



# Sending an Inquiry Letter to Protect Your USDA Signed Agreement

**This resource is for farmers and organizations nationwide who have a signed agreement with the USDA and**

- 1) Have yet to receive written notification about the status of their USDA funding, or**
- 2) Have received notice that their USDA funding is frozen but they are not ready to initiate an appeal.**

**This resource includes sample letters.**

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*For farms or organizations that have already received written notice of termination or freeze, and want to explore options to appeal the USDA's decision, check out our other resources (depending on the agency administering the agreement):*

**Filing a NAD Appeal:** *For USDA agreements through NRCS (National Resources Conservation Service), FSA (Farm Service Agency), RD (Rural Development), RBS (Rural Business-Cooperative Service), or RMA (Risk Management Agency) - OR- **Sending a "Review Request Letter" with AMS or NIFA:** For USDA agreements through the Agriculture Marketing Service (AMS) or the National Institute of Food and Agriculture (NIFA).*

**Disclaimer:** *Farm Commons is offering this resource to provide educational resources to organizations as they make their own decisions about how to respond to USDA's funding freezes and terminations. This resource does not provide legal advice and is not an offer to provide legal services. No attorney-client relationship is formed by reading this document or by taking action based on it. No specific outcome is guaranteed as a result of sending an inquiry letter as described in this resource. The legal issues involved are complex, everchanging, and uncertain. The information we provide is based on our current knowledge and understanding, as well as ongoing conversations with lawyers and organizations. As the situation and our understanding continue to evolve, we will update this resource.*

## Why send an inquiry letter?

If you haven't received written notice about the status of your USDA grant or contract—or you've only been told informally that your funding is “on hold” or “under review”—sending an inquiry letter can be a powerful first step.

This is not a formal appeal, but it is a proactive action. It allows you to request official clarification about your funding, and it begins to create a written record of your efforts to seek answers.

Here's why sending an inquiry letter is strategically important:

**Get clarity and documentation.** Many farmers and organizations are learning about freezes or terminations informally—through phone calls with USDA staff, secondhand information, or silence. These are not official “adverse decisions.” But sitting in this confusion and uncertainty can be challenging.

By sending a written inquiry, you prompt the USDA to provide a formal, written response about the status of your grant or contract. This clarity can help you make critical decisions about staffing, programming, finances, and obligations under the agreement.

**Compel a formal written decision, which can then be appealed.** If USDA responds with a written decision that is adverse (such as a confirmation of a freeze or termination), you may then explore options to file a more formal appeal.

If the USDA fails to respond to your inquiry letter within the time period that you set, that inaction may still warrant an appeal. That's because failure to respond within a reasonable time can itself be treated as an “adverse decision.”

*Note: Depending on the USDA agency that issued your agreement, you may be required to file an appeal within 30 days of receiving a written adverse decision. We cover this more below in How to Send an Inquiry Letter, Step 4. Monitor the response and consider next steps.*

**Create a paper trail.** Even if you choose not to appeal right away, sending an inquiry letter creates a paper trail that could support your case later on. It shows that you:

- Requested information professionally and in writing, and
- Took timely action to seek clarification in good faith to understand and protect your rights.

This kind of recordkeeping and paper trail may become important evidence if you later file an appeal or go to court.

**Stand in solidarity and resist quiet rollbacks.** You are not alone. Many organizations and farmers are facing similar funding disruptions. Sending an inquiry letter helps push back against silent or informal rollbacks of essential USDA programs. It's a non-confrontational but firm way to demand transparency and accountability.

#### Is there a risk of retaliation?

Sending an inquiry letter may irritate or frustrate your grant administrator or local field staff, as it can be received as contentious. Using respectful and careful wording can help alleviate this risk. But it is still a risk.

If you are concerned about your relationship with the grant administrator or other USDA staff, you could call them or send an email to explain your situation. For example,

*"Please do not take this letter as a personal attack. We appreciate your support of our program. We're concerned our funding will be terminated, which puts us in a critical financial situation. We're raising our concerns to the USDA now to protect our legal and financial interests. We trust you understand."*

#### How to send an inquiry letter

There is no formal USDA process for sending an "inquiry letter"—but that's exactly why taking this step can be so important. It's a proactive way to request official clarification, build a written record, and preserve your right to challenge USDA action later if needed.

Here are suggested steps to help farmers and organizations navigate the process:

**Step 1. Gather your documents.** Before writing your letter, collect the following:

- A copy of your grant or contract agreement, including any amendments.
- Phone or meeting notes from conversations with USDA staff about the status of your funding.
- Any emails, letters, or texts from USDA referencing a freeze, termination, or delay.
- Evidence of financial harm or risk, such as:
  - Missed or delayed payments.
  - Pending or breached obligations to subcontractors, employees, or vendors.
  - Project delays that impact seasonal timelines or compliance requirements.

The more documentation you can gather, the stronger your record will be—whether for clarity, negotiation, or future appeal.

**Step 2. Draft your letter, explaining the details of your situation.** Here are some tips for a professional and compelling inquiry letter.

- **Clearly describe your situation:** Have you received verbal notice that your funding is frozen or terminated? Or have you received no notice at all and are operating in uncertainty?
- **Request written clarification:** Ask USDA to confirm whether your grant or contract is active, frozen, under review, or terminated. You can also ask for:
  - A timeline for when payments will resume.
  - A contract or grant extension to account for lost time during the freeze.
  - A waiver of penalties or noncompliance if the delay prevents you from fulfilling your obligations.

Be sure to include:

- A firm deadline for USDA to respond. We recommend 7 calendar days to prompt a timely response—especially given the urgency of agricultural timelines and program delivery.



- A brief explanation of any specific impacts, financial harm, or risks you face because of the uncertainty or funding delay. Examples:
  - You've already hired staff or seasonal workers
  - You have already entered sub-contracts for planting, construction, or other activities related to your obligations under the agreement.
  - Your cash flow is stretched, making it hard to operate or fulfill deliverables (i.e., you've had to reduce the hours or salaries of employees or workers).
  - You are unable to meet deadlines tied to the growing season.
  - You have outstanding payments to make and are relying on USDA funds to fulfill them.
  - Include specific dollar amounts or obligations where possible to show the actual harm.

You may refer to our **Sample Inquiry Letter** for suggested legal framing. Feel free to adapt the content to your situation while keeping the professional tone and legal structure.

**Step 3. Send your inquiry letter.** We recommend sending the letter to both:

- Your grant or contract administrator, and
- A senior agency official, such as the State Conservationist (for NRCS) or appropriate program director at USDA.

Send the letter via:

- Email with a read receipt (to ensure delivery), AND
- Certified mail with return receipt (to create an official paper trail).

This dual approach makes your inquiry formal and traceable.

**Step 4. Monitor the response and consider next steps.** If you receive a written response from USDA stating that your funding is frozen, terminated, or altered, you may now have a right to formally appeal that "adverse decision."

Similarly, if USDA fails to respond within your specified deadline (e.g., 7 days), this lack of response may itself be considered an "adverse decision" under National Appeals Division (NAD) rules or other agency-specific processes (such as NIFA's or AMS's).



Once you receive a written response, or your specified deadline passes, here's what to do next:

- Review the USDA's written response carefully.
- Mark your calendar. You may have only 30 days from the date of that response—or from the date your 7-day deadline expired—to file a formal appeal, and preserve your right to file a lawsuit.
- To explore more about filing an appeal, including a step-by-step process and Sample Letters, check out our additional resources.
  - **Filing a NAD Appeal:** For USDA agreements through NRCS (National Resources Conservation Service), FSA (Farm Service Agency), RD (Rural Development), RBS (Rural Business Cooperative Service), or RMA (Risk Management Agency).
  - **Filing an Appeal Letter with AMS or NIFA:** For USDA agreements through the Agriculture Marketing Service (AMS) or the National Institute of Food and Agriculture (NIFA)

**Reach out for questions and support:**

*Nationwide:* **Farm Commons:** [info@farmcommons.org](mailto:info@farmcommons.org)

**Farmers' Legal Action Group (FLAG):** [lawyers@flaginc.org](mailto:lawyers@flaginc.org)

*Northeast:* **Legal Food Hub, Conservation Law Foundation:** [legalfoodhub@clf.org](mailto:legalfoodhub@clf.org)



## Sample Inquiry Letter (farmer- status of signed contract)

**[Farmer's Name]**

[Farmer's Address]

[City, State, ZIP]

[Email Address]

[Phone Number]

**U.S. Department of Agriculture**

[Name of Contract Administrator]

[Agency/Local Office Name]

[Address of Relevant Office]

[City, State, ZIP]

**U.S. Department of Agriculture**

[Name of State Conservationist or Agency Director]

[Title]

[State Office Address]

[City, State, ZIP]

[Date]

**Subject: Request for Written Clarification Regarding [Freeze/Status] of Contract Payments – [Program Name] Contract [Insert Contract Number or date]**

Dear [Name of Administrator] / Sir or Madam,

I am writing to request a **formal written explanation regarding [the freeze / the current status] of payments on my [EQIP/CSP/other] contract**, [Contract #, Date if available].

[If applicable, include:] On [date], I was informed by [USDA staff name] during a phone call that payments under this contract are currently on hold or frozen. However, I have not received any written notification or official clarification from USDA confirming this status.

[Or, if no contact:] To date, I have not received any communication from USDA regarding the status of my contract or its funding.



The lack of clarity around whether my contract remains active—and whether and when payments will be issued—creates significant uncertainty as I make time-sensitive decisions for my farm. I am concerned about incurring costs that may not be reimbursed, which could jeopardize my ability to meet financial and operational obligations for the season.

I respectfully request written clarification on:

- Whether my contract remains in effect;
- When payments are expected to resume [if applicable]; and
- Any further instructions regarding performance obligations under the contract.

In light of this uncertainty, I also request:

- A **contract extension** for the period during which payments are frozen or delayed; and
- A **waiver of any penalties or non-compliance issues** that may result if I am unable to fulfill contractual requirements due to USDA's funding delay.

To assist with this request, I am providing supporting documentation including [e.g., contract documents, relevant correspondence, financial projections, or other evidence of impact]. I would appreciate a written response within [7 calendar days] so I can make informed decisions for the upcoming season and take further steps as necessary, including pursuing a formal appeal if required.

I understand that USDA staff—including local administrators like yourself—are operating under evolving directives. I sincerely appreciate your continued support and your work in serving farmers like me.

Thank you for your time and consideration. Please let me know if I can provide any additional information.

Sincerely,

[Farmer's Name]

[Signature]





## Sample Inquiry Letter (organization: grant status)

**[Organization Name]**

[Organization Address]

[City, State, ZIP]

[Email Address]

[Phone Number]

[Date]

**[Grant Administrator's Name]**

[Title]

[USDA Agency Name]

[Office Address]

[City, State, ZIP]

**Subject: Request for Confirmation of Grant Status – [Grant Name & Number]**

Dear [Grant Administrator's Name],

We are writing to request written confirmation regarding the current status of our grant, **[Grant Name & Number]**, which was awarded to our organization on **[Award Date]**.

As you are aware, we have been diligently carrying out the objectives outlined in our grant agreement, including [brief summary of key activities—e.g., technical assistance, farmer outreach, conservation education, market development, etc.].

[If applicable, include:] On [date], we were informed by [USDA staff name] during a phone call that payments under this grant agreement are currently on hold or frozen. However, we have not received any written notification or official clarification from USDA confirming this status.



[Or, if no contact:] To date, we have not received any communication from USDA regarding the status of our grant agreement or its funding. In recent weeks, we have learned that USDA is reviewing certain grant programs, and that some organizations have received notifications of funding freezes or terminations.

Accordingly, we respectfully request written clarification confirming whether our grant:

- Remains active and fully authorized;
- Is currently under review; or
- Is subject to a freeze, suspension, or termination.

To ensure compliance with USDA grant guidelines and continue our work in good faith, we also request:

- Any relevant instructions or updates regarding grant modifications, reporting requirements, or adjustments to our scope of work, timeline, or budget;
- If our grant is under review, an explanation of the review process and the anticipated timeline for a determination.

We would appreciate a written response within [7 calendar days], to allow us time to plan accordingly and respond appropriately to any required changes. A timely response is essential as we make decisions affecting our staffing, partnerships, and program implementation.

We understand that USDA staff, including administrators like yourself, are operating under changing directives. We sincerely appreciate your continued support and dedication to organizations like ours, and the communities we serve.

Thank you in advance for your time and assistance. Please don't hesitate to let us know if you require additional information to process this request.

Sincerely,

[Name]

[Title]

[Organization Name]

[Signature]