



Southeastern Legal Foundation Files Amicus Brief Defending Family Farm Against U.S. Department of Labor's Massive Overreach with Ruinous Fines

FOR IMMEDIATE RELEASE

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[August 3, 2026] Today, the Southeastern Legal Foundation (SLF), a national nonprofit legal organization dedicated to defending constitutional rights, [filed an amicus brief](#) on behalf of the National Council of Agricultural Employees (NCAE) and over a dozen national and state agricultural associations to help combat a massive overreach by the U.S. Department of Labor against America's farms.

The Department of Labor accused one-such farm, Sun Valley Orchards, of wrongdoing and imposed \$550,000 in ruinous fines, mostly for a single violation. When the farmers disagreed and sought a resolution, they were deprived of their day in court and forced to take their case to the Department's unilaterally created and self-run in-house court, where all presiding judges are employed by the Department itself. After a four day trial, judges ruled in favor of their employer.

In their amicus brief, SLF and NCAE argue that the Department of Labor's self-created in-house court system is a blatant violation of our Constitution. If a farmer disagrees with an agency imposed fine, the Constitution demands that he have the opportunity to go to an independent court and challenge the fine. Robbing farmers of that opportunity, the Department of Labor embarked on a massive power grab and unilaterally decided it was going to act as legislator, executioner, and judge – creating the fines, imposing the fines, and enforcing the fines when challenged.

The Department of Labor is abusing its power and imposing destructive fines on farmers, who are some of the hardest working people in America. SLF explains, "The Department's reading amounts to a broad, undefined, and unchecked delegation of legislative power — violating basic principles of constitutional interpretation. The Court would be obliged to confront that enormous grant of power, not construe around it. And it would be unconstitutional."

SLF President Kim Hermann said, "Farming is the backbone of the American economy. These hard workers face some of the most grueling and challenging physical



labor just to provide the groceries that we all purchase with ease. Why a government agency would choose to make life harder for these people and impose truly ruinous fines is completely beyond me. We cannot take their hard work for granted, and that's why we must fight to make sure the government isn't making their lives harder by enforcing random fines."

NCAE President & CEO John Holley said: "American farmers have been subjected to a disciplinary system that has turned the Department of Labor into judge, jury and executioner in the H-2A program. Our amicus brief makes the case for why employers should not relinquish their constitutional rights just because they rely on the H-2A visa program to keep their farms in business. We remain confident the Justices will protect the rights of the American farmer. "

Southeastern Legal Foundation is a national, nonprofit legal organization dedicated to defending liberty and Rebuilding the American Republic®. Since 1976, SLF has been going to court for the American people when the government overreaches and violates your constitutional rights.

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