

Take Action to Protect Your USDA Signed Agreement

Disclaimer: This resource is for educational purposes only. No attorney-client relationship is formed by the reading of this document or by taking action based on reading it.

Is your USDA contract or grant frozen, delayed, or terminated? You are NOT alone. This situation is frustrating and stressful. We and others are here to support you.

Filing an appeal with the USDA is straightforward. It doesn't require a lawyer. Asking for clarity isn't confrontational—it's a way to protect your rights.

That said, we understand why you may feel reluctant or intimidated to take formal legal action.

Even if you're not ready to file an appeal, there are simple, NO-COST actions you can take now to keep your options open. What's most important is that you don't miss the opportunity to protect your work and your agreement.

Why this matters: If you stay silent, it may be harder to correct a mistake, **get your agreement reinstated**, file a lawsuit, or join a collective legal action later. This isn't about picking a legal fight—it's about **keeping the door open**.

Think of this as collective insurance. We hope USDA follows through with its agreements for these programs. But if that doesn't happen, having letters on file and timely requests for appeal may be the only way to hold them accountable later. **We are stronger together.**

Your Options Right Now

Option 1. NOT yet received anything in writing, (e.g., written freeze or termination notice)?
OR Received a **written freeze notice**, but **not feeling ready to appeal?**

You don't have to wait in silence. You can **send an inquiry letter** to seek clarity and document your concerns.

What to do: Ask, keep asking, and document everything!

Why it helps: It creates a **paper trail** and helps build a case if you decide to appeal later.

What if I don't have a lawyer?

You don't need one to start the process. We can help with sample language and simple instructions. If you feel more comfortable working with an attorney, reach out and we can connect you with one.

Will USDA retaliate against me for appealing?

Retaliation is not legal—and we believe speaking up together makes it less likely. You have a right to ask questions and protect your interests in the agreement.

What if I wait and see? You could miss deadlines or lose legal protections. Taking simple steps now keeps your options open later.

What about subawards? It's the prime awardee's decision to file an appeal. A subawardee can encourage the prime awardee to take these actions.

Option 1 cont'd.

- **Send a short inquiry letter or email** to your USDA contact. Request a written decision regarding the status of your agreement and instructions for moving forward. **If you'd rather call, that's okay too! Keep a call log** of what's said and when.

Need help writing an inquiry letter? We have templates—you just need to fill in the basics. See our resource: [Sending an Inquiry Letter](#).

- **Keep records** of your agreement, prior reporting, all letters, emails, calls, or USDA updates. Take note of when funding stopped and how it's affected your work. Keep receipts or accounting of your expenses and losses because of the frozen funds.

Option 2. Already received a written notice freezing or terminating your agreement?

You have the right to appeal—and it's simple to start. **You don't need a lawyer. But you might need to act fast.**

What to do: The appeal process depends on the agency administering your contract or grant.

Not sure? Look at your agreement, it will say. Or, check our list of common programs on the next page.

Why it helps: An appeal can compel the agency to respond with clarity. It also preserves your right to challenge the decision later and shows your good-faith effort to resolve it.

- **For agreements with NRCS** (National Resources Conservation Service), **FSA** (Farm Service Agency), **RD** (Rural Development), **RBCS** (Rural Business Cooperative Service), or **RMA** (Risk Management Agency):
 - **File an appeal with USDA's National Appeals Division (NAD)**
 - **You must appeal within 30 days** of receiving an "adverse decision"
 - Go to the [NAD website](#), write a short appeal letter, submit it online, or send by certified mail.

Need help filing a NAD appeal? See [Filing a NAD Appeal](#) for step-by-step guidance, including NAD appeal letter templates.

- **For agreements with NIFA** (National Institute of Food and Agriculture) or **AMS** (Agricultural Marketing Service):
 - Send a "review request letter" directly to your grant/contract contact.
 - For NIFA, it must be sent **within 60 days** of the freeze or termination notice.

Need help writing a "review request letter"? Our resource [Sending a Review Request Letter to NIFA or AMS](#) includes sample "review request letters."



You Are Not Alone

We know this is a challenging time. If you're confused, uncertain, or feeling stuck, that's okay. Reach out to us or others below. **We are here to help.**

Nationwide: Farm Commons: info@farmcommons.org

Farmers Legal Action Group (FLAG): lawyers@flaginc.org

Northeast: Legal Food Hub, Conservation Law Foundation: legalfoodhub@clf.org

Common USDA funding programs that must go through a NAD appeal *(to preserve the right to file a lawsuit in court)*

- Environmental Quality Incentives Program (EQIP)- NRCS
- Conservation Stewardship Program (CSP) - NRCS
- Regional Conservation Partnership Program (RCPP) - NRCS
- Agriculture Conservation Easement Program (ACEP) - NRCS
- Partnerships for Climate Smart Commodities projects- NRCS / FSA
- Agricultural Risk Coverage & Price Loss Coverage (ARC & PLC) - FSA
- Farm Loan Program (Direct and Guaranteed Loans) - FSA
- Conservation Reserve Program (CRP) - FSA
- Noninsured Crop Disaster Assistance Program (NAP) - FSA
- Risk Management Education Partnership Grants - RMA
- Rural Energy for America Program (REAP) Grants - RD
- Value-Added Producer Grants (VAPG) (via Rural Development - RD
- Socially Disadvantaged Groups Grants - RD

Common NIFA funding programs (send a review request letter to NIFA)

- Sustainable Agriculture Research and Education (SARE) Grants (via NIFA)
- Beginning Farmer and Rancher Development Program (BFRDP) (via NIFA)
- Community Food Project Competitive Grants Program (CFPCGP) (via NIFA)
- New Era of Agricultural Innovation (NEAI) Program (via NIFA)
- Veterans in Agriculture Program (VAP) (via NIFA)

Common AMS funding programs (send a review request letter to AMS)

- Farmers Market Promotion Program (FMPP) (via AMS)
- Specialty Crop Block Grants (SCBGP) (via AMS)
- Resilient Food Systems Infrastructure Program (RFSI) (via AMS)
- Local Food Purchase Assistance Cooperative Agreement Program (LFPA) (via AMS)
- Local Food for Schools (LFS) (via AMS)
- Regional Food System Partnerships (RFSP) (via AMS)
- Farm Labor Stabilization Pilot Program (FLSPP) (via AMS)
- Organic Market Development Grant (OMD) (via AMS)
- Farm Labor Stabilization and Protection Pilot Program (FLSPP) (via AMS)

**These are not exhaustive lists. Be sure to check your agreement if you are not sure.*