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18 **IN THE UNITED STATES DISTRICT COURT**  
19 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

20 NATIONAL FEDERATION OF FEDERAL  
21 EMPLOYEES, [REDACTED]  
22 LANETTE DIETRICH, THOMAS  
23 MAGEE, ASHLEY MILLER, ANNE  
24 POOPATANAPONG, ETHAN ROBERTS,  
25 and JENNIFER WOLFE,

26 Plaintiffs,

27 v.

28 UNITED STATES DEPARTMENT OF  
AGRICULTURE, and

BROOKE L. ROLLINS, Secretary of  
Agriculture, in her official capacity,

Defendants.

AMERICANS UNITED FOR SEPARATION  
OF CHURCH & STATE  
Rebecca S. Markert\*  
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Case No. 3:26-cv-04406

**COMPLAINT FOR DECLARATORY  
AND INJUNCTIVE RELIEF**

**United States Constitution, First  
Amendment, Establishment Clause;  
Administrative Procedure Act**



1           6. Secretary Rollins’s practice and policy of subjecting agency employees to  
2 proselytizing messages conveys the expectation that USDA employees share in the Secretary’s  
3 religious beliefs, even when doing so would betray an employee’s own beliefs. It is exactly the sort  
4 of government-sponsored religious coercion, religious sermonizing, and denominational preference  
5 that the Establishment Clause prohibits.

6           7. Plaintiffs—a group of multifaith and nonreligious USDA employees, and the National  
7 Federation of Federal Employees, a national labor union representing more than 19,000 USDA  
8 employees with diverse religious beliefs—are subject to the effects of that coercion, religious  
9 sermonizing, and denominational preference. Individual Plaintiffs and NFFE members feel that the  
10 Secretary is pressuring them to share in her religious beliefs. They feel excluded and unwelcome, and  
11 they fear the negative consequences of not sharing the Secretary’s religion or expressing their own  
12 different beliefs in the workplace.

13           8. Notwithstanding that fear of retaliation, Plaintiffs from across the agency together  
14 bring this action to vindicate their constitutional right to be free from the government imposition of  
15 religion and to stop the Secretary from further pressuring and intimidating them—and other USDA  
16 employees who may be afraid to come forward.

17           9. Absent intervention by the Court, the Secretary will, at a minimum, continue to mark  
18 Christian holidays and observances with proselytizing communications to USDA employees, at the  
19 expense of Individual Plaintiffs, NFFE’s members, and all other USDA workers who deserve to  
20 perform their valuable public-service work on behalf of the American people without such unlawful  
21 interference.

22           10. The Secretary’s ongoing practice and policy violates the Establishment Clause and the  
23 Administrative Procedure Act (“APA”), and accordingly this Court should declare that Defendants’  
24 proselytizing religious communications are unlawful, enjoin the Secretary or any other USDA official  
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1 from issuing such religious communications, and vacate Defendants' policy of issuing religious  
2 messages of this kind.

3 **THE PARTIES**

4 11. Plaintiff National Federation of Federal Employees is an unincorporated association  
5 with its principal place of business in Washington, D.C. It is a national labor union representing  
6 approximately 110,000 federal government workers across the United States, including more than  
7 19,000 USDA employees in the U.S. Forest Service, Animal and Plant Health Inspection Service, and  
8 Office of the Chief Information Officer.  
9

10 12. [REDACTED]  
11 [REDACTED]  
12 [REDACTED]  
13

14 13. Plaintiff Lanette Dietrich is an employee of USDA in Des Moines, Iowa. She has been  
15 a federal civil servant for nearly forty years at USDA in the National Resources Conservation Service.  
16 She resides in Iowa.

17 14. Plaintiff Thomas MaGee is an employee of USDA in Vallejo, California. He has been  
18 a federal civil servant for 27 years, including the last fourteen years at USDA as an employee with  
19 the U.S. Forest Service. He resides in Contra Costa County, California.

20 15. Plaintiff Ashley Miller is an employee of USDA in Columbia, South Carolina. They  
21 have been an employee at USDA for nine years, currently in the U.S. Forest Service. They reside in  
22 South Carolina.  
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24 16. Plaintiff Anne Poopatanapong is an employee of USDA in Vallejo, California. She has  
25 been a federal civil servant for over twenty-five years at USDA in the U.S. Forest Service. She resides  
26 in the state of Washington.

27 17. Plaintiff Ethan Roberts is an employee of USDA in Peoria, Illinois. He has been a  
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1 federal civil servant for ten years at USDA in the Agricultural Research Service. He resides in Illinois.

2 18. Plaintiff Jennifer Wolfe is an employee of USDA and works remotely in California,  
3 where she resides. She has been a federal civil servant for over fifteen years at USDA in the U.S.  
4 Forest Service.

5 19. The United States Department of Agriculture is a federal agency headquartered in  
6 Washington, D.C., and with offices throughout Northern California and the country.

7 20. Brooke L. Rollins is the Secretary of Agriculture. She is sued in her official capacity.  
8

### 9 JURISDICTION AND VENUE

10 21. The Court has subject-matter jurisdiction over this action under 28 U.S.C. § 1331,  
11 because Plaintiffs' claims arise under federal law, namely, the U.S. Constitution and the  
12 Administrative Procedure Act, 5 U.S.C. §§ 551–559; and because Defendants are a United States  
13 agency and official, 28 U.S.C. § 1346(a)(2).  
14

15 22. The Court has authority to enter declaratory and injunctive relief pursuant to Rules 57  
16 and 65 of the Federal Rules of Civil Procedure; the Declaratory Judgment Act, 28 U.S.C. §§ 2201–  
17 2202; the All Writs Act, 28 U.S.C. § 1651; and the Court's inherent equitable powers.

18 23. Venue is proper under 28 U.S.C. § 1391(e)(1) because Plaintiff MaGee resides in this  
19 District; no real property is involved in this action; and Defendants are an agency and officer of the  
20 United States sued in her official capacity.  
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### 22 FACTUAL BACKGROUND

#### 23 **The Constitution's Founders Built a Wall of Separation Between Church and State**

24 24. The Establishment Clause of the First Amendment is rooted in the Founders' concerns  
25 about the religious persecution and political strife that arose when government promoted and favored  
26 some religions over others or forced religious beliefs on its citizens. To build a country where religious  
27 freedom thrives for all, and to prevent religion from corrupting government and government from  
28

1 corrupting religion, the Founders called for the separation of church and state.

2 25. The Founders’ experiences taught them that “in the hands of government what might  
3 begin as a tolerant expression of religious views may end in a policy to indoctrinate and coerce.” *Lee*  
4 *v. Weisman*, 505 U.S. 577, 591–92 (1992). Indeed, “[a] state-created orthodoxy puts at grave risk that  
5 freedom of belief and conscience which are the sole assurance that religious faith is real, not imposed.”  
6 *Id.* at 592.

7 26. The Founders thus sought to limit government coercion and promotion of religion, and  
8 imbued the Establishment Clause with this purpose. There is “[n]o doubt” that religious “coercion . . .  
9 was among the foremost hallmarks of religious establishments the framers sought to prohibit when  
10 they adopted the First Amendment.” *Kennedy v. Bremerton Sch. Dist.*, 597 U.S. 507, 537 (2022). And  
11 the First Amendment reflects the Founders’ understanding that “the ‘fullest realization of true  
12 religious liberty requires that government’ refrain from ‘favoritism among sects.’” *Cath. Charities*  
13 *Bureau, Inc. v. Wis. Lab. & Indus. Rev. Comm’n*, 605 U.S. 238, 248 (2025) (quoting *Larson v. Valente*,  
14 456 U.S. 228, 246 (1982)).

### 17 **Secretary Rollins’s Practice and Policy of Promoting Christianity at USDA**

18 27. Secretary Rollins was sworn in as Secretary of Agriculture on February 13, 2025,  
19 vowing to protect and defend the Constitution of the United States as the head of USDA, an agency  
20 with roughly 100,000 civil-service employees.

21 28. All USDA employees report to Secretary Rollins—whether directly or indirectly—and  
22 are her subordinates.

23 29. Since her appointment, Secretary Rollins has engaged in an escalating pattern of  
24 subjecting all USDA employees to proselytizing Christian messaging promulgated from her position  
25 of authority.

26 30. The religious messages appeared to be non-denominational at first. On July 4, 2025,  
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1 Secretary Rollins sent from her official email account a message celebrating Independence Day to  
2 email lists containing all USDA employees. At the conclusion of her email, Secretary Rollins  
3 expressed: “May God continue to protect the United States of America and may His favor shine over  
4 all her land.”

5 31. On November 26, 2025, Secretary Rollins sent from her official email account a  
6 Thanksgiving message to email lists containing all USDA employees. In the email, Secretary Rollins  
7 described the first Thanksgiving in 1621 and credited “gratitude towards a loving God” in bringing  
8 together “two peoples” “despite their differences.”

9  
10 32. Since Thanksgiving 2025, Secretary Rollins has marked two major Christian holidays  
11 with proselytizing Christian messages to all USDA workers.

12 33. On December 23, 2025, Secretary Rollins dramatically escalated her religious  
13 sermonizing in a Christmas message. She again emailed from the Secretary’s official email account  
14 to email lists including all USDA employees. The email was expressly addressed to “All USDA  
15 Employees” and was titled “Merry Christmas from Secretary Rollins.” Secretary Rollins addressed  
16 USDA staff directly in a video message that included her preaching, “The spirit of generosity flows  
17 from the very first Christmas when God gave us the greatest gift possible, the gift of his Son and our  
18 Savior Jesus Christ, who came to free us from our sins and open the door to eternal life. This is the  
19 reason for the season. . . .”

20  
21 34. On April 5, 2026, Secretary Rollins sent another email expressly addressed to “All  
22 USDA Employees (the “Easter Sermon”):

23 Team USDA,

24 Happy Easter — He is risen indeed!

25 Today we celebrate the greatest story ever told, the foundation of our  
26 faith, and the abiding hope of all mankind.

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From the foot of the Cross on Good Friday to the stone rolled away from the now empty tomb, sin has been destroyed. Jesus has been raised from the dead. And God has granted each of us victory and new life. And where there is life — risen life—there is hope.

No matter the very real trials and hardships we face, fear and sin and death do not get the last word. Because on Easter morning, “Hell took a body, and discovered God. It took earth, and encountered Heaven. It took what it saw, and was overcome by what it did not see.” Now that is reason to rejoice!

And so like the very first disciples to encounter our risen Lord in the Upper Room almost two thousand years ago, this Easter let us too be alive with hope, full of Paschal joy, and confident in the mission each of us has been called for.

Please know how amazed and grateful I am for the hard work each of you do to support our shared mission here at USDA. I hope you and your loved ones have a truly blessed and happy Easter. May God continue to bless you, your families, and our exceptional country, One Nation, Under God.

35. At the top of the email, attached hereto as Exhibit A, Secretary Rollins included an illustration of a stone rolled away from Jesus’ tomb with the words “Christ is Risen” written above the illustration.

36. Secretary Rollins’s Easter Sermon draws heavily on biblical references that promote a particular religion—Christianity—which the Secretary’s message evangelizes as fact.

37. The denominational favoritism conveyed in Secretary Rollins’s communications indoctrinates USDA employees and has caused them to feel coerced, unwelcome, excluded, and like outsiders to the agency.

38. The first sentence of the Easter Sermon alone—with phrases such as “we celebrate,” “the *greatest* story ever told,” “*our* faith,” and “the abiding hope of *all mankind*” (emphases added)—communicates that there is a preferred religious “in-group” at USDA. The Easter Sermon likewise conveys that USDA employees do and should hold uniform religious views that match those of the Secretary.

1           39.     Crucially, Secretary Rollins has sent no messages even acknowledging—let alone  
2 celebrating or sermonizing—other religions’ holidays. That disparity is particularly stark in the case  
3 of the Easter Sermon, which Secretary Rollins sent *during* Passover, one of the most important Jewish  
4 holidays of the year.

5           40.     The Secretary has adopted this practice and policy of sending proselytizing Christian  
6 messages notwithstanding USDA guidance to the contrary. Indeed, in November 2025, USDA  
7 adopted a policy that purports to protect USDA workers from religious coercion, instructing that  
8 USDA officials “[c]annot use official authority to pressure subordinates” regarding their religious  
9 beliefs and that they “[m]ust stop if a colleague asks [them] to stop.” *See* USDA Secretary’s  
10 Memorandum 1078-019, Guidance on Federally Protected Religious Expression and Accommodation  
11 Rights (Nov. 20, 2025).

12           41.     Secretary Rollins’s messages contravene the Memorandum and convey that the  
13 Secretary’s own proselytizing Christian communications are uniquely permissible and are treated  
14 differently than other messages of religious expression.  
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16           42.     Having defended the Easter Sermon in the press,<sup>1</sup> Secretary Rollins is likely to  
17 continue the practice of sending proselytizing messages to all USDA employees to mark Christian  
18 holidays and observances.  
19

20                           **Secretary Rollins’s Christian Proselytizing Harms Plaintiffs**

21   *Individual Plaintiffs*<sup>2</sup>

22           43.     As employees of USDA, the Individual Plaintiffs are expected to read all  
23 communications from the Secretary, because she is the head of their agency and sits at the top of their  
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26 \_\_\_\_\_  
27 <sup>1</sup> *See* René Marsh, *Agriculture Secretary’s Religious Easter Message to All Employees Sparks*  
28 *Internal Backlash and a Formal Complaint*, CNN (updated Apr. 9, 2026), <https://perma.cc/43YR-7HA3>.

<sup>2</sup> Individual Plaintiffs are not members of Plaintiff NFFE.

1 reporting chains and because her emails to employees regularly contain important information  
2 relevant to their jobs.

3 44. The Secretary sends few communications to all employees. In fact, in the fifteen  
4 months that Secretary Rollins has led USDA, the Office of the Secretary has sent fewer than twenty  
5 emails to all USDA employees.

6 45. Those that she does send tend to concern matters that profoundly affect USDA's  
7 workforce and that may have significant effects on Individual Plaintiffs' careers and families.

8 46. In addition to the holiday emails with religious messages described above, most of the  
9 other emails have pertained to plans to reorganize much of the agency and require many employees  
10 to relocate; significant changes in USDA's civil rights program; closure of a USDA building; planning  
11 for a government shutdown; and the Deferred Resignation Program, which offered many USDA  
12 employees an exit from federal service.

13 47. And historically, even holiday emails from USDA leadership have included specific  
14 job-related announcements, such as, for example, notifications regarding administrative leave (e.g.,  
15 early dismissal).

16 48. Individual Plaintiffs each received the Secretary's proselytizing messages, including  
17 the Easter Sermon, in their email inboxes. Each was expected to and did read these emails.

18 49. They were shocked upon reading the Secretary's Easter Sermon. They felt violated by  
19 the Secretary's exploitation of her authority over and access to all USDA employees to preach about  
20 Jesus being "raised from the dead" and to impose her brand of Christianity on the agency's 100,000  
21 employees.

22 50. As civil servants, Individual Plaintiffs are obligated to serve the public in a religiously  
23 neutral manner. The agency's mission is to serve the American people, not to proselytize or promote  
24 one specific religion over others. Yet the Secretary is proselytizing to the entire USDA workforce,  
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1 expressing denominational favoritism, and portraying the agency’s work as a mission to serve specific  
2 religious views.

3 51. The Secretary’s proselytizing, biblical references alongside phrases such as “the  
4 foundation of *our* faith,” “God has granted each of *us*,” and “let *us* too be alive” conveys to Individual  
5 Plaintiffs that the Secretary expects the USDA workforce to share the same beliefs as her and favors  
6 those who share her brand of Christianity (emphases added). And those who do not hold the same  
7 beliefs (including Individual Plaintiffs) are excluded and not welcome—or even risk losing their  
8 livelihoods.  
9

10 52. Individual Plaintiffs feel that the Secretary is pressuring them to believe in her faith or  
11 act as if they share the same faith as the Secretary. Given the Secretary’s clear religious preference,  
12 Individual Plaintiffs feel intimidated from expressing their own beliefs at work and compelled to  
13 shape their behavior accordingly and hide their own beliefs.  
14

15 53. Individual Plaintiffs fear being singled out and disfavored for not being religious, not  
16 believing in the brand of Christianity that the Secretary espouses, or for having a different religion.  
17 They believe that the crux of the Secretary’s messages is that the Christian “we” and “us” who are  
18 addressed in her sermons are imbuing USDA with a religious—rather than a secular—mission.  
19

20 54. Individual Plaintiffs also fear retaliation for objecting to the Secretary’s preaching  
21 from the public office that she occupies.  
22

23 55. Indeed, USDA supervisors have made clear that objecting to the Secretary’s  
24 proselytizing will result in “trouble.”  
25

26 56. The Secretary’s denominational preference has caused Individual Plaintiffs to feel  
27 alienated, unwelcome, and as outsiders in the agency.  
28

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

*Plaintiff Lanette Dietrich*

61. Plaintiff Lanette Dietrich feels that the Secretary’s pattern of religious messaging, and the Easter Sermon in particular, are pressuring her to believe in the Secretary’s specific brand of Christianity.

62. The Easter Sermon conveys to Ms. Dietrich that there’s only one way to believe and if she doesn’t believe that way, she’s not worthy.

63. When Ms. Dietrich read, “Today we celebrate the greatest story ever told,” she felt that the Secretary was directing her to celebrate the Secretary’s specific beliefs, which Ms. Dietrich does not share.

64. The Easter Sermon signaled to Ms. Dietrich that USDA’s mission now is to be Christian and that to survive as part of “Team USDA,” USDA employees should be Christian.

65. When Ms. Dietrich asked her supervisor to remove her from USDA’s distribution lists used for religious and faith-based messages (but to continue receiving work-related communications), her request was elevated to the Director of the Policy and Accountability Division at the National

1 Resources Conservation Service, who told her that this was not possible, and further threatened that  
2 elevating her request to the Chief of the National Resources Conservation Service would “create  
3 trouble” for Ms. Dietrich.

4 66. The Secretary’s proselytization and the agency’s warning not to complain has made  
5 clear to Ms. Dietrich, who is a person of faith, that she needs to be very cautious about what she  
6 shares, if anything, about her own beliefs at work to avoid retaliation or other negative consequences.

7  
8 67. As a federal civil servant for nearly four decades who is committed to the National  
9 Resources Conservation Service’s mission, Ms. Dietrich has never felt so alienated, marginalized,  
10 and unwelcome at the agency until now.

11 68. Ms. Dietrich believes that it is expected for her to read messages from the Secretary  
12 because the Secretary is the leader of the agency and the emails may contain important information  
13 that is relevant to Ms. Dietrich or her work.

14 ***Plaintiff Thomas MaGee***

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16 69. Plaintiff Thomas MaGee was deeply troubled by the Secretary’s Easter Sermon, which  
17 he understood to equate his calling of service to USDA to the calling of service to Jesus Christ, and  
18 that USDA’s mission is the same as the call to worship Jesus. And that—if he does not accept the  
19 religious calling—he is excluded and unwelcome.

20 70. The Secretary’s proselytization sends the message that there is a club—the Secretary’s  
21 particular brand of Christianity—and that Mr. MaGee is not part of that club because he does not  
22 share the Secretary’s beliefs.

23  
24 71. Mr. MaGee fears negative consequences if he were to share his nonreligious identity  
25 at work or retaliation from USDA leadership for objecting to the religious messages.

26 72. In all his almost three decades in public service, Mr. MaGee has never been afraid for  
27 his job because he is nonreligious until now.

1           73. Plaintiff MaGee feels compelled to read emails from the Secretary, which may contain  
2 important information about the major restructuring of the agency or have other information that could  
3 impact him, including whether the Secretary is offering early dismissal to employees.

4                           ***Plaintiff Ashley Miller***

5           74. Plaintiff Ashley Miller feels that Secretary Rollins's pattern of religious  
6 communications is turning USDA's mission to serve the American people into a mission to serve  
7 Christ.

8           75. As understood by Mx. Miller, the Secretary's messages, particularly the Easter  
9 Sermon, which used phrases like "our," "we," and "us", made all federal employees sound like  
10 missionaries.

11           76. This is deeply disturbing to Mx. Miller because they took an oath to uphold the U.S.  
12 Constitution and to serve the American people, regardless of their religious beliefs; yet the Secretary  
13 is conveying to Mx. Miller that their public service commitment is subservient to the Secretary's  
14 particular brand of Christianity or that their work for the agency is for God.

15           77. The Secretary's proselytization causes Mx. Miller, who already feels targeted as a  
16 member of the LGBTQ community, to feel further excluded, unwelcome, and silenced at the agency.

17           78. Mx. Miller, who is a Humanist and an atheist, feels that the Secretary's evangelizing  
18 is compelling them to further hide who they are and pressuring them to act as if they share the  
19 Secretary's beliefs.

20           79. Mx. Miller believes they are expected to read communications from the Secretary and  
21 feels compelled to read them. The Secretary's emails may contain information about agency  
22 leadership goals, programs, or other information that Mx. Miller needs to know to carry out their job  
23 duties.  
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1           87. In turn, Mr. Roberts feels that the Secretary is conveying to him that he is unwelcome  
2 and “going to hell” because he does not share the Secretary’s beliefs.

3           88. Mr. Roberts, who is an atheist, feels silenced at work by the Secretary’s religious  
4 messages and fears consequences for speaking about theology that does not align with the Secretary’s  
5 beliefs.

6           89. The Secretary’s proselytization also sends Mr. Roberts the demoralizing message that  
7 his commitment and contributions to public service are irrelevant because he is not Christian.

8           90. Plaintiff Roberts feels compelled to read communications from the Secretary because  
9 the Secretary is the head of the agency and the communications may contain important information  
10 about the agency’s reorganization or other issues relevant to his job.

11  
12                           ***Plaintiff Jennifer Wolfe***

13           91. Plaintiff Jennifer Wolfe feels that the Secretary’s proselytization is pressuring her to  
14 pretend that she is Christian if she wants to advance in her career at USDA.

15           92. The Secretary’s Easter Sermon conveys to her that she is un-American because she  
16 doesn’t pray to the “right” God—the Secretary’s God.

17           93. Having experienced religious trauma in her youth, Ms. Wolfe no longer subscribes to  
18 the Southern Baptist faith she was raised with and objects to her employer—the federal government—  
19 imposing Christianity on her.

20           94. As a Pagan, Ms. Wolfe reveres nature and recognizes multiple deities, but the  
21 Secretary’s religious messages make clear to Ms. Wolfe that she cannot be open about her religious  
22 beliefs at USDA, particularly to leadership.

23           95. As a member of the LGBTQ community, Ms. Wolfe has already been made to feel by  
24 the federal government that she does not belong; now, she feels she must hide another layer of  
25 herself—her religious identity and beliefs.  
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1 employer—being the federal government—would not engage in religious proselytization and would  
2 not promote one religion over others. Indeed, that was an important and motivating factor for her to  
3 take a job in public service.

4 104. This member does not feel safe to share her religious identity at work, to express her  
5 own views in her workplace, or to express opposition to the Secretary’s proselytizing messages. Were  
6 she to do so, she fears being subject to disfavor or being retaliated against by colleagues and  
7 supervisors.

8  
9 105. The Secretary’s email has forced her to hide her own beliefs and act as if she shares  
10 the Secretary’s faith.

11 106. Another NFFE member, an employee with the U.S. Forest Service based in Northern  
12 California, is Pagan and does not share the Secretary’s faith or the beliefs expressed in the Easter  
13 Sermon. Although she previously chose not to discuss her religious views at work, receiving the  
14 Easter email has made clear that sharing any view other than the specific Christian messaging  
15 conveyed by the Secretary would leave her ostracized in the workplace.

16  
17 107. She has understood Secretary Rollins’s emails to convey the official Christian beliefs  
18 of the entire agency. That was underscored for her by Secretary Rollins’s use of language like “we  
19 celebrate the greatest story ever told”; “God has granted *each of us* victory and new life”; “this Easter  
20 let *us too* be alive with hope, full of Paschal joy, and confident in the mission *each of us* has been  
21 called for” (emphases added).

22  
23 108. Receiving the Secretary’s proselytizing communications conveyed to this member that  
24 she is expected to accept Christian proselytizing in the workplace.

25 109. Another member, an employee of the U.S. Forest Service in Colorado, is not religious  
26 but her family background is Muslim.

27 110. The Secretary’s email has sent her the message that her own employer, a government  
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1 agency, does not care about people with religious beliefs that differ from the Secretary’s own. The  
2 Secretary’s proselytizing message has communicated to her that, as a nonreligious person, she does  
3 not belong, and that people who worship like her family members are not welcome—something she  
4 had never before felt at the U.S. Forest Service or USDA.

5  
6 **CLAIMS FOR RELIEF**

7 **Count I**

8 **Violation of the Establishment Clause of the First Amendment**  
9 **to the United States Constitution**

10 111. Plaintiffs repeat and reallege the allegations above as though fully set forth herein.

11 112. The Establishment Clause of the First Amendment of the United States Constitution  
12 provides: “Congress shall make no law respecting an establishment of religion.”

13 113. Secretary Rollins’s religious messages to all USDA employees, including the Easter  
14 Sermon, are unconstitutionally coercive because they exploit her authority as the head of the agency  
15 to proselytize and pressure the USDA workforce to believe in her brand of Christianity. The  
16 Secretary’s missives impose religious beliefs and practices on a captive audience of employees,  
17 thereby pressuring employees to succumb to proselytization, to subscribe to or to pretend they  
18 subscribe to Christianity, and/or to censor themselves in the workplace.

19 114. As the head of USDA, Secretary Rollins’s religious messages to all USDA employees,  
20 including the Easter Sermon, express a denominational preference in violation of the “clearest  
21 command of the Establishment Clause,” which is “that the government may not officially prefer one  
22 religious denomination over another.” *Cath. Charities Bureau*, 605 U.S. at 247 (citation modified).

23 115. Secretary Rollins’s religious sermons to all USDA employees, including the Easter  
24 Sermon, do not fit within and are not consistent with the historical tradition in America going back to  
25 the adoption of the First Amendment.  
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1 official email account to all USDA employees.

2 124. The policy is also one by which rights or obligations are determined, and from which  
3 legal consequences flow, because it subjects the Individual Plaintiffs and Union Plaintiff's members  
4 to unconstitutional religious coercion and proselytization.

5 125. An agency cannot depart from prior policies without acknowledging that it is making  
6 such a change and explaining its reasoning for doing so. *See FCC v. Fox Television Stations, Inc.*, 556  
7 U.S. 502, 515 (2009). Agencies must “examine the relevant data and articulate a satisfactory  
8 explanation” when altering or rescinding their rules. *Motor Vehicle Mfrs. Ass’n of the United States,*  
9 *Inc. v. State Farm Mut. Auto. Ins. Co.*, 463 U.S. 29, 43 (1983); *see also Fox*, 556 U.S. at 515. And  
10 they must specifically consider the reliance interests of those who may be impacted by a change in  
11 their policies. *DHS v. Regents of the Univ. of Cal.*, 591 U.S. 1, 30–31 (2020).

13 126. The Secretary’s religious-messaging policy departs without explanation from its  
14 previous policy of not sending proselytizing messages to USDA employees.

16 127. The policy also departs without explanation from USDA Secretary’s Memorandum  
17 1078-019, Guidance on Federally Protected Religious Expression and Accommodation Rights (Nov.  
18 20, 2025), which provides that USDA officials “[c]annot use official authority to pressure  
19 subordinates” regarding their religious beliefs and that they “[m]ust stop if a colleague asks [them] to  
20 stop.”

21 128. Defendants have failed to consider or explain the implications for existing reliance  
22 interests, including those of USDA civil servants who do not share the Secretary’s religious views.

24 129. The policy also fails to account for other legal requirements that are implicated by the  
25 policy change, namely, the Secretary’s obligation not to violate the Establishment Clause protections  
26 enjoyed by USDA employees.

27 130. The Court should declare the policy unlawful, vacate and set it aside, and enjoin  
28

1 Defendants from carrying out the policy.

2 **Count III**

3 **Violation of the Administrative Procedure Act—5 U.S.C. § 706(2)(B)**  
4 **Contrary to Constitutional Right**

5 131. Plaintiffs repeat and reallege the allegations above as though fully set forth herein.

6 132. Under the APA, a court shall “hold unlawful and set aside agency action . . . found to  
7 be . . . contrary to constitutional right.” 5 U.S.C. § 706(2)(B).

8 133. As set forth above, Secretary Rollins’s religious sermons to USDA employees are  
9 unconstitutionally coercive in violation of the Establishment Clause of the First Amendment.

10 134. Defendants’ policy violates the First Amendment and is therefore contrary to  
11 constitutional right under the APA.

12 135. The Court should declare the policy unlawful, vacate and set it aside, and enjoin  
13 Defendants from carrying out the policy.  
14

15 **REQUEST FOR RELIEF**

16  
17 Plaintiffs respectfully request that this Court:

- 18 1. Declare that Defendants’ policy and practice of communicating proselytizing Christian  
19 messages to USDA employees violates the Establishment Clause of the U.S.  
20 Constitution and the APA;
- 21 2. Enjoin Defendants from continuing to send or otherwise communicate proselytizing  
22 Christian messages to USDA employees;
- 23 3. Vacate and set aside the policy pursuant to 5 U.S.C. § 706;
- 24 4. Award reasonable attorneys’ fees and litigation costs pursuant to applicable law,  
25 including but not limited to the Equal Access to Justice Act, 28 U.S.C. § 2412; and
- 26 5. Award other relief as the Court may deem just and proper.  
27  
28

1 Dated: May 13, 2026

2 /s/ Bryan Schwartz

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*Attorneys for Plaintiffs*

# **Exhibit A**

**From:** [The Office of the Secretary - OSEC](#)  
**Subject:** Happy Easter!  
**Date:** Sunday, April 5, 2026 10:20:50 AM  
**Attachments:** [image003.png](#)

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### For All USDA Employees



Team USDA,

Happy Easter – He is Risen indeed!

Today we celebrate the greatest story ever told, the foundation of our faith, and the abiding hope of all mankind.

From the foot of the Cross on Good Friday to the stone rolled away from the now empty tomb, sin has been destroyed. Jesus has been raised from the dead. And God has granted each of us victory and new life. And where there is life — risen life—there is hope.

No matter the very real trials and hardships we face, fear and sin and death do not get the last word. Because on Easter morning, “Hell took a body, and discovered God. It took earth, and encountered Heaven. It took what it saw, and was overcome by what it did not see.” Now that is reason to rejoice!

And so like the very first disciples to encounter our risen Lord in the Upper Room almost two thousand years ago, this Easter let us too be alive with hope, full of Paschal joy, and confident in the mission each of us has been called for.

Please know how amazed and grateful I am for the hard work each of you do to support our shared mission here at USDA. I hope you and your loved ones have a truly blessed and happy Easter. May God continue to bless you, your families, and our exceptional country, One Nation, Under God.

Sincerely,



Brooke L. Rollins  
U.S. Secretary of Agriculture

