

## **Southeastern Legal Foundation Files Petition with United States Supreme Court over Race-Based Biden Debt Relief Program**

WASHINGTON, DC (March 11, 2024): [Southeastern Legal Foundation](#) (SLF) and [Mountain States Legal Foundation](#) (MSLF) filed a [petition](#) with the United States Supreme Court, urging it to take up the case of Liesl Carpenter, a farmer who was not eligible for debt relief under President Biden’s \$1.9 trillion American Rescue Plan Act because she is white.

Section 1005 of the Act relied on race to determine which farmers and ranchers would receive COVID-19 debt relief, only providing relief to those defined as “socially disadvantaged” and excluding white farmers like Ms. Carpenter. This was plainly unconstitutional, so SLF and MSLF [sued](#) the Biden administration on Ms. Carpenter’s behalf.

Several courts ordered injunctions against the unconstitutional debt relief program, including a court in [another case](#) brought by SLF and MSLF, so Congress finally gave up and repealed the program. But a few “socially disadvantaged” farmers had already been paid debt relief, meaning Ms. Carpenter suffered an ongoing injury under the law because she did not receive any federal relief.

The lower courts dismissed the case as moot anyway, reasoning that the government voluntarily stopped the program and that it only issued payments to farmers in New Mexico, not Ms. Carpenter’s home state of Wyoming. Ms. Carpenter is now appealing to the Supreme Court, asking it to find that she was and still is injured by the unequal distribution of debt relief based on race.

SLF and MSLF explain in the [petition](#) that if the lower courts’ decision to dismiss the case is upheld, it will incentivize the government to move quickly with its unconstitutional acts going forward, causing as much harm as possible before a lawsuit can be filed and an injunction can be obtained. They also explain in their brief that the lower courts’ decision will incentivize the government to make ad-hoc decisions after a lawsuit is filed—such as only distributing payments in New Mexico after seeing that a plaintiff is from Wyoming—so that certain plaintiffs like Ms. Carpenter no longer have legal standing.

Vice President of Litigation for SLF [Braden Boucek](#) warns, “If the lower courts’ ruling stands, federal agencies will have a new roadmap to evade judicial review. Rather than follow any statutory or legal procedures, they will take impromptu action based on courtrooms and plaintiffs and plow forward with as much action as possible, knowing that Americans will not be able to recover once the damage is done. We urge the Supreme Court to close this loophole.”