



Southeastern Legal Foundation Challenges More Unconstitutional Race- and Sex-Based USDA Programs

[Aug. 8, 2025] Today, Southeastern Legal Foundation (SLF) filed another lawsuit challenging race- and sex-based discrimination by the United States Department of Agriculture (USDA). The lawsuit was filed in Texas federal court on behalf of Texas Farm Bureau and two white male farmers who would be eligible for USDA benefits if they were of another race or sex, but cannot receive the benefits because they are white men.

The plaintiffs are challenging two unconstitutional programs: the Noninsured Crop Disaster Assistance Program (NAP) and the Environmental Quality Incentives Program (EQIP). NAP provides assistance to farmers who suffer crop losses due to disasters, but only if they are “socially disadvantaged”—meaning they are women, American Indians or Alaskan Natives, Asians or Asian-Americans, blacks or African-Americans, Hispanics or Hispanic-Americans, and Native Hawaiians or other Pacific Islanders—or if they meet other criteria like being below the poverty line or veterans. EQIP provides grants to farmers to help improve agriculture and the environment through upgrades to their land, but with similar “socially disadvantaged” parameters: farmers must be black or African-American, Hispanic or Hispanic-American, and Native Hawaiian or other Pacific Islander to be eligible for a grant.

These are just two of dozens of unconstitutional programs USDA has rolled out over the decades. While SLF successfully beat back [eight Biden-era programs](#) in court, and applauds the Trump Administration’s [efforts](#) to roll back more unconstitutional programs, the work is not done as some programs remain on the books.

SLF argues, “If ‘[e]liminating racial discrimination means eliminating all of it,’ the time to do away with USDA’s discriminatory category came and went long ago.”

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