

LAWFARE

THE FARMER AND RANCHER FREEDOM FRAMEWORK

A plan to protect property rights and reverse agricultural lawfare





PROTECTING AMERICA'S AGRICULTURAL HERITAGE

My Fellow Patriots:

American agriculture took root centuries ago, when settlers crossed the ocean in search of economic opportunity, abundant land, and religious freedom. They cleared fields, planted crops, and built homes on the edge of the wilderness. In doing so, many realized their dreams of becoming landowners.

As we approach the 250th anniversary of the United States, it is high time to recall a simple but profound truth about our nation: the United States was built by those who work the land. And their ability to work, protect, and own land and property continues to symbolize the American dream today.

But this cornerstone of our heritage has been under attack in recent years, by a regulatory environment that treated agriculture as an obstacle rather than an asset. The Biden Administration weaponized environmental statutes and regulations to slow or sideline agricultural production, threatening our historic rights to own and cultivate land.

Over the past year, the Trump Administration has worked to reverse this war on agriculture, but we need to put policies into place that prevent its return. Under the leadership of President Donald J. Trump, the U.S. Department of Agriculture (USDA) is announcing the Farmer and Rancher Freedom Framework. This policy framework restores fairness, predictability, and common sense to programming across USDA and the broader Trump Administration. Our goal is straightforward—confront and unwind years of systemic lawfare targeting American agriculture.

And the Trump Administration has achieved early wins defending U.S. farmers and ranchers from politically motivated lawfare. Last year, USDA and the Department of Justice dismissed criminal charges against the Maude family of South Dakota over a Biden-era Forest Service dispute regarding land they had worked for generations. I also stood with President Trump and country music legend John Rich to reroute a project that threatened hundreds of acres of prime farmland in Cheatham County, Tennessee.

This work has extended beyond the heartland. Throughout 2025, USDA worked with leaders in New Jersey to save the 175-year-old Henry Farm in Cranbury from eminent domain under the state's unworkable affordable housing mandate. And we continue to work across the Trump Administration to save farmers and ranchers in California and Washington State from unfriendly state regulatory environments.

The fight to save American agriculture from hostile forces is no small task, and it demands an honest reckoning with our national history. More than 20 years ago, the Supreme Court's *Kelo v. City of New London* (2005) decision laid the groundwork for the erosion of private property rights. For farmers and ranchers, whose land is both livelihood and legacy, that erosion has led to the lawfare currently rampant in the United States. That's why the Trump Administration—alongside our partners in the states—is taking bold new steps to reverse lawfare across all levels of government. Now is the time to implement lasting policies that insulate Americans from threats to agriculture and property rights for generations to come.

At USDA, we will never stop protecting the fields, the farms, and the freedoms of everyday Americans. Our farmers and ranchers feed, fuel, and clothe us day in and day out, and they deserve to work and live with confidence that their land will remain secure for generations to come.

Secretary of Agriculture

USDA'S FARMER AND RANCHER FREEDOM FRAMEWORK

Our commitment to protecting, preserving, and partnering with American agriculture, while further purging onerous regulations and promoting greater affordability.

What is Agricultural Lawfare?

Agricultural lawfare is the use of administrative, legal, and legislative government systems to adversely impact farmers, ranchers, and agricultural producers. Political considerations and extreme environmental and other progressive policy goals often motivate lawfare. Lawfare in the agricultural context typically takes the form of the following: excessive red tape and permitting on the federal, state, or local levels; use of litigation by private and public entities to deter favorable outcomes for agriculture; use of egregious civil and criminal penalties; and use of eminent domain to inhibit agricultural production.

Under Secretary Rollins' leadership, USDA is poised to pursue systemic reforms to reverse instances of agricultural lawfare and protect private property rights. USDA is implementing the following policy framework that prioritizes greater government transparency, farmland conservation, continued deregulation, and partnerships with state and local governments as well as with stakeholder organizations. Farmers and ranchers will feel the weight of government off their backs, and American consumers will feel relief at the grocery store.

THE FARMER AND RANCHER FREEDOM FRAMEWORK

Protect
Producers

Preserve
Land And
Liberty

Purge
Burdensome
Regulations

Partner For
Agriculture's
Future



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U.S. DEPARTMENT OF AGRICULTURE

PILLAR I

PROTECT PRODUCERS

The Trump Administration will act transparently and fairly with respect to all affected parties—including farmers and ranchers—when issuing policies, regulations, and enforcement actions.

ACTIONS

Inventory, reduce where appropriate, and publish USDA guidance documents in a single, searchable database.

USDA will make guidance documents readily available to the public. USDA is presently reviewing all departmental guidance documents and will shortly publish an online portal.

Inventory and reduce civil and criminal penalties in regulation on U.S. agricultural production.

USDA will continue to implement President Trump's Executive Order 14294, which aims "to ease the regulatory burden on everyday Americans and ensure no American is transformed into a criminal for violating a regulation they have no reason to know exists."

Develop consistent criteria for referring civil and criminal enforcement actions to the U.S. Department of Justice.

Those who work tirelessly to feed and fuel our country deserve consistency and fair treatment. Given the gravity of a civil or criminal referral to the Department of Justice (DOJ), USDA will promulgate a departmental regulation to ensure consistency for any such referrals. This regulation will promote internal accountability and transparency.

Review and limit agency practices regarding entering private property without a warrant or proper notice.

For agricultural producers—especially family farmers—private property rights are essential. Their land represents not only where they live but also where they make a living, often across generations. USDA agencies will review and reevaluate practices related to entering private property, as well as related regulatory authorities.

Reduce obstacles for individuals accessing private and leased property on federal land under USDA's jurisdiction.

USDA's Forest Service maintains over 193 million acres, and many individuals live on and around these federal lands. For individuals with property and grazing leases on Forest Service land, USDA will provide them with reasonable property and land access, as well as access to necessary infrastructure, including Forest Service roads, consistent with applicable law.

Litigate aggressively to defend Administration priorities, including restoring productive use of agricultural land and natural resources.

Farmers and ranchers often seek relief in the U.S. court system from local governments adversarial to agriculture. USDA will continue to encourage DOJ to represent farmers and ranchers' best interests in such instances.

Vision: Washington, D.C. will deliver greater transparency and fair treatment to farmers and ranchers.



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PILLAR II

PRESERVE LAND AND LIBERTY

The Trump Administration will preserve agricultural land and ensure farmland is not unnecessarily removed from production.

ACTIONS

Reform USDA easement programs to more easily preserve U.S. agricultural land.

America loses 5,000 acres of working agricultural land a day, with 2,000 acres identified as prime farmland. Conservation easement programs implemented by the USDA Natural Resources Conservation Service (NRCS) ensure working lands remain working for future generations and that rural character stays intact.

Unfortunately, enrollment in these program takes too long, compromising effectiveness. USDA NRCS is working to streamline this process so that producers can protect their land in a more timely manner and better preserve U.S. agricultural land.

Redesign, implement, and enforce the Farmland Protection Policy Act.

The Farm Protection Policy Act (FPPA) requires federal agencies to identify and minimize the impact of their programs on prime, unique, and important farmland. USDA will review authorities under FPPA and engage with other federal agencies, to prevent unnecessary conversion of agricultural land to non-agricultural uses.

Identify and mitigate uses of eminent domain that threaten U.S. agricultural land.

Over 20 years ago, the U.S. Supreme Court ruled in *Kelo v. City of New London* that eminent domain can be used for economic development if it serves a public purpose. This decision resulted in more abuse of eminent domain and erosion of private property rights. USDA will work with farmers and ranchers, as appropriate, to overcome egregious threats of eminent domain.

Protect farmers and ranchers from unlawful land redistributions.

Radical states like California continue to push the boundaries of what is constitutional and practical for American farmer and ranchers. The California Agricultural Land Equity Task Force is currently promoting a redistribution of the state's agricultural land based on race, ethnicity, and national origin. On December 11, 2025, Secretary Rollins sent Governor Newsom a letter informing him that such actions would constitute unlawful Fifth Amendment takings, and run afoul of California's own Constitution. USDA will continue to conduct oversight on agricultural land redistributions in the name of "equity."

Vision: U.S.
agricultural land will
remain available for
the next generation
of farmers and
ranchers.





PILLAR III

FURTHER PURGE BURDENSOME REGULATIONS

The Biden Administration weaponized environmental statutes against U.S. agriculture. However, the Trump Administration recognizes farmers and ranchers as environmental stewards and has unleashed the greatest deregulatory agenda in history to benefit producers as well as everyday Americans at the grocery store.

ACTIONS

Reverse and reform punitive USDA regulations rooted in environmental activism and that harm agricultural productivity.

On January 31, 2025, President Trump issued E.O. 14192, *Unleashing Prosperity Through Deregulation*. Some topline highlights of planned deregulatory actions at USDA to respond to this E.O. include:

- **Consolidating Regulations Implementing NEPA (Office of the Secretary):** The National Environmental Policy Act (NEPA) requires departments and agencies to consider the environmental effects of major federal actions. To make its requirements less onerous, USDA is rescinding seven agency-specific regulations and issuing one set of department-wide NEPA regulations, resulting in a 66% reduction in NEPA regulations. This will allow USDA officials to concentrate resources on projects the public needs, and more broadly allow for more efficient delivery of USDA services for America's ranchers, farmers, loggers, and rural communities. USDA began this process by publishing an interim final rule on July 3, 2025, and finalized rulemaking is imminent.

- **Rescinding the 2001 Roadless Rule (Forest Service):** USDA is proposing a rule to rescind the 2001 Roadless Rule that prevents road construction, reconstruction, and timber harvests on nearly 45 million acres of the National Forest System. Rescinding this rule will reduce regulatory burden, allow for greater fire prevention, and enable responsible timber production on this acreage. USDA published a notice of intent for this rulemaking on August 29, 2025, and further rulemaking is imminent.
- **Simplify USDA and Department of the Interior Grazing Regulations (Forest Service):** USDA is proposing revisions to simplify the administrative process for grazing on federal lands and to promote consistency with federal livestock permitting policies across agencies. USDA, with Department of the Interior, initiated aggressive changes to grazing on October 22, 2025, with the USDA-DOI Grazing Action Plan.

USDA is working with other federal agencies to eliminate and reverse regulations harmful to property rights and U.S. agriculture.

- **Amending the “Waters of the United States” (WOTUS) Definition (Environmental Protection Agency and U.S. Army Corps of Engineers):** Under President Trump’s leadership, EPA began rulemaking through publishing a proposed a rule on November 17, 2025, that would clarify the definition of WOTUS and fully implement the U.S. Supreme Court's decision in *Sackett v. Environmental Protection Agency*.
- **Reforming the H-2A Adverse Effect Wage Rate (Department of Labor):** On October 2, 2025, the Department of Labor published an interim final rule updating the methodology used to calculate the adverse effect wage rate (AEWR) used for the U.S. Temporary Agricultural Workers (H-2A) program. The updated methodology includes a new data source, a differentiation between an entry level and an experience level wage rate, and a housing adjustment to account for the fact farmers provide housing to H-2A workers at no cost to the worker. Altogether, these changes are expected to provide over \$2 Billion in annual savings for farmers using the H-2A program.
- **Issuing Guidance for Manufacturers on Diesel Exhaust Fluid (Environmental Protection Agency):** Since 2010, nearly all on-road diesel trucks and many types of non-road equipment have used diesel exhaust fluid (DEF) as part of an effort to reduce emissions of nitrogen oxides to ensure compliance with Tier 4 Emissions Standards.

Manufacturer design choices, faulty sensors, and system malfunctions triggering reduced power has caused needless frustrations, operational delays, and real economic hardship for farmers, truckers, and equipment operators. EPA is working to address these concerns and has already issued revised guidance for light duty vehicles, heavy-duty diesel engines, and non-road compression-ignition engines using selective catalyst reduction technologies.

- **Providing Permanent Death Tax Relief (Department of the Treasury):** President Trump's Working Families Tax Cuts prevented the death tax from reverting to pre-2017 Tax Cuts and Jobs Act exemption levels and mitigated the looming drop from a \$14 million exemption level to a \$7 million exemption level in 2026, which would have impacted more than 2 million family-owned farms. It also permanently raised the exemption level to \$15 million from \$14 million and indexed it for inflation. These provisions will help preserve family farms and save small farms from suffering punitive tax burdens that threaten generational continuity.



Vision: Farmers and ranchers will continue to feel the weight of government off their backs, and consumers will feel relief at the grocery store.



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U.S. DEPARTMENT OF AGRICULTURE

PILLAR IV

PARTNER FOR AGRICULTURE'S FUTURE

The Trump Administration will partner with state and local governments, and outside organizations, to preserve America's agricultural land.

ACTIONS

USDA will take a proactive approach to working with state and local governments on strengthening eminent domain protections.

In the wake of *Kelo v. City of New London*, over two-thirds of U.S. states strengthened their eminent domain and private property rights laws. USDA will take a proactive approach to encouraging state and local efforts protecting private property rights.

USDA will work with outside organizations on protecting American agricultural land and private property rights.

USDA will continue to work with organizations, such as the National Association of State Departments of Agriculture (NASDA), to develop model policies and resolutions designed to protect American farmland and private property rights.

Establish a senior advisor dedicated to fighting agriculture lawfare.

A single point of contact at USDA can streamline communication and ensure coordinated, unified, government-wide responses to instances of agricultural lawfare. USDA will establish a senior advisor in the Office of the Secretary dedicated to reversing lawfare. The senior advisor will work closely with the USDA Office of Partnerships and Public Engagement (OPPE), USDA Office of Congressional Relations, all USDA Mission Areas, and across the Trump Administration to reverse instances of agricultural lawfare.

Vision: We will further unite policymakers and stakeholders to better protect our land.

Have you been impacted by unfair or politically motivated agricultural lawfare? On April 30, 2025, Secretary Rollins launched an online portal for potential victims of ongoing agricultural lawfare, largely originating under the Biden Administration, to submit their concerns and experiences. The portal is available here, and is subject to continuous improvement:

www.usda.gov/lawfare

