

Wisconsin Institute for Law & Liberty: Trump Administration sides with WILL, federal scholarships now open to all students in need regardless of race

Posted on Wednesday, Feb 18, 2026

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The News: The Wisconsin Institute for Law & Liberty (WILL) notified a federal appeals court that it resolved its case with the Trump Administration and now a longstanding, federal scholarship program is open to all students regardless of race.

This \$60 million program—McNair Post-Baccalaurate Achievement Program—supports and provides unique opportunities to students nationwide who want to pursue post-graduate studies. Before WILL’s win, the program contained unconstitutional and mandatory race-based eligibility requirements. WILL represents Young America’s Foundation (YAF), its local chapter at the University of North Dakota, and two students ineligible for the program solely due to their skin color.

The Quotes: WILL Managing Vice President & Deputy Counsel, Dan Lennington, stated, “Young people hoping to pursue graduate school should be helped and encouraged, not burdened by institutional racism. We are pleased the Trump Administration sided with us in our lawsuit against these race-based scholarships to increase opportunities for students nationwide. This should serve as a warning to other universities that continue to offer race-restrictive scholarships.”

President of YAF, Scott Walker, stated, “For decades, Young America’s Foundation

has stood up for students when universities and bureaucrats tried to silence them, punish them, or exclude them. This is another victory for equal treatment under the law, and a reminder that Americans don't have to accept unconstitutional discrimination just because it's dressed up as 'equity.' YAF will keep fighting until every student is treated fairly."

What Is Next for Students: The McNair Program's exclusionary practices harmed many groups that are not deemed "underrepresented." Asians, Arabs and other Middle Eastern ethnicities, Jewish students, many Latinos and some Africans were excluded. And, of course, whites were excluded from preferential treatment. Only those students lucky enough to be on Defendants' list of favored racial groups got a chance to succeed through this program.

Now because of WILL's lawsuit, more students can apply for student aid based on need and merit, not race.

Equality Under the Law Project: More about WILL's Equality Under the Law Project can be found here: DefendEquality.org. This lawsuit was WILL's 12th and final lawsuit filed against the Biden-Harris Administration. WILL's clients ultimately prevailed in 11 of those 12 lawsuits (The only loss—*Bruckner v. Biden*—was refiled and resulted in WILL's biggest victory against the Biden-Harris Administration when a judge struck down the largest and oldest affirmative action program in U.S. history).

Read More:

- [Initial Complaint](#), May 2024
- [Notice of Regulatory Change and Motion to Voluntarily Dismiss Appeal](#), February 2026
- **White House Office of Legal Counsel Memo and Statement from U.S. Department of Education**, [December 2025](#)
- **Letter from U.S. Solicitor General to Speaker of the House Mike Johnson**, [December 2025](#)
- [Dismissal](#), February 2026

RELATED CASES:

Rabiebna v. Higher Educational Aids Board

- [WILL Sues State Board for Race Discrimination](#)

[WPR: Federal civil rights complaint against UW-Madison filed over scholarships](#)

- [Complaint](#), January 2026

UC San Diego sued over racially exclusive scholarships.

- [UCSD renames scholarship after affirmative action settlement](#)
- **PLF: UC San Diego sued over racially exclusive scholarships**

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