loan, since the only criteria for loan forgiveness is the applicant’s race. Plaintiffs estimate that this would increase the cost of the program to \$400 billion. In addition, nothing would prevent Plaintiffs from amending the complaint to add other farmers and ranchers as plaintiffs to this action. To ensure that Plaintiffs receive complete relief and that similarly-situated nonparties are protected, a universal temporary restraining order in this



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case is proper.

The ruling means Biden and Vilsack “are enjoined from forgiving any loans” under the unconstitutional law.

**H/T:** [Legal Insurrection](#)



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