



Written by [David Kelly](#) on December 9, 2022

“Socially Disadvantaged” Farmers Sue Government for Promised Aid

In June 2021, in response to a [lawsuit](#) filed by white farmers, a federal judge in Florida halted President Biden’s debt-relief program for minority farmers in June of 2021, temporarily blocking the Agriculture Department (USDA) from implementing a \$4 billion program designed to help distressed minority farmers.

Judge Marcia Morales Howard ruled that the program, which was part of Biden’s [American Rescue Plan Act](#), “likely violates white farmers’ rights to equal protection under the 14th Amendment to the Constitution.” According to [NBC News](#):



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Howard ordered the Agriculture Department not to issue payments under the program for “socially disadvantaged” farmers until she can rule on the merits of the case. She wrote that the program, which is embedded in President Joe Biden’s \$1.9 trillion American Rescue Plan law, is “significantly likely” to violate the constitutional rights of the plaintiff, a white farmer named Scott Wynn.

This October, over a year later, the National Black Farmers Association and three other plaintiffs filed a class action lawsuit in an attempt to [reportedly](#) apply “pressure on officials to keep their word and to restore funding that was dropped after a group of white farmers filed legal challenges arguing their exclusion was a violation of their constitutional rights.”

The government program was intended to help minority farmers pay off USDA loans and provide payments of up to 120% of the debts of farmers who are members of groups that have historically been discriminated against based on their race or ethnicity. But that program has now been replaced with the passage of the Inflation Reduction Act of 2022.

“The new legislation aims to circumvent white farmers’ grievances and create two new funds while nixing the initial relief program. The first fund would set aside more than \$2 billion for farmers and others who faced discrimination prior to 2021. The second provides more than \$3 billion for the Agriculture Department to pay or modify loans for farmers who are under considerable financial strain,” [said](#) NBC News, adding that “the new debt relief funds no longer prioritize Black and other farmers of color.”

The plaintiffs claim the program changes constitute breaches of a contract and implied contracts set by the American Rescue Plan, and are now seeking that damages be paid to themselves and those they represent.

USDA spokesperson Marissa Perry [said](#) “the agency strongly supported the original program and was ready to make payments, but it was held up by three nationwide injunctions from separate court cases.



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Despite ‘vigorously’ defending the program in court, the department feared ‘this litigation would likely have not been resolved for years.’”

Perry’s comments came as the USDA received a temporary [restraining order](#) from a Wisconsin judge in a lawsuit brought by white farmers, backed by [America First Legal](#) (AFL). That order blocked implementation of the original program covering the debts of farmers who are members of groups that have historically been discriminated against based on their race or ethnicity.

“The government must not be allowed to use its awesome authorities to punish, harm, exclude, prefer, reward or damage its citizens based upon their race or ethnicity,” [said](#) AFL president Stephen Miller.

The lawsuits in play here very well may take years to be resolved, and most likely at taxpayer expense. But the true root of the problem isn’t discrimination or racist practices by bureaucrats. It is the federal government picking winners and losers with its generations of interference in farming and business practices that is to blame — and a government that has failed its citizens by not allowing a [free market](#) economy to prevail.

Since the Great Depression and passage of the [Agricultural Adjustment Act](#), the federal government has actively supported America’s farmers through direct payments, crop insurance, and loans.

According to [USA Facts](#):

Government payments (excluding crop insurance payments) to farms have fluctuated since 1933, from a low of \$1.5 billion in 1949 to \$32.1 billion in 2000. In 1949, government payments made up 1.4% of total net farm income — a measure of profit — while in 2000 government payments made up 45.8% of such profits.

In 2019, farms received \$22.6 billion in government payments, representing 20.4% of \$111.1 billion in profits.

It is apparent that our government has made a mess of the farming industry. USDA subsidies are not fair and will continue to cost all taxpayers — regardless of race, class, or standing. As President Reagan once [said](#), “Government is not the solution to the problem: government is the problem.”

Now it’s up to government to get out of the way and allow the free market to prevail once more, as originally intended by our nation’s Founders.



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