



FARM BUREAU[®]
POLICIES
FOR
2009

Resolutions on National Issues Adopted
by Elected Voting Delegates of
the Member State Farm Bureaus
to the 90th Annual Meeting of the
American Farm Bureau Federation[®]

San Antonio, Texas
January 2009

From the President

This book contains the philosophies and beliefs of America's farm and ranch families. The 2009 policy book was written by thousands of families throughout the nation, as they considered ways to improve their incomes and their lifestyles.

This book, which addresses national and international concerns, will serve to direct the actions of the American Farm Bureau Federation, the nation's largest, most influential farm organization. Every one of the more than 2,800 county Farm Bureaus has member-written and approved policies to guide their local agenda. Similarly, Farm Bureaus in every state and Puerto Rico have policies to direct their actions.

Farm Bureau's member-controlled, grassroots policy development process is a point of pride, a true example of democracy in action. There is the give-and-take of spirited debate, followed by voter approval and acceptance of majority rule. On January 13 in San Antonio, Texas, 369 delegates deliberated and approved the policies contained in this book.

In 1919, farmers formed the American Farm Bureau Federation so they could work together, speak in a unified voice and, as a group, achieve what individuals could not. That bold experiment of 90 years ago continues today, giving farm and ranch families the opportunity to work together to attain their goals.

Bob Stallman, President

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Purpose of Farm Bureau

1 Farm Bureau is an independent, non-governmental, voluntary
2 organization governed by and representing farm and ranch families
3 united for the purpose of analyzing their problems and formulating
4 action to achieve educational improvement, economic opportunity
5 and social advancement and, thereby, to promote the national
6 well-being. Farm Bureau is local, county, state, national and
7 international in its scope and influence and is non-partisan,
8 non-sectarian and non-secret in character. Farm Bureau is the voice
9 of agricultural producers at all levels.

10 *Farm Bureau Beliefs*

11 America's unparalleled progress is based on freedom and dignity of
12 the individual, sustained by basic moral and religious concepts.

13 Economic progress, cultural advancement, ethical and religious
14 principles flourish best where people are free, responsible individuals.

15 Individual freedom and opportunity must not be sacrificed in a
16 quest for guaranteed "security."

17 We believe in government by legislative and constitutional law,
18 impartially administered, without special privilege.

19 We believe in the representative form of government—a
20 republic—as provided in our Constitution, in limitations on
21 government power, in maintenance of equal opportunity, in the right
22 of each individual to freedom of worship and in freedom of speech,
23 press and peaceful assembly.

24 We believe that the basic principles of Americanism—with
25 emphasis upon freedom, dignity and the responsibility of the
26 individual, and our private competitive enterprise system—should be
27 taught in the schools.

28 Individuals have a moral responsibility to help preserve freedom
29 for future generations by participating in public affairs and by
30 helping to elect candidates who share their fundamental beliefs and
31 principles.

32 People have the right and the responsibility to speak for
33 themselves individually or through organizations of their choice
34 without coercion or government intervention.

35 Property rights are among the human rights essential to the
36 preservation of individual freedom.

37 We believe in the right of every person to choose an occupation;
38 to be rewarded according to his/her contribution to society; to save,
39 invest or spend; and to convey his/her property to heirs. Each
40 person has the responsibility to meet financial obligations incurred.

41 We believe that legislation and regulations favorable to all sectors
42 of agriculture should be aggressively developed in cooperation with
43 allied groups possessing common goals.

44 We support the right of private organizations to require
45 membership as a prerequisite for member services.

**SECTION 1 - RURAL LIVING /
LABOR / TRANSPORTATION**

GOVERNMENT

Civil Rights

101

1 We strongly oppose discrimination against persons on the basis of
2 sex, race, religion, national origin or handicapped status.
3 We further oppose:
4 (1) Minority business funding quotas;
5 (2) The use of federal funds by any institution or agency that
6 discriminates on the basis of any of the factors set forth above;
7 (3) Expansion of remedies available under present civil rights laws
8 to include compensatory, punitive damages and attorneys' fees;
9 (4) Legislation, or regulation, that directly or indirectly results in
10 implementing hiring quotas as a defense against allegations of
11 discriminatory hiring practices; and
12 (5) Any program which tends to separate, isolate, segregate, or
13 divide the people of our country under the guise of emphasizing
14 ethnic diversity.
15 We support amending 42 USC Section 1988 of the United States
16 Code to stop the funding of attorney fees in civil rights cases with
17 taxpayer dollars for special interest groups.

The Constitution

102

1 Stable and honest government with prescribed and limited powers is
2 essential to freedom and progress.
3 The U.S. Constitution is well-designed to secure individual liberty
4 by a division of authority among the legislative, executive and
5 judicial branches and the diffusion of government powers through
6 retention by the states and the people of those powers not
7 specifically delegated to the federal government.
8 The Constitution is the basic law of the land and changes in long-
9 established interpretations should be made only through
10 constitutional amendments.
11 We reaffirm that the Constitution supersedes any and all treaties
12 with foreign nations.
13 We fully expect elected and appointed officials to fulfill their
14 promise to uphold and defend the Constitution.
15 We demand the federal government, as our agent, to cease and
16 desist, effective immediately, mandates that are beyond the scope of
17 its constitutionally delegated powers.
18 We support:
19 (1) Educational activities to teach the history of and the
20 importance of the Constitution;
21 (2) A third mechanism to amend the Constitution that allows
22 states to initiate a constitutional amendment. When 34 states have
23 adopted an identical proposed amendment, Congress will adopt the
24 proposed amendment as a congressional proposal, return it to the 50
25 states, requiring ratification by three-fourths of the states;
26 (3) English be established by law as the official language of the
27 United States;
28 (4) Our constitutional right as individuals to own and to bear arms;

29 (5) Each state's efforts to claim sovereignty over all powers not
30 otherwise enumerated and granted to the federal government under
31 the 10th Amendment to the Constitution; and
32 (6) A constitutional amendment to allow voluntary prayer in all
33 "walks of life," particularly in our schools, sporting events and
34 governing bodies at the local, state and federal levels.
35 We oppose:
36 (1) Amending the Constitution to change the current eligibility
37 requirements to become President of the United States;
38 (2) The centralization of power and responsibility in the federal
39 government because it violates the Constitution;
40 (3) A constitutional convention;
41 (4) Encroachment on the constitutional prerogatives of each
42 branch of the federal government by the other branches;
43 (5) Statehood for Washington, D.C.;
44 (6) Any proposal to establish a national identification card that
45 would be used for any purpose affecting U.S. citizens; and
46 (7) Government censorship of free speech, such as the Fairness
47 Doctrine.

Elections

103

1 The federal government should not be involved directly in the
2 elective process in any way, but should recommend certain uniform
3 guidelines to the states to assure fair and proper elections.
4 We support:
5 (1) A national effort to require registered voters to show photo
6 identification when reporting to the polling place to receive a ballot;
7 (2) Voters being required to register in person a minimum of 30
8 days prior to the election;
9 (3) Proof of citizenship being a prerequisite for voter registration;
10 (4) Voter registration being recorded rapidly to reduce duplicate
11 registrations;
12 (5) Repeal of laws mandating use of multilingual ballots in public
13 elections because a common language is essential to a unified
14 country;
15 (6) Retention of the Electoral College for presidential elections
16 and electors being required to vote for the candidates to which they
17 were pledged;
18 (7) The use of leadership PACS under federal election law; and
19 (8) Changing the present election laws to limit compulsory union
20 dues or any other compulsory mechanism, from being used in any
21 way to influence federal or state elections.
22 We oppose:
23 (1) Proposals to make the popular vote the sole determinant of
24 presidential elections;
25 (2) Changes that restrict or curtail the right of an individual
26 citizen, or any group of citizens, the right to express themselves as
27 guaranteed by the First Amendment;
28 (3) The use of public funds and franking privileges in the financing
29 of political campaigns;
30 (4) Government support, grants or other funding of organizations
31 for political activity;
32 (5) The use of the Internet for voting in any local, state, or federal
33 election; and

34 (6) The news media reporting election results and exit poll results
35 prior to the closing of all polling places.

Executive Branch

104

1 We recommend that the executive branch:
2 (1) Exercise restraint in seeking broad, discretionary powers from
3 Congress;
4 (2) Avoid interpreting laws beyond the scope affirmatively spelled
5 out by Congress;
6 (3) Refrain from issuing executive orders which exceed
7 constitutional and statutory guidelines and withdraw any orders which
8 exceed such guidelines; and
9 (4) Be prohibited from binding the United States to future
10 international conventions or treaties that do not undergo the same
11 risk/benefit analysis required of U.S. laws and regulations.

Freedom of Information

105

1 The Freedom of Information Act (FOIA) is a valuable tool for the
2 collection of information from state and federal agencies. We
3 support continued vigilance in protecting the public's right to access
4 to government and other public records. State and federal agencies
5 should respond within 120 days or less to all requests for information
6 to allow greater public scrutiny of their decisions. The lack of
7 effective response to a FOIA request shall serve to extend other
8 administrative deadlines.
9 We oppose the disclosure of personal information by an
10 organization about individuals. The release of any information
11 should only be allowed by specific written authorization of the
12 individual, or any private business entity.
13 Any personal information provided to any government agency
14 should be required to stay within that agency. Any agency responding
15 to a FOIA or interagency request should be required to comply with
16 current law and not release personal, private or confidential business
17 information without the consent of the person who submitted the
18 information.

Judicial Branch

106

1 We believe in an independent judiciary, impartial administration of
2 law without special privilege and government by law rather than by
3 people.
4 The judicial function should be performed by the judicial branch
5 and not by executive agencies.
6 We support:
7 (1) Judges interpreting laws as legislative bodies intended and
8 discourage legislating from the bench;
9 (2) Appointees to the Supreme Court being selected from those
10 best qualified with a minimum of 10 years experience in a state
11 supreme court or a federal court;
12 (3) The rights of the victim being at least equal to those of the
13 accused or convicted;
14 (4) That the legislative or judicial process stop judges from
15 releasing criminals on technicalities when the substantial facts of the

16 case have caused the jury to render a guilty verdict; and
17 (5) The division of the 9th Circuit Court of Appeals to add a 12th
18 Circuit Court of Appeals, which includes Arizona, Idaho, Nevada and
19 Utah.
20 We oppose:
21 (1) Courts overlooking the rights of the victim in an overzealous
22 effort to protect the accused or convicted;
23 (2) Any configuration of a court district combining Nevada and
24 California; and
25 (3) Lifetime appointment of judges.

Legislative Branch

107

1 Congress must assume the responsibility to preserve our federal
2 system by reversing the trend toward centralization of authority in
3 the executive and judicial branches.
4 Congress, government agencies and their employees should be
5 subject to the same laws as are the people of the United States.
6 We call upon Congress to amend existing laws which govern the
7 power and authority of regulatory agencies to provide that in every
8 instance a person accused of a violation shall be deemed innocent
9 until proven guilty and urge that all future laws follow this principle.
10 We urge Congress to:
11 (1) Insist that the federal budget be enacted on an annual basis;
12 (2) Avoid delegation of broad, discretionary powers to the
13 executive branch and its regulatory agencies;
14 (3) Enact corrective or conforming legislation where the Supreme
15 Court or Appellate Courts have invaded the legislative area;
16 (4) Place less emphasis on passing new laws that further restrict
17 the freedom of Americans and, instead, give greater emphasis to its
18 oversight responsibility so that the original intent of Congress will be
19 better implemented by the administrative agencies; and
20 (5) Enforce a code of ethics clearly delineating the conduct and
21 activities that should be expected of its members.
22 We support:
23 (1) Each tax increase being voted on by a roll call vote;
24 (2) Regulations promulgated as a result of congressional action
25 being reviewed by the congressional committee of jurisdiction prior
26 to implementation to ensure that the legislative intent is being
27 followed; and
28 (3) The Senate confirming or denying, within 90 days, the
29 President's judicial nominations.
30 We oppose:
31 (1) Automatic tax increases;
32 (2) Public officials leaving office from taking employment with
33 those they formerly regulated for a period of two years; and
34 (3) Open-ended land purchase authorization that would allow
35 federal agencies to purchase additional land without Congressional
36 approval.

Patriotism

108

1 We support:
2 (1) Our armed forces defending our freedom;
3 (2) Teaching the flag code in the schools and practicing it when

- 4 displaying the American Flag;
5 (3) Regular recitation and explanation of the Pledge of Allegiance
6 using the English language; and
7 (4) Keeping "The Star-Spangled Banner," in English, as our U.S.
8 national anthem.
9 We oppose the desecration of the American flag.

**Qualifications and Compensation for Congress and
Federal Officials**

109

- 1 We believe that compensation and benefit packages for federal
2 officials must be commensurate with the high level of competence
3 and dedication required to properly manage the federal government.
4 We support:
5 (1) Pay and pension legislation being voted on as a separate issue
6 and not be tied to unrelated legislation;
7 (2) Pension benefits of elected officials or former elected officials
8 who have been convicted of a felony being denied;
9 (3) We recommend Congress establishing a limit on government-
10 funded expenses for former presidents and/or their spouses; and
11 (4) Termination of tax dollar support for maintenance of
12 presidential libraries and they be maintained by private donation.

Regulatory Review and Reform

110

- 1 We believe the purpose of federal regulation should be limited. We
2 support the immediate review and revision of existing federal
3 regulations to limit promulgation only to rules that are essential to
4 the protection of human health and public safety.
5 We support development of an annual comprehensive report to
6 the American people, which should provide a thorough evaluation of
7 the following:
8 (1) The total cost and impacts of regulatory burden on the private
9 sector economy;
10 (2) The effectiveness of the reduction in risk/threat demonstrated
11 by regulatory implementation; and
12 (3) Non-regulatory options that may be effective alternatives to
13 reduce targeted risk/threat at a lower cost to the private sector.
14 When a court finds that a federal agency is in violation of the law,
15 the landowner that is in compliance with the agency rules should not
16 be held liable for the agency's error. Landowners should be able to
17 continue under the existing rules until the matter is settled and new
18 rules are properly adopted.
19 When publishing proposed federal rules, regulatory changes or
20 significant actions, publication of the action in the Federal Register
21 often does not provide adequate notice to all stakeholders. We
22 believe that federal agencies should also provide notice of proposed
23 federal rules, regulatory changes or other significant actions directly
24 to targeted stakeholders, stakeholder communities as well as
25 organizations representing affected parties.
26 We support immediate simplification, improvement, streamlining
27 of, as well as a comprehensive congressional review of the National
28 Environmental Policy Act (NEPA). Such improvements should
29 include requiring the following of federal agencies:
30 (1) Consideration of economic impacts to areas directly affected

31 by regulations;

32 (2) Consideration of the cumulative impacts of all regulations
33 proposed; and

34 (3) Compliance by Native American tribes with NEPA, regardless
35 whether the land is held in trust status by the Bureau of Indian
36 Affairs.

37 We believe that all federal regulations should be required to follow
38 important policy principles including:

39 (1) Recognition that property rights are the foundation for
40 resource production and must be protected;

41 (2) A basis on sound scientific data replicated and peer reviewed;

42 (3) Risk assessment analysis should be conducted prior to final
43 action;

44 (4) Estimate the costs and benefits associated with public and
45 private sector compliance action must be conducted prior final
46 action;

47 (5) Actions must allow for flexibility to suit varying local
48 conditions;

49 (6) Actions should be subject to independent analysis and public
50 scrutiny;

51 (7) Alternatives to the action must be thoroughly and publicly
52 considered, especially the market-based incentives;

53 (8) Actions must properly acknowledge and provide for the reality,
54 practicality and limitations of doing business in the affected sector;

55 (9) Presumption of innocence as opposed to the current
56 presumption of guilt should be strengthened;

57 (10) Measuring the cumulative impact of federal actions affecting
58 production agriculture prior to the implementation of any federal
59 actions impacting agriculture;

60 (11) Limiting the ability to intervene in regulatory actions to only
61 those parties that can demonstrate they are directly affected by the
62 alleged violation; and

63 (12) Limiting the ability for third parties to utilize federal or state
64 funds for legal assistance to file lawsuits against county, state or
65 federal governments.

66 Congress should set specific guidelines and restraints on federal
67 agencies charged with implementing and enforcing federal law.

68 We believe that Congress should provide for strong congressional
69 oversight of regulatory and significant agency actions as well as a
70 willingness to override unacceptable agency actions. Further, we
71 support more vigorous congressional scrutiny of agencies to prohibit
72 regulatory agencies from administering laws, to deter adoption of
73 agency rules and actions that circumvent statutory intent. Specific
74 efforts should be made to oversee and to reform the inspection and
75 rule-making authority of the Occupational Safety and Health
76 Administration (OSHA) and Environmental Protection Agency
77 (EPA).

78 We support meaningful stakeholder representation by affected
79 sectors on regulatory boards and commissions as well as a willingness
80 to override unacceptable agency actions. We believe that
81 environmental impact statements (EIS) are often extreme and
82 unusually burdensome on the private sector. EIS findings and
83 requirements should be balanced with a cost benefit analysis of
84 proposed regulations or agency actions.

85 We support application of the Department of Defense ethics and

86 conflict of interest policies to all federal regulatory agencies.
87 We oppose the establishment and/or operation of any political
88 advocacy group by federal regulatory agencies.
89 Federal agencies should work with the regulated community to
90 correct problems through improved education and compliance
91 assistance, rather than fines, penalties and prosecution.
92 We believe that all Congressional or federal actions creating new
93 administrative agencies or giving new responsibilities to existing
94 agencies should include specific termination dates. Further, we
95 believe that all federal regulations should have sunset provisions.
96 We believe that zero-base budgeting should apply to federal
97 agencies as a method of regulatory reform and fiscal responsibility.
98 We support the policy that the comment period for federal rules
99 and significant actions be no less than 60 days.
100 We believe that federal agencies should be required to give advance
101 notice not less than 30 days prior to any field hearing or
102 informational meeting.
103 For purchases of less than \$2,500, we support federal agencies'
104 ability to purchase "off-the-shelf" supplies.
105 We support government inspection and enforcement activities
106 being paid for by general revenue funds. Fines imposed by federal
107 agencies should be credited to the general fund and not be used to
108 further fund that agency.
109 If inspections are warranted, to the extent possible, we believe
110 federal agencies should schedule and conduct inspections of farms and
111 processing facilities in advance of the growing, harvesting and
112 processing seasons.
113 We believe that agency orders demanding corrective action should
114 allow reasonable time for compliance. At the time of an inspection,
115 the inspector should be required to leave a signed, dated copy of his
116 report with the owner, or operator, of the inspected facility.
117 We support passage of laws that specifically define and prohibit
118 the harassment of citizens by federal, state, county or municipal
119 employees.
120 We oppose any consumer agency or council having any federal
121 authority other than advisory powers.
122 We support revising the Natural Gas Act of 1937 to provide for
123 the Federal Energy Regulatory Commission being supported by
124 general revenue funds rather than pipeline fees.
125 We support the Surface Transportation Board's role in overseeing
126 pipeline rates.

School and Government Food Purchasing Programs

111

1 School food programs have helped to establish proper dietary
2 habits among young people. We recommend that the school meals
3 program be improved.
4 We urge that school meals be balanced to provide no less than
5 one-third of the recommended daily dietary allowances.
6 We oppose USDA's reduction of the minimum requirement for red
7 meat in the school food program. We oppose the inclusion of
8 carbonated soft drinks in the federally funded school lunch program.
9 We encourage the use of nutritional beverages such as milk,
10 vegetable and fruit juices. We support increased use of dairy products
11 and increasing the selection of food products derived from U.S.

12 agriculture. We support expanded implementation and encourage use
13 of more local products in the school food program. Schools should
14 continue to provide a minimum of eight ounces of milk per each
15 school meal. We commend those school systems which have added
16 fruit and salad bars to their menu choices and encourage other school
17 systems to do so. We oppose any attempt by USDA to substitute
18 yogurt in place of red meat in the school lunch program. We support
19 tried and proven menus for school lunches containing fruits,
20 vegetables, bread, meats and milk.

21 We urge the Fresh Fruit and Vegetable Pilot Program be expanded
22 to all schools throughout the United States.

23 We support the donation of agricultural commodities to schools
24 participating in the national school food program and oppose any
25 efforts to change to cash or letters of credit in lieu of U.S.-produced
26 commodities.

27 We continue to encourage the use of U.S.-produced agricultural
28 commodities and products in school food & nutritional programs and
29 the P.L. 480 export program.

30 In the interest of promoting worldwide health and welfare, we
31 support full funding for the current pilot program for an
32 international school lunch program using American-produced
33 products.

34 We support the placement of vending machines that serve
35 domestic agriculture products in schools.

States' Rights

112

1 We support the protection and defense of state rights, and state
2 sovereignty over all powers not otherwise enumerated and granted to
3 the federal government under the 10th Amendment to the
4 Constitution. The federal government must respect state laws and
5 state agencies.

6 Public functions should be performed by the qualified unit of
7 government closest to the people without coercion by administrative
8 agencies of higher units of governments.

9 All lands within the boundaries of a state, excluding land designated
10 as military reserve, shall be subject to the laws and jurisdiction of the
11 state.

12 We oppose federal legislation which mandates programs unless
13 federal funding for such programs is provided on a continuing basis
14 through existing state and local agencies.

15 We ask that the county commissioners from each county formally
16 request in writing that the federal government and state agencies
17 direct their employees to consult with the county government prior
18 to implementing any laws, statutes, or U.S. codes which would affect
19 the economy, customs and culture of their county.

INFRASTRUCTURE

Highways

125

1 The Federal Highway Trust Fund should be maintained as now
2 constituted and no diversion of these highway funds to
3 nonhighway-related purposes should be permitted. We support

4 maintaining the separation of the Federal Highway Trust Fund from
5 the unified federal budget.

6 We favor elimination of the federal highway use tax on farm
7 trucks. Until such action is taken, we will support legislation raising
8 the exemption for trucks from the federal highway use tax from
9 7,500 to 15,000 miles.

10 We urge that harvest-season permits allowing maximum weight
11 limits of 100,000 pounds apply to federal highways except where
12 additional axles are permitted.

13 We recommend that all farm vehicles be exempt from
14 requirements to use taxable (undyed) diesel fuel. This should include
15 farm trucks exempt from state vehicle registration or registered but
16 operating within a 50-mile radius of the farm or farm business. We
17 recommend that federal and state revenue agents checking for fuel
18 tax compliance be required to obtain owner permission or search
19 warrants to enter private property, and that all surprise inspections
20 be conducted in the public domain.

21 We support allowing exempt truckers to transport regulated freight
22 (including some farm supply inputs) on return hauls without
23 regulation by the Department of Transportation (DOT). The
24 exempt trucking industry serves agriculture well and must be allowed
25 to save fuel and avoid needless trip-leasing. We oppose special
26 federal legislation to circumvent this process.

27 We urge the federal DOT to allow axle weight tolerances for the
28 transport of farm products on interstate highways in states where the
29 tolerances are permitted on state roads.

30 We recommend that farmers and custom harvesters be exempt
31 from obtaining a commercial driver's license when transporting
32 agricultural commodities, production inputs and harvesting
33 equipment between farms and markets. Farm operators who meet the
34 current exempt motor carrier definition found in 49 CFR 390.5
35 relating to agricultural activity should be exempt from Federal Motor
36 Carrier regulations including mileage limitations when conducting
37 normal agricultural operations even when state boundaries are
38 crossed.

39 We believe any registered or licensed farm vehicle should be
40 exempt from the daily post trip inspection reports and on-farm
41 inspections.

42 Load securement regulations should be based on the best available
43 science to safely transport that particular load.

44 Trucks and drivers from Canada and Mexico operating in the
45 United States should comply with all standards and regulations
46 required of U.S. trucks and drivers.

47 We support:

48 (1) The effort to identify the most significant issues now facing
49 local roads and bridges and urge that recommendations be developed
50 to deal with these concerns;

51 (2) Legislation with continued emphasis on the development of
52 secondary, farm-to-market roads and adequate funding for roads and
53 maintenance of bridges;

54 (3) Allowing more flexibility in the use of federal highway
55 construction funds at the state level for the purpose of maintaining
56 primary and secondary roads;

57 (4) Funding for the so-called 4-R Act (resurfacing, rehabilitation,
58 repair and reconstruction) dealing with interstate highways as many

59 have passed their designed life span;
60 (5) Legislative mandates which specifically require shippers to load
61 and receivers to unload unregulated trucks;
62 (6) An amendment to the federal highway program to give the
63 preservation of prime farmland the same standing as the
64 preservation of parkland, wildlife preserves and similar lands;
65 (7) Efforts to bring about greater uniformity and reciprocity
66 among states on truck regulations;
67 (8) The provisions of the Highway Beautification Act of 1965
68 that permit, within reasonable guidelines, the leasing of billboard
69 space for advertising purposes and oppose legislation or regulations
70 which would deny this right. We believe the act should be amended to
71 support the Farmer-to-Consumer Direct Marketing Act of 1976 by
72 allowing farmers to use roadside signs to advertise their farm markets
73 or U-Pick operations, which sell direct to consumers;
74 (9) A comprehensive highway safety program to reduce traffic
75 fatalities, injuries and the destruction of property;
76 (10) The uniform interpretation and application of the Federal
77 Motor Carrier Safety Regulations by enforcement agencies; and
78 (11) The relaxation of environmental impact regulations affecting
79 the construction of federal, state and county roads and bridges.
80 We oppose:
81 (1) The use of the current dyes used in diesel fuel because of
82 performance problems they create with farm equipment;
83 (2) The enactment of state legislation or regulations that are more
84 stringent than federal requirements governing hauling of nonfood
85 items in trucks used to transport food products;
86 (3) Toll road construction where federal funds and lands are
87 involved;
88 (4) Increasing highway fuel taxes for deficit reduction purposes;
89 (5) Action by Congress or the DOT to impose sanctions or to
90 withhold user taxes or any other federal funds from any state in an
91 attempt to force or coerce states to enact particular laws;
92 (6) Any national legislation to remove safe, older vehicles from
93 highways as a means to reduce energy use;
94 (7) Implementation or enforcement of any regulation further
95 limiting the driver's hours of operation or the hours a truck can be
96 utilized on the nation's highways; and
97 (8) The diversion of highways and utility lines from public lands.

Maritime Transportation

126

1 There should be no restrictions as to the quantities or vessels on
2 which a commodity is shipped between U.S. ports, therefore, we urge
3 repeal of the Jones Act. Since cargo preference requirements make
4 U.S. farm exports less competitive in world markets, we oppose
5 legislation or decisions to extend cargo preference to any U.S. farm
6 exports.
7 Until the Jones Act is repealed, we support exempting bulk
8 agricultural commodities from the Jones Act to make shipping of
9 agricultural commodities within the United States and its territories
10 more competitive.
11 We believe the subsidy for the U.S. Merchant Marine should come
12 out of the Department of Defense budget, rather than in the form of
13 increased freight rates for grain hauled under P.L. 480.

14 We support improved infrastructure at U.S. ports to better
15 facilitate the loading of all sizes of ships.

Railroads

127

1 We encourage the railroads to accommodate country elevators by
2 not requiring overly restrictive minimums for track length, car
3 numbers, and loading times. These practices should not result in
4 restricting farmers' access to markets.

5 The rail industry should take responsibility for protecting areas
6 impacted by rail traffic, by implementing and maintaining fire
7 guards, maintaining private grade crossings, and building and
8 maintaining sufficient fences for the livestock pertinent to the area,
9 to keep the livestock off the rights of way along rail lines.

10 We believe that all railroad cars should be equipped with sufficient
11 iridescent material in patterns so that they will reflect the lights of a
12 motor vehicle at grade crossings. This requirement should apply to
13 all new cars when placed in service and to all existing cars when
14 returned to service after maintenance. All railroad locomotives
15 should be equipped with fire and spark arresters and heat warning
16 devices on railroad car wheel bearings operating in the U.S.

17 We believe that railroad rights of way should be maintained so long
18 as the railroad continues to own the rights of way.

19 We believe that railroad mergers have resulted in fewer carriers and
20 reduced service for agriculture forcing increased reliance on other less
21 efficient and more costly forms of transportation. We support
22 additional oversight of the railroad industry, including any future
23 plans for consolidation. Before any railroad mergers are approved, an
24 operation plan must be developed and agreed upon to ensure
25 competitive service for agriculture. In addition, we believe the
26 federal government and Congress should review the current situation
27 and implement reforms that recognize the needs of U.S. agriculture.

28 We support:

29 (1) Expansion and improvement of the railroad system to reduce
30 fuel consumption, to lessen road maintenance and to lower the cost
31 of shipping agricultural products and supplies;

32 (2) Promoting competition in the rail industry;

33 (3) Open access rules where there is a lack of competition;

34 (4) Elimination of monopoly pricing that affects captive shippers,
35 including the removal of "paper" and "steel" barriers;

36 (5) Giving greater rate-making flexibility to rail carriers to permit
37 more competitive operations; but sufficient regulatory authority
38 must be retained to protect captive shippers against monopoly
39 pricing;

40 (6) Elimination of discriminatory railroad rates between
41 geographic areas of the country. We ask that rates be based on
42 weight, volume and distance on a uniform basis for all regions;

43 (7) Carriers not being permitted to easily abandon existing branch
44 lines that serve agricultural producers;

45 (8) Decreasing the time between the Surface Transportation Board
46 (STB) declaring a railroad abandoned and a property owner's right to
47 regain ownership of his property;

48 (9) Facilitating the sale of branch lines which otherwise might be
49 abandoned;

50 (10) Providing that in the case of abandonments or non-railroad

51 use, the current owner of the tract of land from which the railroad
52 right-of-way was obtained be given the right of first refusal, including
53 mineral rights, on the basis of the fair market value of comparable
54 property. If the current owner fails to exercise such option, other
55 owners adjacent to the right-of-way will be offered the next right of
56 first refusal;

57 (11) Refinements of the Staggers Rail Act to provide reasonable
58 joint rates and switching rules in order to promote the most efficient
59 movement of commodities among different rail service areas;

60 (12) Congress repealing the Federal Employer's Liability Act and
61 require all railroad workers to be covered by worker's compensation;

62 (13) Expansion and upgrade of existing shortline and regional
63 railroads to provide better service options for farm shippers;

64 (14) We support the rail line improvements and expansions
65 proposed by the Dakota, Minnesota and Eastern (DM&E) railroad
66 on the existing corridor to ensure increased options in the movement
67 of agricultural commodities;

68 (15) Legislation requiring full disclosure of the railroad grain
69 transportation bidding process to the individuals who participate in
70 the process after all bids have been made and rail cars have been
71 allocated;

72 (16) A provision that will allow the Surface Transportation Board,
73 on petition of a state, to declare all or part of a state to be an area of
74 inadequate rail competition, with special rail customer remedies that
75 would apply in such areas; and

76 (17) Legislation to exempt private, farm railroad crossings, used
77 for the purposes of agricultural production, from user fees,
78 maintenance charges and liability insurance requirements.

79 We oppose:

80 (1) The concept of nationalization as the answer to the railroad
81 problem;

82 (2) The diversion of railroad earnings to holding companies or
83 non-railroad businesses at the expense of a viable railroad;

84 (3) Parallel mergers of rail systems and the granting of railroad
85 abandonments which tend to lessen potential transportation
86 competition; and

87 (4) The merger of railroad companies with barge companies.

88 We support high-speed rail projects in the United States only if:

89 (1) Due consideration has been given to all developing rail
90 technologies and industries;

91 (2) The proposed rail system is capable of using or locating on
92 existing highway or railroad rights of way;

93 (3) The proposed rail system will serve both rural and
94 metropolitan counties along its route;

95 (4) Access across such routes is maintained for vehicular traffic;
96 High-speed rail must be self-supporting with no federal, state or local
97 funds of any kind or tax incentives; and

98 (5) If the criteria are not met, we oppose high-speed rail.

Transportation Policy

128

1 We support the development of a sound, long-range national
2 transportation policy encompassing all modes of transportation to
3 guide the development of the most economical and energy-efficient
4 methods of meeting the transportation needs of the future and to

5 provide greater equity between modes in regulation, competition and
6 government assistance. We favor encouragement of intermodal
7 transportation.

8 We support the maintenance and improvement of our
9 transportation infrastructure, including:

- 10 (1) The lock and dam system and waterways;
- 11 (2) Rural highways;
- 12 (3) Railroad systems;
- 13 (4) Farm-to-market roads; and
- 14 (5) Pipelines.

15 We should work with other interested groups to aggressively pursue
16 actions in Congress and appropriate federal and state agencies to
17 ensure that we have an efficient and competitive transportation
18 system through which we can effectively move agricultural products.

19 We strongly urge the Department of Transportation (DOT) to
20 subject all foreign truck drivers and their trucks to the same safety
21 rules and regulations as domestic drivers and their trucks.

22 We support the exemption held by states for transportation of
23 hazardous materials by farmers and ranchers.

24 The federal government should stop making policy on the
25 assessment and taxation of transportation property or any other
26 property. This is a state and local matter and should remain at that
27 level. We urge repeal of that portion of the so-called 4-R Act
28 pertaining to assessment and taxation of rail properties.

29 The role of USDA in transportation and food distribution should be
30 redefined and strengthened to monitor the agricultural transportation
31 situation and provide educational assistance to independent,
32 owner-operator truckers.

33 Agricultural transportation should be considered intrastate
34 commerce when the following criteria are present:

- 35 (1) The vehicle is not-for-hire;
- 36 (2) Transportation is from field to market or to an on-farm
37 storage facility with subsequent transport to market; and
- 38 (3) Transportation is provided by a producer or custom harvester.

39 We support modifying regulations concerning farm-licensed trucks
40 to facilitate the transportation of farm produce and supplies across
41 state lines, including the DOT and Interstate Fuel Tax Agreement
42 required regulations. Where technical differences exist between
43 federal and state laws and regulations, we support legislation making
44 state laws the governing authority, where state standards are less
45 stringent than federal.

46 We support making federal regulations for obtaining a medical card
47 uniform with those for obtaining a commercial driver's license
48 (CDL).

49 We oppose mandatory CDL for producers and their employees to
50 transport fuel, chemicals, fertilizer and farm commodities.

51 We support removing the restrictions on the distance a vehicle
52 can travel under existing farm tag exemptions without a CDL.

53 We support limiting the need for bi-annual DOT driver physicals
54 to only those drivers required to have a CDL.

55 We oppose lowering of federal weight and length limits.

56 We oppose action by Congress or the DOT to impose sanctions or
57 to withhold user taxes or any other federal funds from any state in an
58 attempt to force or coerce states to enact particular laws. Ten
59 percent of all federal highway use funds are spent for off-road

60 enhancement. We support the repeal of Title 23, Section 133(d) (2)
61 of the U.S. Code.

62 We favor flexibility for states to determine the distribution of
63 federal highway monies among highway projects.

64 We oppose legislation that would mandate excessive increases in
65 Corporate Average Fuel Economy Standards (CAFE) for new cars,
66 pickup trucks and vans.

67 We oppose the adoption of vehicle emission standards or the
68 regulation of the carbon intensity of transportation fuels if they
69 have a long-term, negative impact on the production and use of
70 renewable fuels or an adverse economic impact on agriculture.

71 We oppose any changes in the CAFE standards that reduce the
72 availability and increase the cost of trucks. We are opposed to using
73 the metric system in our public highway mileage signs.

74 We oppose further action to change fuel standards or tax
75 provisions on fuel at the expense of equipment performance;
76 however, we support the improvement and enforcement of expanded
77 fuel quality and performance standards.

78 We oppose any mandate by the Environmental Protection Agency
79 (EPA) that restricts fuel economy standards for small trucks to the
80 same level as automobiles.

81 We oppose emission controls on farm vehicles that are used
82 primarily on the farm.

83 We recommend that the manufacturers of diesel engines list their
84 requirements of lubricity for low sulfur diesel fuels and that
85 manufacturers of low sulfur diesel add a lubricity package that
86 exceeds these requirements.

87 We support states' retention of authority to regulate the intrastate
88 hauling of hazardous material and oppose federal preemption of the
89 same. The regulations should account for the special needs of
90 agriculture and their potential cost to farmers.

91 We support federal legislation to exempt low mileage trucks
92 (15,000 miles per year for agricultural purposes and 5,000 miles per
93 year for all others) from mandatory post-trip inspection reports and
94 to change the applicability of the post-trip inspection to only those
95 carriers operating six or more commercial motor vehicles.

96 We support allowing farm trucks that are mandated to have annual
97 inspections to be allowed bi-annual inspections if driven less than
98 7,500 miles per year.

99 We oppose DOT implementing regulations placing restrictions on
100 any food product being distributed on common carriers such as
101 airlines without solid scientific evidence that such restrictions are
102 necessary to prevent a significant risk to the public at large.

103 The English language certification for a foreign pilot operating a
104 commercial aircraft in the United States should be improved and
105 strengthened.

106 We support actions by the Department of Homeland Security that
107 ensure agriculture's ability to produce food and fiber.

108 We support regulatory changes to allow "Farm Vehicle Drivers," as
109 defined in the Federal Motor Carrier Safety Regulations, to be
110 exempt from the driver qualifications when transporting materials
111 that require marking and placarding, and from the hours-of-service
112 requirements. We will support legislation to exempt part-time
113 employees (500 hours or less annually) from the requirement to
114 obtain a commercial driver's license (CDL).

115 We support an exemption for agriculture from federal motor
116 carrier safety regulations regarding displaying of DOT numbers,
117 registered owners' or farm name, limiting mileage, requiring a medical
118 card for the driver, maintaining hours of service, and requiring
119 bumpers on end dump farm vehicles.
120 We support:
121 (1) Legislation that raises the federal commercial trucking weight
122 threshold to be over 26,000 pounds; and
123 (2) Increasing the interstate weight load limit to a minimum of
124 88,000 pounds.
125 We oppose the inclusion of agricultural producers in the Unified
126 Carrier Registration (UCR) program. We support restoring an
127 agricultural exemption from the program.
128 We support an exemption for production agriculture from the
129 Federal Motor Carrier Safety Regulation.

LABOR

Farm Labor

135

1 We should work with agricultural employers in the various states
2 and regions to:
3 (1) Improve farm labor-management relations; and
4 (2) Increase productivity of farm labor.
5 We uphold the right of farm workers to join or not to join a union
6 by their own convictions.
7 We support the standardization of the definition of agriculture and
8 farm work for all state/federal labor-related legislation to include the
9 work activity described by the North American Industrial
10 Classification System (NAICS), code 11. The NAICS code reflects
11 modern agriculture practices and is now used by the agricultural
12 census and the National Institute of Occupational Safety and Health
13 because the description more accurately reflects current agricultural
14 organizational structures.
15 Each state should have the right to decide whether agricultural
16 employment should be brought under the National Labor Relations
17 Act and we favor legislation to provide such an option.
18 We oppose a national agricultural labor board.
19 We support retention of the present family farm exemption from
20 the child labor provisions of the Fair Labor Standards Act (FLSA).
21 We support enforcement of federal child labor laws designed to
22 prevent underage children from working in all industries. We support
23 existing FLSA provisions, which specify and provide opportunities
24 for young people of the proper age to perform certain agriculture
25 jobs.
26 Where federal regulations require new or remodeled housing for
27 migrant farm workers, low-interest financing should be made
28 available. To encourage the construction of affordable farm worker
29 housing, provisions of the Americans with Disabilities Act should be
30 modified so that only a reasonable percentage of such a housing
31 project must be made accessible to the mobility impaired. The
32 federal, state and county agencies which enforce employee housing
33 laws should designate among themselves the one agency to be the
34 lead and exclusive agency to enforce those laws in each county;

15

35 preferably, that agency should be the most local one.

36 We favor legislation to amend the Farmers Home Administration
37 Act to permit H-2A workers to be housed in Farm Service Agency-
38 assisted migrant housing.

39 We support amending the Federal Migrant Seasonal Labor Act and
40 the H-2A Act to require that court jurisdiction fall within the state
41 and/or county where the alleged violation occurred.

42 Under the H-2A program the minimum contract guarantee should
43 be no more than 35 percent of the original contract in the case of a
44 significant event.

45 In a closely held corporation, partnership or sole proprietorship,
46 members of the family should be exempt from the FLSA, Migrant
47 and Seasonal Agricultural Worker Protection Act (MSPA),
48 unemployment compensation laws and Occupational Safety and
49 Health Administration (OSHA).

50 When a farmer is engaged in the processing, handling, packing or
51 storing of perishable products grown on his own farm and the
52 perishable products of other farmers, the operation should be
53 classified as "agriculture," provided that a minimum of 50 percent of
54 the total output of such processing plant is grown on his own farm.

55 We ask the Department of Labor (DOL) to change its
56 interpretations so as to clarify that persons employed on farms
57 year-round by the same employer are not considered to be seasonal
58 employees under MSPA.

59 We recommend that, when a complaint has been registered with
60 the Federal Wage and Hour Division, the investigators be required to
61 list the complaint with the farmer along with the name of the
62 persons registering the complaint; and that the investigation be
63 limited to the area of the complaint.

64 One of our top priorities should be the revision of the MSPA to
65 eliminate the unreasonable requirements of the act. We support
66 legislation or a rule change to take the language "or causes to be
67 used" out of the vehicle safety obligations section of MSPA (Section
68 500.100a)

69 We support the family farm exemption in MSPA and oppose any
70 efforts to restrict its application.

71 We call for repeal or major revision of the private right of action
72 under Section 504 of the MSPA. However, we will continue to assist
73 in the defense of the term "intentional" in that section to mean a
74 conscious or deliberate act.

75 We encourage agencies that perform labor housing inspections,
76 including the DOL wage and hour division, to work with growers in
77 providing safe housing, or camps, and to allow them to correct
78 problem areas in a timely manner before imposing fines.

79 We oppose requiring employers to pay employee travel and related
80 expenses from the employee's permanent residence to the
81 employer's place of business, except as may be required under a
82 temporary foreign worker program in which the farmer is voluntarily
83 participating. With respect to a temporary foreign worker program,
84 we oppose any requirement to pay such costs until at least half of the
85 contract period is complete and unless the costs primarily benefit the
86 employer.

87 We oppose any regulations requiring farmers to pay wages to farm
88 workers during travel time from their residence to place of work.

89 We support changes in the Worker Protection Standard so posting

90 of field entrances does not unduly alarm consumers about the use of
91 crop protection products. We request significant research and data
92 can be provided resolving serious flaws with the present regulation.

93 We support the freedom to use farm labor contractors in the
94 recruitment and management of migrant seasonal and day haul farm
95 labor. The labor contractor should be recognized as the sole
96 employer of said labor force.

97 We urge that federal requirements for employer reporting of newly
98 hired employees be changed to exclude temporary, day-by-day
99 employees from reporting requirements.

100 We support the reform of existing migrant labor laws to be more
101 farmer-friendly.

102 The use of legal foreign workers needs to be simplified and
103 cost-competitive to make their employment more feasible for
104 perishable crops.

105 We should work with the appropriate agencies to negotiate a more
106 common-sense approach to worker protection.

107 We support increased funding to continue and expand the Migrant
108 and Seasonal Head Start Program.

109 We support improved training for employers to understand and
110 better use the H-2A program, and provide better information for new
111 users to the program.

112 The DOL should provide appropriate oversight for state labor
113 departments to ensure that H-2a applications are processed at the
114 state level in a timely and impartial manner.

General Labor Issues

136

1 We support enactment of laws that would mandate specific
2 penalties for unions, union members and public employees who
3 engage in illegal strikes, and prohibit the use of amnesty in such
4 situations.

5 A high standard of living is possible only through high
6 productivity. We oppose work slowdowns, make-work,
7 featherbedding and impediments to the use of new technology that
8 increases labor productivity.

9 We believe service organizations should be exempt from federal
10 laws requiring that employees involved in any of their rehabilitation
11 programs be paid standard minimum wage.

12 We support:

13 (1) Retention of Section 14(b) of the National Labor Relations
14 Act (NLRA) and extension of the right-to-work in additional states
15 as a part of the goal to abolish compulsory membership in labor
16 unions;

17 (2) Amendments to the NLRA to extend and protect the rights of
18 individual workers against abuses by both management and labor;

19 (3) The guarantee of the right of a secret ballot for all union votes;

20 (4) Repeal of the Davis-Bacon Act. Until repeal is achieved, we
21 support an amendment to the Davis-Bacon Act which would allow
22 rural municipalities to bid public works projects without adherence to
23 the prevailing wage rate clause;

24 (5) Efforts to reform the unemployment compensation laws so as
25 to reduce fraud and bring the cost of this program under better
26 control. We favor employees contributing a percentage of their
27 wages to the unemployment insurance fund. We favor increased

28 incentives for unemployment compensation recipients to take
29 available jobs and that the job search requirement be initiated at the
30 beginning of benefits. We recommend that unemployment insurance
31 benefits be unavailable to any claimant who cannot be verified able
32 to work and actively seeking work. Claims made under the Interstate
33 Agreement for the Combining of Wage Credit should not be charged
34 to the involved employer until basis for the claim is verified. We
35 recommend all workers (including H-2A workers) ineligible to
36 receive unemployment benefits should not be included in the federal
37 unemployment tax base. We will work to exempt wages of part-time
38 farm laborers who are 16 years old and under, senior citizens, family
39 members and full-time students from the requirements of the Federal
40 Unemployment Compensation Tax Act. Employers should be liable
41 only in the calendar year in which they exceed the threshold level in
42 any calendar quarter in that year. We oppose further extension of
43 the unemployment compensation program to agricultural employees.
44 We favor increasing the threshold level of agricultural coverage from
45 the present level of \$20,000 of wages paid in any calendar quarter to
46 \$50,000 to reflect wage inflation that has occurred since the
47 enactment of agricultural coverage and that it be indexed in the
48 future to adjust for inflation. We also favor increasing the
49 agricultural threshold coverage for multiple employees from the
50 current level of 10 or more persons during any portion of 20 or
51 more weeks of the year to a level of 15 or more persons for any
52 portion of 30 weeks of the year. We recommend a one-week waiting
53 period before qualifying for benefits;

54 (6) Legislation to amend appropriate antitrust laws to further limit
55 the antitrust immunity of labor unions;

56 (7) Federal legislation that encourages states to provide basic
57 systems of minimum workers' compensation benefits following the
58 wage-loss concept for work-connected disabilities. Such federal
59 legislation should also encourage states to improve state statutes
60 without infringing on their rights to enact and administer their own
61 systems of workers' compensation benefits;

62 (8) Clear definitions of workers' compensation coverage for
63 temporary agricultural workers;

64 (9) Legislation to permit class action suits against unions to
65 recover financial losses incurred by third parties because of a strike;

66 (10) Amendments to the Equal Employment Opportunity Act and
67 modifications of enforcement procedures to increase exemptions for
68 small businesses and privately held family concerns;

69 (11) Legislation and or legal remedy that would decree that state
70 and local government employees are not subject to Fair Labor
71 Standards Act (FLSA) wage and overtime provisions;

72 (12) A minimum wage differential for youth;

73 (13) Legislation to outlaw strikes of vital public services including
74 transportation and food processing and provide instead for mediation
75 and compulsory arbitration. We favor stronger federal laws that
76 would prevent labor unions from refusing to load farm commodities;

77 (14) Invocation of the Taft-Hartley Act when a strike has a
78 regional economic impact;

79 (15) Legislation to outlaw the use of any union dues exacted from
80 union shop contracts or agency shop contracts in any form including
81 in-kind services, for political campaigns;

82 (16) Action to prohibit strikers from receiving unemployment

83 compensation or welfare benefits;
84 (17) Greater use of legal approaches in reducing the abuse of power
85 by labor unions;
86 (18) Repeal of provisions of the 1974 Trade Readjustment Act
87 which authorizes cash and other aid for workers who lose their jobs
88 or have work hours shortened due to imports;
89 (19) Amending the Hobbs Anti-Extortion Act to include
90 jurisdiction over violence and other coercive actions by labor unions
91 and/or their agents;
92 (20) Retention of the 500-man/day exemption in the FLSA for
93 agricultural employers;
94 (21) Retention of the agricultural exemption from the overtime
95 requirements of the FLSA;
96 (22) Amending the FLSA to provide compensatory time (in lieu of
97 overtime pay) for employees in the private sector; and
98 (23) Increasing the minimum base level to \$2,000 per employee
99 before FICA payroll tax withholding is required.
100 We oppose:
101 (1) Repeal of the public employment exemption in NLRA and
102 vigorously oppose any law at the state or national level that would
103 force any public employee to join, or pay dues to, a union in order to
104 work for the taxpayers;
105 (2) The "Employee Free Choice Act;"
106 (3) Any major changes in the NLRA that would increase the size
107 of the National Labor Relations Board (NLRB) or in any way tilt this
108 Act in favor of unions and against management;
109 (4) The taxation for unemployment insurance of corporate
110 officers of a family corporation who are unable to collect
111 unemployment compensation;
112 (5) Efforts to provide full employment at taxpayers' expense. Such
113 programs impair the free enterprise system and would be a
114 burdensome expense;
115 (6) The use of public funds for grants to labor organizations or
116 their affiliates to bolster the financial position of such unions or aid
117 their organizing efforts in any way. We should continue efforts to
118 halt such grants, to initiate investigation of existing grants, to take
119 every feasible action to nullify any grants made or used illegally, and
120 to take every feasible action to prevent additional grants;
121 (7) Efforts to move to a nationally standardized shorter work
122 week;
123 (8) Legislation that would mandate health insurance to be provided
124 by employers;
125 (9) Efforts to extend the Family and Medical Leave Act to
126 employers not covered under the current law;
127 (10) An increase in the minimum wage and indexing of the
128 minimum wage when believed to be inflationary;
129 (11) Any legislation that would ban the permanent replacement of
130 striking workers;
131 (12) Congressional efforts to void states' right-to-work laws;
132 (13) An overtime premium hourly rate to be guaranteed through a
133 federal mandate; and
134 (14) Boycotts in any form, including common situs picketing.

Immigration

137

1 Immigration issues should be handled on the federal and not state
2 level.

3 U.S. immigration policy must first recognize that agricultural jobs
4 are arduous, and often seasonal and migratory. Without workers from
5 abroad, and even embracing technological advancements, America's
6 fields would go un-harvested; its livestock, unattended. We must
7 confront the problem of illegal migration directly and
8 comprehensively, but traditional law enforcement and migration
9 measures alone will not suffice. Immigration policy must include a
10 more efficient temporary worker program for agriculture. While
11 many agricultural workers will not seek U.S. citizenship, there has to
12 be an incentive for some to come forward. We do not support
13 amnesty, but we can no longer afford, in a post-September 11th
14 world where resources are scarce, to continue focusing on those who
15 would pose no risk to our nation's security. At the same time, we
16 must more effectively enforce our immigration laws to deter the
17 employment of unauthorized workers. Immigration policy should
18 conform to the following principles:

- 19 (1) We support a worker program that:
- 20 (a) Addresses agriculture's unique needs, which may change
21 suddenly with weather, global market realities, contract
22 enforceability or other variables beyond the grower's control;
 - 23 (b) Provides workers, including commercial fishing and fish dock
24 workers, with a visa that lasts at least three years and is
25 renewable multiple times;
 - 26 (c) Offers an opportunity, and provides a waiver from
27 inadmissibility, to interested agricultural workers who were
28 unlawfully present and working in agriculture prior to
29 introduction of legislation but are otherwise admissible under the
30 Immigration and Nationality Act (INA);
 - 31 (d) Requires workers with a visa to return permanently to their
32 home country when their visa expires, but employers should be
33 allowed to recruit eligible workers indefinitely;
 - 34 (e) Eliminates excessive or duplicative bureaucracy and
35 unnecessary red tape;
 - 36 (f) Includes appropriate provisions for foreign commuter
37 workers who return to a residence in their home country nightly
38 or weekly;
 - 39 (g) Establishes an ombudsman to resolve disputes among
40 immigration service, employers and workers;
 - 41 (h) Expands certification determination with the Department of
42 Labor to a minimum of 60 calendar days to ensure employers
43 adequate time to bring workers to a job site; and
 - 44 (i) Includes the broadest possible definition of agriculture.
- 45 (2) We support the program described above only if its
46 requirements and fees are no more stringent for one sector than
47 another. We oppose:
- 48 (a) Requiring agricultural employers to pay more than an average
49 wage rate prevailing in a particular agricultural occupation and
50 region, if required to pay above the Fair Labor Standards Act
51 (FLSA) minimum;
 - 52 (b) Requiring housing or transportation, or the hiring of domestic
53 workers after the contract period has begun; housing or
54 transportation may be encouraged with tax credits;
 - 55 (c) Limiting the number of temporary worker visas, or

56 guaranteeing payment of any fraction of a worker's pay for work
57 that has not been performed;

58 (d) Expanding the Migrant and Seasonal Agricultural Worker
59 Protection Act (MSPA) to employers of agricultural temporary
60 workers or otherwise providing those workers with a private
61 right of action, whether expressed or implied, in state or federal
62 court; and

63 (e) Applying any labor law that does not currently apply to
64 H-2A visa workers.

65 (3) We could support reasonable but serious increases in
66 enforcement of the INA only if accompanied by a worker program,
67 which may include but not be limited to:

68 (a) Random post-employment audits of agricultural employers as
69 long as agricultural employers are not targeted;

70 (b) Enhanced employment eligibility verification system if it is
71 simple, conclusive, timely and provides at least an affirmative
72 defense for employers acting in good faith; and

73 (c) Replacement of work authorization documents with
74 tamper-resistant, machine-readable documents that include
75 biometric identifiers.

76 (4) We support a reasonable increase in the annual limit on the
77 number of permanent resident visas, provided the process for
78 applying for such a visa:

79 (a) Offers an opportunity, and provides a waiver from
80 inadmissibility, to interested agricultural workers who were
81 unlawfully present and working in agriculture prior to bill
82 introduction but are otherwise admissible under the INA;

83 (b) Offers these workers sufficient incentives to come forward
84 but does not provide them with an unfair advantage over other
85 applicants;

86 (c) Does not penalize the employer when a worker comes
87 forward;

88 (d) Enables agricultural employers to retain their experienced
89 workforce while transitioning into a worker program; and

90 (e) Deters future illegal immigration and otherwise improves
91 homeland security.

92 (5) We will not support immigration reform legislation unless it:

93 (a) Requires agricultural employers to pay no more than an
94 average wage rate prevailing in a particular agricultural
95 occupation and region; and

96 (b) Provides a legitimate and fair opportunity for certain -- but
97 not an unlimited number of -- agricultural workers (described
98 above) to apply for a permanent resident visa.

99 (6) We will oppose any efforts to repeal the open agricultural field
100 search warrant provision of the 1986 Immigration Reform and
101 Control Act (IRCA);

102 (7) We recommend that resident aliens with work permits be
103 allowed to work on as many different farms as needed each year, i.e.,
104 they should not be restricted to one farm or one employer, but some
105 may be limited to the agricultural sector for a temporary period of
106 time;

107 (8) We recommend that the Department of Homeland Security
108 (DHS) give farming the appropriate credit for being a significant
109 economic activity for immigration purposes;

110 (9) We urge DHS to conduct its enforcement activities in a

111 humane manner and with minimal disruption to agricultural business;
112 (10) We support just compensation to owners for any damage
113 done to property or business during DHS enforcement activities;
114 (11) We support legislation to prevent workers found to be illegal
115 from continuing to occupy grower's housing unless provided with
116 immediate work authorization;
117 (12) We will support action to provide for the unification of
118 immediate families under IRCA, so that the act or the regulations do
119 not require the breakup of immediate families;
120 (13) We will support an amendment to IRCA to exempt the
121 immediate family including children of an employer from the
122 documentation requirement;
123 (14) We oppose the counting of illegal aliens in the U.S. Census
124 relative to redistricting. We oppose the use of statistical formulas or
125 estimates in census taking;
126 (15) We favor legislation to strengthen the present immigration
127 and naturalization laws of the United States and to especially address
128 the following subjects:
129 (a) Political asylum rules should be more narrowly defined to
130 exclude frivolous requests and to provide for a more expedient
131 determination as to the legitimacy of the request;
132 (b) Illegal aliens should not be eligible for any of our social
133 welfare programs, including education and health benefits except
134 emergency medical care;
135 (c) Any foreign national testing positive for a communicable
136 disease should not be admitted into the United States; and
137 (d) Noncitizens convicted of a felony should be deported
138 immediately after serving any prison time imposed on them.
139 (16) We insist that the Department of Justice and the DHS respect
140 the civil rights and civil liberties of farmers and farm workers in the
141 course of enforcement of immigration law;
142 (17) The state employment agency be required to verify
143 employment eligibility before making any referral to an employer;
144 (18) Repeal of the employer sanctions clause. Employers should
145 not be held liable for determining the legal or illegal status of
146 employees; and
147 (19) Federal agencies should be liable for any and all costs incurred
148 by county and municipal governments in detaining an illegal
149 immigrant while awaiting processing and/or deportation.
150 We encourage DHS to develop clear, legal guidelines for
151 Immigration and Customs Enforcement (ICE) and for U.S. Border
152 Patrol when entering private property and advising employers of
153 such guidelines.
154 ICE should be required to contact employers immediately following
155 farm enforcement measures when employees are taken from
156 businesses so that employers and families are informed.
157 We urge the U.S. State Department to increase funding and
158 personnel to handle the peak period for visa demand thus reducing
159 worker delays.
160 We support the development of a special visa, green card or
161 citizenship for farmers immigrating, or those who have immigrated
162 to the U.S. Specifically, we recommend changes to existing laws and
163 E2 visa requirements to better reflect and support farm family
164 businesses.

1 We call for major reform of the Legal Services Act of 1974. We
2 are not opposed to a reasonable program to provide legal assistance
3 for persons with incomes at or below the poverty level. To achieve
4 major reform of the program, we will work with other groups, both
5 inside and outside agriculture, to mount a multi-year legislative effort
6 for that purpose.

7 We will:

8 (1) Continue to support efforts to defund the special programs that
9 have been funded by Congress and transfer those funds to direct
10 delivery of services to poor people;

11 (2) Support efforts to bring about other reforms on an interim
12 basis, including but not limited to:

13 (a) an amendment to the Legal Services Act to permit individual
14 citizens or groups to file suit against the LSC and its grantees or
15 contractors and to seek damages where Legal Services lawyers or
16 LSC groups have operated in violation of the law;

17 (b) an amendment to require LSC groups and their staff attorneys
18 to make a good faith effort to get the employer and the
19 complaining employee or employees in a face-to-face meeting
20 for the purpose of resolving problems before a lawsuit is
21 threatened or filed;

22 (c) an amendment to either prohibit LSC attorneys and groups
23 from filing for or receiving court and legal costs from
24 defendants;

25 (d) an amendment to say: "Legal Services Corporation, its
26 attorney(s) or group(s), shall have to pay court costs for any
27 suits that they initiate and lose;" and

28 (e) an amendment to prohibit lobbying by subgrantees of LSC
29 grantees;

30 (3) Develop organized ways, such as mediation, of settling
31 problems between agricultural employers and their employees to
32 avoid costly lawsuits;

33 (4) Continue to develop and promote a training program among
34 agricultural employers to:

35 (a) make them more aware of the labor laws and regulations
36 affecting agricultural employment; and

37 (b) assist them in developing an effective labor-management
38 relations program on their farms and ranches; and

39 (5) Assist farmers in becoming better informed about the LSC
40 program and to become more involved in the operation of local LSC
41 groups.

42 We support:

43 (1) Making Legal Services Corporation (LSC) and its grantees
44 accountable to the executive branch;

45 (2) The U.S. government ceasing to provide federal funding to
46 Farm Workers Legal Services; and

47 (3) Any action brought by the LSC against farmers be considered in
48 the court of jurisdiction where the farm is located.

49 We oppose:

50 (1) Funding LSC grantees with interest on Lawyers Trust Accounts;
51 and

52 (2) Giving LSC grantees the right to represent agricultural workers
53 who are not legally or physically present in the United States.

Occupational Safety and Health Administration

139

- 1 We continue to support an exemption for farms with 10 or fewer
2 employees from Occupational Safety and Health Act (OSH Act)
3 regulations.
4 Employers who violate the law should be given a warning for the
5 first violation and be given due process of law as allowed under the
6 Constitution instead of instant fines.
7 We call upon OSHA to repeal its farm labor housing regulations,
8 since such housing is not a workplace. The Department of Labor
9 (DOL) should not have two different regulators regulating the same
10 housing.
11 OSHA should not issue any regulation unless there is an actual
12 threat to the health and safety of employees.
13 We support the use of voluntary programs to reduce injuries in the
14 workplace.
15 We will continue to work with federal agencies and with various
16 safety groups in the development of reasonable safety regulations
17 affecting farmers.
18 We will provide leadership in the development of reasonable and
19 responsible safety regulations at the national level.
20 We believe that OSHA's standard for grain elevators is unworkable
21 for existing small country elevators and favor a more workable
22 standard or exemption for such elevators.
23 We call upon the secretary of labor to revise the Hazardous
24 Materials Communication Standard to eliminate duplicate and
25 overlapping regulations with the Environmental Protection Agency's
26 (EPA) farm worker pesticide protection regulations.
27 We urge EPA and OSHA to employ persons with agricultural
28 expertise.
29 We oppose giving OSHA jurisdiction over criminal penalties for
30 any OSH Act or other labor regulation violation.
31 We oppose the imposition of ergonomic standards on the
32 agricultural industry, including farm processing and packing
33 operations.

MISCELLANEOUS

Agricultural Education

145

- 1 High school career and technical education programs for
2 agriculture and the National FFA Organization are vital programs for
3 development of the talent and leadership needed in farming and
4 agricultural service industries.
5 We support "10x15: The Long Range Goal for Agricultural
6 Education" to help create new programs in communities not yet
7 served by agricultural education and FFA and ensure the quality and
8 high performance of current programs providing personal, academic
9 and career education in agriculture. We support an increase in
10 federal funding and necessary personnel to advance the initiative.
11 We support opportunities for children from home schools, private
12 schools, and charter schools to form local FFA chapters.
13 We encourage school districts to revise their agricultural curriculum

14 to a level where credits in agricultural courses can be utilized as
15 science credits. We encourage universities to accept these agricultural
16 course credits as science credits.

Career and Technical Education **146**

1 We support career and technical education and post high school
2 job training and retraining.
3 State and local groups should retain primary responsibility for
4 career programs and technical education programs.
5 We support the eligibility of farmers and ranchers to participate in
6 existing government-funded retraining programs.
7 We strongly support continued federal funding at current or higher
8 levels for career and technical education.

Cooperatives **147**

1 Agricultural cooperatives should be farmer owned and controlled
2 and should be based upon the principles of our private competitive
3 enterprise system.
4 We oppose any attempt to repeal or weaken the Capper-Volstead
5 Act. Antitrust suits should not be used to dilute the bargaining power
6 of farmer cooperatives.
7 Perishable Agricultural Commodities Act requirements should
8 apply to cooperatives that do business on cash basis with
9 nonmembers.
10 We support legal, regulatory and tax codes to encourage the
11 proliferation of farmer-owned closed cooperatives that produce
12 value-added products.
13 We support allowing cooperatives to keep dividends from deceased
14 members after trying to locate heirs for five years.

Definition of Agriculture **148**

1 We support having a uniform definition of agriculture which
2 includes use of natural resources in the production of all plants
3 (agronomic and horticultural), aquatic species (aquaculture), forestry
4 (silviculture), animal (including equine), fungi, beekeeping
5 (apiculture) and all related production activities.

Education **149**

1 We believe that educational policy is primarily a local and state
2 issue. Reforms to improve educational quality can best be formulated
3 at these levels of government. We support less federal control and
4 more local control of our schools.
5 We oppose unfunded mandates. We oppose national mandates on
6 local curricula and school boards. The No Child Left Behind
7 program should be reviewed due to the vast implications of the
8 program on children, family and school systems.
9 ***Ag in the Classroom***
10 Agriculture in the classroom programs are key to improving the
11 agricultural literacy of the public and should be a part of all
12 elementary and secondary education.
13 We support:

- 14 (1) Agriculture in the Classroom credit courses for all college
15 students pursuing a degree in elementary or secondary education;
16 (2) The National Agriculture in the Classroom Consortium;
17 (3) USDA's current involvement as coordinator of the Agriculture
18 in the Classroom program and the continuation of a matching grants
19 program to provide assistance to state programs; and
20 (4) An increase in the annual appropriation for the program.

21 ***Primary and Secondary Education***

22 We support:

- 23 (1) Teaching foreign languages as individual subjects;
24 (2) Programs for students who do not speak English to upgrade
25 their ability to communicate and understand English;
26 (3) Obtaining proficiency in the basics of reading, writing and
27 mathematics by all students in our educational system;
28 (4) The use of English as the teaching language in grades K-12;
29 (5) The appropriate use of discipline of students in our public
30 schools;
31 (6) Programs that provide greater educational opportunities and
32 incentives for exceptional students;
33 (7) The needs of all students in a classroom when determining
34 whether a special needs student will be included in the regular
35 program;
36 (8) The option of home-based education and oppose any laws or
37 movements to abolish this liberty and freedom;
38 (9) Environmental education for all students based on sound
39 science and factual information;
40 (10) Preserving neighborhood schools and maintaining the right of
41 parents or legal guardians to participate in public and private schools
42 affairs;
43 (11) Federal impact aid to localities adversely affected by federal
44 government installations and/or refugee relocations; and
45 (12) Educational programs that provide training in citizenship,
46 traditional family values, parenting, ethics, social behavior and
47 interpersonal relations increased emphasis.

48 ***Higher Education and Student Loans***

49 We support:

- 50 (1) Eligibility for college loans should be based on net operational
51 income;
52 (2) Government and lending institutions making every effort to
53 collect delinquent student loans with interest;
54 (3) Colleges and universities should not be penalized for non-
55 repayment of student loans;
56 (4) In order to promote this responsibility without seriously
57 jeopardizing the availability of student loans, government guarantee
58 should be reduced from 100 percent to 95 percent;
59 (5) Resident instruction programs in our colleges of agriculture.
60 The development of students' expertise is critical to the future of the
61 agricultural industry; and
62 (6) The original intent of teacher tenure to protect teachers
63 against political abuse. However, tenure should be reformed so that it
64 cannot be used to unduly protect incompetent teachers.
65 Private schools have an important place in a free society and
66 should meet or exceed state standards for accreditation. Government
67 should recognize the right of private groups to organize and operate
68 educational institutions. The Internal Revenue Service should be

69 prohibited from interfering with the enrollment practices of private
70 schools.
71 Individual prisoners should not qualify for any welfare or federal or
72 state grants, such as college or school grants.
73 We oppose access to Internet pornography in publicly supported
74 facilities, (i.e., libraries and schools).
75 The Environmental Protection Agency's environmental education
76 should be based on sound science and factual information.

Farm Machinery

150

1 We encourage farm equipment manufacturers to continue to work
2 toward standardization of hydraulic couplings and a universal shutoff
3 system, with proper labeling, for tractors and all farm equipment.
4 We urge manufacturers to designate the year of manufacture in the
5 serial number of the tractor or implement.
6 We support:
7 (1) Prohibiting tampering with hour meters on motorized farm
8 equipment;
9 (2) Using standardized 10-character machinery identification
10 system, which includes components of the National Crime
11 Information Center number; and
12 (3) A national tractor performance testing program.
13 We oppose:
14 (1) Any attempt to restrict or regulate exhaust emissions on new
15 or used farm equipment, heavy equipment or trucks; and
16 (2) The titling, registration and licensing of farm machinery at the
17 federal level.

Family and Moral Responsibility

151

1 The strength of every civilized society is the family. We support
2 and encourage the promotion of the fundamental principles and
3 family values on which our nation was founded.
4 A family should be defined as persons who are related by blood,
5 marriage between male and female or legal adoption.
6 We oppose granting special privileges to those that participate in
7 alternative lifestyles.
8 Parents have the legal right and responsibility for the religious and
9 moral training of their children. Child care services, protection from
10 exploitation and education can best be addressed at the local level
11 with parental involvement and guidance.
12 We oppose human cloning.

Health

152

1 We believe that health care is primarily the responsibility of the
2 individual. We support efforts to improve health care delivery and
3 foster health care competition.
4 We support federal tax policies that encourage individuals to
5 prepare for future health care needs. We support expansion of health
6 savings accounts eligible for a tax credit. We support allowing non-
7 penalty and tax-free transfers from IRA's to health savings accounts.
8 We oppose any tax on any agricultural commodity being used to
9 fund a health care program.

10 All rural areas should have access to modern and reliable 911 and
11 E911 communication service.

12 We encourage vaccination programs for potentially deadly diseases
13 and more domestic production of critical health vaccines as a policy
14 of national security.

15 We support Small Business Health Plans and voluntary regional
16 insurance purchasing cooperatives, subject to state regulation, to
17 permit individuals and small companies to receive the same price
18 advantages that corporations receive.

19 The Health Insurance Portability and Accountability Act (HIPAA)
20 should be reviewed and revised.

21 We oppose compulsory national health insurance and a national
22 health plan in any form.

23 We oppose funding for abortion, euthanasia and RU-486.

24 We urge more restraint and supervision by the medical community
25 concerning fetal tissue research.

26 Health care policy should embrace the following principles:

27 (1) Promote personal wellness, fitness and preventive care as basic
28 health goals;

29 (2) Ensure that doctors, not insurance companies, determine
30 patient treatments;

31 (3) Provide direct government financial assistance for those who
32 are unable to pay for health care; and

33 (4) Protect the right of patients to choose physicians and methods
34 of treatment.

35 We support elimination of the 7.5 percent level for adjusted gross
36 income so that all medical expenses are deductible.

37 ***Access To Health Care***

38 We support:

39 (1) Greater use of nonphysician providers;

40 (2) Efforts to train additional family physicians who intend to
41 practice in rural areas;

42 (3) Government incentives for medical and mental health services
43 in rural areas;

44 (4) Expansion to all states of Essential Access Community
45 Hospital (EACH) and Rural Primary Care Hospital (RPCH)
46 programs;

47 (5) The expansion of migrant health services to ensure a healthy
48 work force for agricultural employers;

49 (6) Expansion of home health care community-based services such
50 as farmer employee health clinics, surgical centers and other
51 outpatient facilities; and

52 (7) Importation of prescription drugs when the safety of the
53 source can be proven.

54 We oppose:

55 (1) Legislation or regulations that would jeopardize present
56 volunteer emergency medical technician (EMT) systems;

57 (2) Federal guidelines that would close the obstetric wards in
58 hospitals that do not meet annual requirements for number of births;

59 (3) Prohibiting the over-the-counter sale of vitamins, amino acids,
60 probiotics, minerals and herbs;

61 (4) Insurance companies being able to over-ride a doctor's
62 prescription;

63 (5) Health Maintenance Organizations requiring patients referred
64 to specialists to obtain periodic approval from the their primary care

65 physician to continue treatment;
66 (6) The early discharge of patients by health care plans, hospitals
67 and/or physicians; and
68 (7) Legislation which calls for employers to provide employees
69 with health insurance throughout the calendar year of their
70 employment.

71 **Cost Containment**
72 We support:
73 (1) Exemptions from mandates for group health insurance
74 programs of associations;
75 (2) A reduction in mandated benefits;
76 (3) Efforts to reduce medical malpractice insurance costs, including
77 limitations on certain punitive and non-economic damage awards;
78 (4) Allowing veterans to receive medical care at local hospitals, as
79 a way to lessen costs to veterans and increase local hospital funds;
80 (5) A wage index equal to 1.0 for reimbursement purposes; and
81 (6) Exemption of Essential Service Hospitals from Outpatient
82 Prospective Payments Systems.

83 **Medicare/Medicaid**
84 We support:
85 (1) Allowing Medicare recipients to opt out of Medicare and
86 purchase private insurance actuarially equivalent to Medicare with
87 Medicare paying the premium;
88 (2) Incentives to Medicare recipients to allow them to participate
89 in private or alternative plans;
90 (3) The active prosecution of Medicare and Medicaid fraud;
91 (4) Patients receiving billings from physicians or health care
92 services before Medicare pays to help eliminate account balance
93 discrepancies;
94 (5) Block grants to the states to administer the Medicaid program
95 as they see best;
96 (6) Efforts to eliminate cost shifting from Medicaid and Medicare
97 to individuals and third-party payers;
98 (7) Eliminating the waiting period for those who transfer or sell
99 property to relatives in order to qualify for Medicaid;
100 (8) Medicaid assuming nursing home expenses for a person whose
101 net worth has been reduced to \$20,000;
102 (9) Allowing a spouse to retain up to \$96,000 in countable assets
103 (not including home, burial trust, life insurance and one vehicle) with
104 the remainder eligible for spousal support of nursing home costs;
105 (10) Equitable Medicare payments to rural hospitals and
106 physicians;
107 (11) Adequate funding under Medicare to continue home health
108 services for the home-bound and elderly;
109 (12) Medical industry acceptance of Medicare assignments;
110 (13) Medicare and Medicaid coverage for prescription drug and
111 medical costs with a deductible or co-pay;
112 (14) Government programs like Medicare and Medicaid properly
113 compensating providers in a timely manner;
114 (15) Full deductibility of Medicare co-pays and deductibles instead
115 of treating them as hospital bad debt; and
116 (16) Medicare coverage for preventative examinations.

117 We oppose:
118 (1) Any expansion of Medicare;
119 (2) Medicare tax increases;

- 120 (3) Any reduction of Medicare provider reimbursement;
121 (4) A mandatory medical identification system;
122 (5) Efforts to restrict the ability to privately contract with a
123 physician for medical service beyond Medicare-approved treatment;
124 and
125 (6) Medicare being able to limit a medical doctor's ability to treat a
126 patient.

Insurance

153

- 1 Prospective borrowers should be protected from undue pressure to
2 purchase insurance from institutions lending them money.
3 Companies or agents who violate lending rules should have their
4 license suspended immediately.
5 We oppose repeal or amendment of the McCarran-Ferguson Act.
6 We favor state regulation of insurance companies.
7 We oppose increased federal income taxes on insurance
8 companies.
9 We support the following actions to bring down costs and return
10 stability to liability and medical malpractice insurance:
11 (1) Strengthen the legal definition of fault as a basis to determine
12 damages;
13 (2) Limit expert testimony;
14 (3) Eliminate joint and several liability;
15 (4) Limit non-economic, including punitive, damages;
16 (5) Allow large awards for future damages to be paid in
17 installments;
18 (6) Eliminate double recovery;
19 (7) Limit attorney's contingency fees;
20 (8) Encourage alternatives to lawsuits; and
21 (9) Protect volunteers, officers and directors of non-profit and
22 charitable organizations from personal liability suits when acting in
23 good faith to perform their assigned duty.
24 A federal natural disaster insurance program should be established
25 with the private insurance industry.
26 Agricultural custom harvesters should be exempt from having to
27 obtain a Department of Transportation Form E.

Litigation

154

- 1 We support:
2 (1) Legislation that entitles a prevailing party in civil or
3 administrative proceedings by a state or federal agency, to legal fees
4 and out-of-pocket expenses if the position of the agency is not
5 substantially justified;
6 (2) Legislation to require parties seeking an injunction to reimburse
7 the defendants for all court costs, legal fees, losses and other
8 expenses if the injunction is shown to be unfounded or otherwise
9 overturned;
10 (3) Tort reform to include, but not limited to, a cap on the amount
11 of damages, that can be awarded for non-economic loss, a flat
12 compensation based on type of injury and reasonable limitations on
13 attorney's fees from class action lawsuits;
14 (4) Plaintiffs whose lawsuits are determined to be frivolous should
15 be responsible for court costs and economic and social damages

16 incurred; and
17 (5) Anti-disparagement legislation, which provides a cause of
18 action against entities making false and disparaging statements
19 against agricultural products and/or production without scientific
20 justification.

21 We oppose:

22 (1) The use of government funds to sue the U.S. government;

23 (2) Persons serving a prison sentence being allowed to sue and
24 recover, at taxpayer expense, any monetary award;

25 (3) The right of a plaintiff to sue for injuries while committing a
26 crime or trespassing on another person's land; and

27 (4) Government agencies being allowed to assess penalties,
28 confiscate property or withhold benefits without due process.

Media

155

1 We urge the U.S. media to be unbiased and accurate in its reporting
2 on food safety issues. All reporting should be balanced, maintaining a
3 risk relation factor between agricultural/consumer benefits and
4 possible health risks. When the media corrects an error in reporting,
5 that correction should be printed or broadcast with the same
6 prominence as it was incorrectly reported initially.

7 We urge USDA to promptly investigate false information
8 regarding the agricultural community reported by the media and
9 assist us in aggressively challenging individuals and organizations who
10 misrepresent scientific evidence and cause financial damage to
11 agricultural producers.

12 We propose that any media and/or any organization responsible
13 for distributing accusations of health risk not based on credible
14 scientific data be held liable for triple the losses to producers,
15 processors and subsequent retailers.

16 We oppose "anti-agriculture" propaganda in all forms of media.

17 We support pro-agriculture information in all media available to
18 the public.

19 We urge the media to take immediate steps to exercise discretion
20 in the depiction of sex, violence and low morality on TV and radio.

21 We recommend that the rating system used for movies be used for
22 the commercial music industry.

23 To make vital decisions, farmers and ranchers need detailed and
24 timely weather information, local news, up-to-the-minute market
25 reports and news affecting production agriculture. We encourage all
26 radio and television stations to maintain and improve their
27 agricultural services.

28 We support local stations being included in programming on cable
29 and satellite television.

Narcotics and Substance Abuse

156

1 We encourage vigorous educational efforts to inform youth,
2 parents and others concerning the harmful effects of substance abuse.

3 We support:

4 (1) Effective enforcement of present laws and enactment of new
5 legislation to prevent the illegal production, importation,
6 manufacture or distribution of illegal drugs, and related paraphernalia;

7 (2) Efforts to prevent prescription drug abuse;

- 8 (3) Stiffer penalties for drug pushers, money launderers and repeat
9 users, with no plea bargaining;
- 10 (4) Mandatory drug testing when necessary for public health and
11 safety reasons; and
- 12 (5) All proceeds from property collected from confiscation and
13 impoundment procedures being used for drug programs and cleanup
14 costs and not be deposited into the general fund.
- 15 An innocent landowner should not be held liable or penalized when
16 illegal drugs are found on their property.

Nutrition

157

- 1 We support:
- 2 (1) Teaching balanced diet guidelines following the
3 recommendations of USDA's food nutrition program research;
- 4 (2) Efforts by state Farm Bureaus to seek state legislation to
5 certify nutritionists;
- 6 (3) Recognition by USDA and the Food and Drug Administration
7 of studies and research in nutrition which are based on published
8 standard research criteria whether funded by producer groups or other
9 recognized research groups;
- 10 (4) Funding of nutrition research on relationships between
11 agricultural products and coronary heart disease and cancer; and
- 12 (5) Teachers and health professionals being educated about sound
13 nutritional principles.
- 14 We oppose anyone dictating which foods should and should not be
15 eaten. We deplore the use of taxpayers' money for the purpose of
16 legislating or controlling the diets of American people.

Postal Service

158

- 1 We support programs to provide efficient essential mail service to
2 rural America. Rural mail delivery should be made available to every
3 reasonably accessible farmstead. Private enterprise should be
4 permitted to compete with the U.S. Postal Service (USPS) for all
5 types of service.
- 6 The USPS should take immediate steps to improve service. Where
7 possible, rural routes should be consolidated, extended or relocated
8 for economy of operation. We oppose closing rural post offices
9 without a public hearing.
- 10 Rural addresses should reflect the locality of the postal patron. If
11 the USPS changes an address, it should continue to deliver mail for
12 90 days to allow ample time for notification.
- 13 The USPS should be prohibited from selling name lists.
- 14 We support:
- 15 (1) Continuation of six-day postal service;
- 16 (2) Postal inspection of first class mail which is suspected of
17 containing quarantined products;
- 18 (3) Using fines to deter the mailing of quarantined products;
- 19 (4) Requiring the USPS and airlines to ship live poultry ratites,
20 beneficial insects (including honeybees), live plant material and
21 canines;
- 22 (5) Allowing rural mail carriers to provide their own vehicles.
23 Vehicles should be properly marked for safety;
- 24 (6) Making a U.S. postage stamp to honor agriculture;

- 25 (7) A review of USPS bulk mailing regulations for nonprofit
26 organizations for easier compliance; and
27 (8) Setting rates for all classes of mail at levels sufficient to
28 support the cost of the service provided.

Religion

159

- 1 Our national life is founded on spiritual faith and belief in God.
2 We support:
3 (1) The individual's right to free exercise of religion, whether in
4 public or private, be it verbal or visual;
5 (2) The legal right and responsibility of parents to direct the
6 religious and moral training of their children;
7 (3) Leaving "In God We Trust" on coins and currency and "Under
8 God" in the Pledge of Allegiance;
9 (4) The right of U.S. citizens to conduct religious services, offer
10 prayers and read the Bible as God's word on public lands; and
11 (5) The denial of preferential tax treatment to churches or church
12 organizations for activities that are involved in political action
13 programs.
14 We oppose efforts to remove references to Christmas and other
15 religious holidays from our country's heritage.

Rural Communications

160

- 1 Communication services should be available at a reasonable cost to
2 all people. High speed internet access in rural areas should be
3 increased through any source, including wireless, by using a
4 combination of tax incentives, grants and/or regulations. We
5 encourage local competition for retail access to telecommunication
6 services.
7 We support continuation of the Universal Service Fund (USF) to
8 maintain affordable communication services in rural America.
9 We oppose shifting the funding burden for the USF to the states.
10 We support the complete unbundling of telephone bills so that all
11 components of the charges are accurately reflected.
12 We believe that a properly designed federal revolving fund should
13 be a source of financing for rural telephone cooperatives so that they
14 can maintain and strengthen their systems. An adequate rate of
15 interest should be charged to keep the fund solvent and the fund
16 should be used in conjunction with private capital to finance the
17 system.
18 We support the "Do Not Call List."

Safety

161

- 1 We support:
2 (1) A farm safety program focused on educating children and
3 families about safe and age-appropriate tasks on the farm;
4 (2) The concept that safety begins with each individual employer
5 and that employees have a responsibility to observe safe working
6 rules and conditions;
7 (3) Continued efforts for uniform state vehicle codes, traffic guides
8 and the furtherance of safety practices on highways and farms;
9 (4) The proper and lawful use of the slow moving vehicle (SMV)

10 sign;
11 (5) The strict enforcement of drinking and driving and habitual
12 offender laws;
13 (6) The use of additional automobile safety devices;
14 (7) Establishment of uniform release mechanisms on all seat belts
15 on newly manufactured vehicles;
16 (8) Vehicle and child safety seat manufacturers working together to
17 develop universal child safety seats that are compatible with all
18 vehicles;
19 (9) Clarification of statistical categories used by the National
20 Safety Council and federal governmental agencies in determining rate
21 of accidents, hazardous exposures and fatalities in production
22 agricultural occupations;
23 (10) Efforts to reduce farm accidents, injuries and fatalities on the
24 farm with an emphasis on education and voluntary programs;
25 (11) Regular inspection of all railroad crossings and signals,
26 especially multi-track crossings and the addition of lighting and
27 rumble strips;
28 (12) Marking the sides of railroad cars to increase night visibility;
29 (13) The use of fire racks and guards on fire trucks as an
30 appropriate and effective method of rangeland fire fighting; and
31 (14) Funding of the AgrAbility Project.
32 We encourage the Farm Bureau Safety and Health Network and
33 others in their efforts to promote agricultural safety programs and
34 encourage farmers and ranchers to install and maintain safety
35 equipment.

SECURITY

Biosecurity

175

1 Protecting our nation's food, fiber, water supply and critical
2 industrial agricultural materials should be a top priority.
3 We condemn acts of terrorism by both foreign and domestic
4 perpetrators and support the protection of our people, resources and
5 industry.
6 We pledge wholehearted support to our national leaders in efforts
7 to punish those who carry out acts of terrorism, including those who
8 train, support and harbor terrorists.
9 We encourage federal and state governments to strengthen existing
10 capabilities to prevent and respond to acts of bioterrorism. We
11 support emergency spending for food and agricultural security to
12 protect and promote domestically produced food, fiber and critical
13 industrial agricultural materials. Steps should be taken to ensure that
14 traditional protection measures against pest and diseases are
15 maintained at the highest level with appropriate penalties. A
16 permanent sub-cabinet position should be established within the
17 Department of Homeland Security to deal with plant and animal
18 protection measures. In addition, the department should have
19 agricultural representation on departmental advisory boards and
20 committees.
21 We support import protocols that prevent the introduction of
22 foreign animal and plant diseases.
23 We support USDA as the lead agency in managing any plant or

24 animal disease outbreak.

25 USDA should be designated as the federal agency for food
26 inspection and food safety if all food inspection and food safety
27 functions are combined into one agency.

28 We will seek safe harbor provisions for producers and animal
29 health professionals who may inadvertently spread biological agents
30 while using acceptable management practices.

31 We support preemptive planning and development of strategies to
32 contain and control potential outbreaks of foreign animal and plant
33 diseases. This includes assurance by a third party that adequate
34 supplies of crop protection products or animal vaccines are available
35 or production capabilities are in place in case of an outbreak.

36 We support stringent enforcement of laws pertaining to
37 bioterrorism.

38 We support:

39 (1) State and federal legislation to strengthen civil and criminal
40 penalties to a felony charge for persons or organizations that engage
41 in acts of biological terrorism, including but not limited to the
42 introduction or spreading of biological agents or contaminants
43 harmful to agricultural products. Foreign or domestic terrorist
44 organizations who commit such acts and those who willfully finance
45 these acts should be held financially responsible for damages;

46 (2) Federal legislation to establish an indemnity program and
47 contract relief when acts of terrorism result in damage to agricultural
48 facilities or equipment, production losses or the loss of marketability
49 of agricultural products;

50 (3) Federal funding for the construction of new, state-of-the-art,
51 biocontainment plant disease research facilities. Such facilities will be
52 for federal research studies on non-endemic plant diseases of major
53 agronomic crops, including soybean rust. We also support increased
54 federal funding for such research and the operation of the new
55 facilities; and

56 (4) Legislation that would allow farmers and ranchers to seek
57 compensation through U.S. courts from seized foreign assets, as a
58 result of agricultural terrorism by foreign states designated as state
59 sponsors of terrorism.

60 We support the exclusion of hay for animal feed in the FDA's
61 bioterrorism regulations.

62 We recommend necessary USDA funding to focus on the
63 protection of our food, fiber, water supply and critical industrial
64 agricultural materials.

65 We recommend that all farmers and public agencies recognize the
66 importance of adopting biosecurity measures.

67 We urge public agencies to recognize that laws allowing public
68 access to private agricultural operations or laws that inhibit
69 agricultural production are a risk to our nation's security.

Firearms

176

1 We support:

2 (1) Firearm safety programs;

3 (2) Legislation that would prohibit lawsuits against any firearm
4 manufacturer for the illegal or accidental use of firearms by a third
5 party; and

6 (3) Mandatory imprisonment of persons convicted of a felony

- 7 involving use of firearms.
8 We oppose:
9 (1) Limiting the rights of U.S. citizens to purchase, possess or sell
10 firearms (except fully automatic firearms) through registration and
11 licensing;
12 (2) Any additional expansion of taxes or new taxation of firearms,
13 ammunition or reloading equipment and supplies; and
14 (3) More stringent gun control laws. Any new commitment in gun
15 control should be made by the strict enforcement of current laws.

Law Enforcement

177

- 1 We support:
2 (1) Efforts to make sure that those who commit terrorist acts, as
3 well as those who train, support, or harbor terrorists, are properly
4 punished;
5 (2) The unlimited exchange of criminal records among law
6 enforcement agencies;
7 (3) Protection of law enforcement officers from liability for
8 reasonable actions taken in the course of their duties;
9 (4) Citizens offering pertinent information and assistance to law
10 enforcement officers;
11 (5) Strict and prompt enforcement of laws protecting persons and
12 property;
13 (6) Training law enforcement in the most effective crime fighting
14 techniques;
15 (7) Judges sentencing offenders in relation to the crime with stiff
16 penalties for those using children in the commission of crimes;
17 (8) Punishment of criminals, regardless of age, with criminal
18 records following them to any other court proceeding;
19 (9) Adequate prison facilities with an emphasis on rehabilitation to
20 afford them a better opportunity to assume a constructive role in
21 society. Prisoners in minimum security prisons should be required to
22 work on highways, prison farms or other public projects to defray
23 costs of their incarceration;
24 (10) Reducing the fiscal impact and increasing the flexibility to
25 local governments in relation to increasing federal prison standards;
26 (11) Parole boards being less lenient in paroling offenders;
27 (12) Monitoring and supervision of convicted and released
28 offenders and notification of their release to the victims and their
29 families;
30 (13) Mandatory prison sentences for first-time sex offenders;
31 (14) Disqualification of elected or appointed public officials
32 convicted of felonies from holding office and forfeiture of pension
33 or other benefits;
34 (15) Capital punishment, including a mandatory death penalty, for
35 anyone convicted of assassination or attempted assassination of the
36 president, or vice president or any candidate running for such office;
37 (16) Limits on the number of appeals criminals can receive;
38 (17) The same penalty for taking a hostage as for kidnapping;
39 (18) Higher bail for repeat offenders and persons charged with
40 violent crimes, and legislation providing for revocation of bail for
41 anyone arrested as a suspect in a felony case who is out on bail
42 awaiting trial for another felony case;
43 (19) Restitution to victims by criminals;

- 44 (20) Publicizing the amount of funds spent prosecuting and
45 defending felony cases;
- 46 (21) Legislation to provide for a "guilty but mentally ill" plea to
47 replace the "not guilty by reason of insanity" plea. Defendants later
48 found to be sane must serve out the remainder of the term;
- 49 (22) The death penalty for people convicted of treason or
50 espionage even in peacetime;
- 51 (23) Local control of local law enforcement officers by local
52 government, except for federal interdiction activities. Federal land
53 or resource agencies should not exercise police powers in a state and
54 should not have their own law enforcement agents;
- 55 (24) Converting closed military bases to medium and minimum
56 security prisons and for housing young drug offenders;
- 57 (25) Prisoners repaying costs of a college education earned during
58 their incarceration;
- 59 (26) Payment of the cost of room and board in prison for
60 prisoners if they are financially able;
- 61 (27) Restitution to insurers, and others, incurring financial loss by
62 parties found guilty of livestock, machinery or crop theft, fraud,
63 vandalism, arson or bioterrorism; and
- 64 (28) The right of people involved in or servicing production
65 agriculture who have been submitted for review by a regulatory
66 agency to know the identity of their accuser.

National Security

178

- 1 The president and Congress should maintain a foreign policy of
2 peace through strength.
- 3 We support:
- 4 (1) A strong national defense policy, encouraging efficient use and
5 accountability of tax dollars while eliminating waste;
- 6 (2) A national security policy that prioritizes protecting the
7 Nation's food, fiber, water supply, critical agricultural materials and
8 fuel;
- 9 (3) U.S. military personnel always being under the direct command
10 of U.S. military commanders;
- 11 (4) The provision of easily accessible medical care and
12 compensation for health complications resulting from active duty
13 for all veterans of foreign wars or conflicts or after actions required
14 of those wars and conflicts;
- 15 (5) The continuation of Reserve Officer's Training Corps
16 programs (ROTC) at high school, college and university levels;
- 17 (6) Coordination between USDA and Department of Homeland
18 Security (DHS) on issues affecting agriculture;
- 19 (7) Action that would bring about a global ban on land mines;
- 20 (8) Proof of enrollment and attendance in class for every foreign
21 national, in the U.S. on a student visa, while in the United States;
- 22 (9) Reconsideration of the rules and regulations by DHS concerning
23 national incident management systems as they apply to rural
24 communities of 10,000 people or less;
- 25 (10) The Foreign Agents Registration Act being revamped to place
26 more stringent regulations on lobbyists representing foreign interests;
27 and
- 28 (11) A national comprehensive energy policy that will reduce the
29 nation's dependence on foreign sources of energy.

30 We oppose:
31 (1) Massive land expansion proposals at several U.S. military
32 bases. If acquisition is approved, provisions must be provided to
33 assure the preservation or replacement by the federal government of
34 the tax revenues in those taxing districts affected by such
35 acquisitions;
36 (2) U.S. military personnel being used as a United Nations police
37 force or in areas where we have no vital interest;
38 (3) Any legislative or regulatory action, by DHS that will result in
39 undue restrictions on agriculture; and
40 (4) Assessing registration fees on farmers who are required to
41 register with the DHS for propane or other agricultural inputs stored
42 on farm.

SECTION 2 - FARM POLICY / TRADE

COMMODITIES

Apple Industry

201

1 Emphasis should be placed on assisting the apple industry to
2 remain economically viable by:
3 (1) Challenging agricultural researchers to increase work aimed at
4 enhancing profitability;
5 (2) Expanding efforts to explore market opportunities to apple
6 growers in the face of increasing costs of production coupled with
7 steady and declining prices; and
8 (3) Addressing disadvantages to U.S. producers that have been
9 created through trade agreements and trade policy, and that are
10 providing unfair advantages to foreign competitors in both our
11 domestic and foreign markets, especially in the area of apple juice
12 concentrate.
13 The dumping of apple juice concentrate in the United States
14 market and the slowness of domestic remedies to deal with these
15 illegal imports has caused substantial economic losses to apple
16 growers.
17 We support:
18 (1) Market loss assistance with full eligibility for all growers; and
19 (2) Continued funding of fire blight and post-harvest apple
20 research.
21 Crop insurance has not proven to be a viable tool to compensate
22 for the loss of trees due to fireblight and other natural disasters. Until
23 such time that adequate tree insurance coverage is available, we
24 support the continuation of the permanent, annually funded tree
25 assistance program.

Cotton

202

1 We support instrument classing of cotton and urge the continued
2 development, improvement and further refinement of cotton
3 classing equipment and procedures.
4 The classer assignment of color should be eliminated and high
5 volume instrument (HVI) color should be adopted as the official
6 color grade.

7 We favor producers continuing to have the option to have cotton
8 HVI classed by module/trailer averaging or individual bale.
9 We recommend that cotton grade standards be re-evaluated to
10 assure that these standards accurately reflect the value of cotton,
11 with special emphasis given to low micronaire and other grade
12 discounts.
13 We favor the monitoring of "cotton flow" rules and oppose any
14 changes that would penalize the producer.
15 We support the cotton research and promotion program.
16 We oppose a reserve program for cotton.
17 We encourage the cotton division of USDA's Agricultural
18 Marketing Services to make the cotton classification information
19 available to farmers electronically while retaining its identity and
20 privacy. We urge classing offices to maintain its emphasis on timely,
21 accurate and cost-effective service.
22 We support full funding of the Boll Weevil Eradication Program
23 (BWEP).
24 The Farm Service Agency (FSA) should continue to collect funds
25 (under state authority), certify cotton acreage, assist in conducting
26 referendums and make farm maps available for the boll weevil
27 eradication programs.
28 We urge the secretary of agriculture to expedite the availability of
29 appropriated low interest revolving funds that are used to facilitate
30 the expansion of the boll weevil eradication programs.
31 We encourage continued monitoring of the Step 3
32 competitiveness program. We support technical changes to Step 3
33 competitiveness provisions which would limit foreign imports of
34 cotton during times when domestic prices of cotton are at relatively
35 low levels.
36 We urge the secretary of agriculture to appoint an advisory
37 committee to study the daily spot market quotations for the purpose
38 of developing a mechanism for discovering the true value of quality
39 differences at the producer level.
40 We support allowing cotton to be grown for education and
41 agritourism as long as it is under BWEP supervision.
42 We encourage research to minimize shrinkage problems with
43 cotton products.
44 We recommend research to remove all the gossypol acid from
45 cottonseed and its by-products.
46 We recommend a replant rider provision be added for cotton under
47 Federal Crop Insurance as is for other crops.

Honey and Apiculture

203

1 We support:
2 (1) The current honey loan program;
3 (2) Development of a standard of identity for honey in the United
4 States;
5 (3) Congress continuing to adequately fund regionally-located
6 Agricultural Research Service honey bee research centers;
7 (4) Funding for research to find practical, effective methods to
8 control or reduce infection of varroa mites, tracheal mites and small
9 hive beetles, Colony Collapse Disorder; and
10 (5) Vigorous research and development programs at the federal and
11 state level to evaluate and register effective compounds and

12 management techniques to enable beekeepers to have alternative
13 control strategies and materials.
14 We oppose imported honey being blended with domestic honey
15 and marketed as a domestic product.
16 We recommend that national wildlife refuges and parks allow
17 honey bees to be placed within the parks and refuges where
18 appropriate.

Maple

204

1 We support continuation of economical testing to detect
2 adulteration of pure maple products.
3 We urge reinstatement at federal forest laboratories of projects
4 toward the development of maple stock with higher sugar content
5 and techniques for control of damaging insects and fungus root rot
6 diseases.
7 We support an aggressive national and state effort to halt the
8 spread of non-native pathogens and pests which endanger agricultural
9 production, such as the Asian Long Horned Beetle (ALB), a deadly
10 threat to maple trees. Measures specific to ALB should include:
11 (1) A ban on untreated wood products and packing materials from
12 China and other countries with known populations of ALBs;
13 (2) Monitoring of all imported wood products;
14 (3) Funding of research on methods to halt the spread of ALBs;
15 and
16 (4) Creating an information hotline for ALBs so sightings can be
17 promptly reported to USDA.
18 We feel the U.S. Forest Service should reduce the required
19 application process to 90 days for utilizing public forest land and
20 waive the requirement for an environmental impact study and the
21 cost of a public hearing. Per tap cost should reflect regional market
22 conditions.

Peanuts

205

1 We support the efforts of growers and USDA to develop expanded
2 export markets for peanuts.
3 We oppose creation of free trade zones for peanuts which would
4 allow peanut kernels and in-shell peanuts to be imported into the
5 United States in excess of limits set forth in the General Agreement
6 on Tariffs and Trade and the North American Free Trade
7 Agreement.
8 We urge USDA to implement a transparent formula for calculating
9 the loan repayment rate for peanuts with attention given to
10 establishing a market clearing world market price to protect and
11 increase export markets.
12 We recommend the base grade on farmer stock peanuts be 71 on
13 runner peanuts.
14 We recommend that several very useful tools of the previous
15 peanut program be reinstated because of their significant benefit to
16 all segments of the industry -- namely the peanut marketing smart
17 card, the farm ID cards, and the ability to deduct the state and
18 federally mandated checkoff dollars from peanuts placed under loan.
19 We oppose differentiation of peanut loan rates based on type.
20 We recommend that any peanuts forfeited to the Commodity

21 Credit Corporation, after the expiration of the nine months maturity
22 of the loan, be offered for disposition only for crushing and not for
23 edible use.

24 We oppose Farm Service Agency charging a service fee for
25 handling warehouse receipts for peanuts placed under loan.

Soybeans and Other Oilseeds 206

1 We support:

2 (1) National programs for domestically produced soybeans, oilseeds
3 and related product promotion and research; and

4 (2) Increased efforts to speed the release of varieties resistant to
5 Asian Soybean Rust.

Sugar 207

1 We support:

2 (1) A program to protect the interests of domestic sugar producers
3 and recommend that any appropriate legislation should include a
4 sugar title with provisions that ensure a strong and economically
5 viable domestic sugar industry;

6 (2) Retention of the current loan rate as a minimum;

7 (3) Elimination of the marketing assessment fee(s) or loan
8 forfeiture penalties; and

9 (4) Increased research and development funding for biobased
10 energy and biobased products utilizing sugar crops.

Table Wine 208

1 We support allowing farm wineries to:

2 (1) Sell wine on premises;

3 (2) Sell, deliver and ship wine directly to consumers off premises in
4 any state, subject to a state's minimum legal age requirements; and

5 (3) Sell, deliver and ship wine directly to retail stores and
6 restaurants.

Tobacco 209

1 We support tobacco production solutions which protect the
2 growers.

3 We support the maintenance of an active USDA Tobacco
4 Advisory or similar committee representing the tobacco industry to
5 address the new issues facing growers.

6 We are opposed to the federal lawsuit brought by the Department
7 of Justice against the tobacco manufacturers/companies.

8 We support continuation of crop insurance for tobacco.

9 We support establishment of procedures to prevent biotech
10 tobacco from being commingled with traditional tobacco.

11 We support legislation allowing states to retain 100 percent of
12 their master settlement agreement dollars and we encourage every
13 state Farm Bureau to pursue 50 percent of their respective state's
14 funds for strengthening their agricultural economy.

15 We support strict enforcement of state laws which prohibit the
16 sale of tobacco products to minors.

17 The tobacco industry continues to be attacked by anti-tobacco

18 activists and developments of government oversight may present the
19 need for Food and Drug Administration involvement, which if
20 necessary should be confined to processing and distribution.
21 We support USDA collecting data and issuing reports on tobacco
22 acreage, production and prices received by tobacco type.
23 Tobacco growers will continue to need tobacco grower co-ops.
24 We support exploring the possibility of establishing a national
25 check-off for U.S. tobacco export promotion.
26 We support legislation to eliminate imported tobacco from being
27 exported as U.S. tobacco.

FARM POLICY / FARM PROGRAMS

Alternative Farming Methods

225

1 We support methods of farming that result in:
2 (1) A profit for the farm operator;
3 (2) A clean environment; and
4 (3) An adequate supply of high quality safe food, feed, fiber and
5 fuel.
6 We are keenly aware that the means to accomplish these ends may
7 vary from farm operation to farm operation and that no single
8 method of farming will work with every operator.
9 We support:
10 (1) Research aimed at reducing overall inputs needed to sustain a
11 profitable farming operation; and
12 (2) Efforts to provide information to farmers on proven means of
13 improving the efficiency of inputs.
14 We oppose:
15 (1) Any attempt to mandate low input methods of farming; and
16 (2) Requiring low input methods as a condition of participation in
17 government farm programs.

Conservation Reserve Program

226

1 We support the continuation of the Conservation Reserve
2 Program (CRP) and the continuous Conservation Reserve Program.
3 Tenant farmers' rights must be protected. Reasonable limits on
4 participation should be included to protect the economic stability of
5 individual counties or regions. Highly erodible land producing all
6 crops should be eligible for enrollment in CRP.
7 Land that is not environmentally sensitive enough to be placed in
8 the CRP should not be required to have a conservation compliance
9 plan. Land enrolled in CRP should be limited to only those site-
10 specific locations in critical need of conservation measures, such as
11 highly erodible land. In regions where working land conservation
12 programs are better for the rural economy, general whole farm
13 enrollments should be eliminated unless all acres on the farm meet
14 the local criteria for conservation measures. We favor targeted
15 acreage signups that provide enhanced environmental protection,
16 conservation and renewed economic opportunities in these areas.
17 We oppose producers being eligible to participate in the CRP who
18 break up fragile land (sodbust) after the CRP contract has been
19 accepted by USDA.

20 We recommend mandatory control of noxious weeds by local and
21 site specific measures on CRP and Conservation Reserve
22 Enhancement Program (CREP) lands.

23 We oppose requirements to destroy existing cover on CRP acres
24 and reseed with other species in order to qualify for re-entry into the
25 program.

26 To protect CRP and adjacent land, we support a fire protection
27 plan appropriate for each state be included in all present and future
28 CRP contracts.

29 We recommend that if CRP payments are reduced or delayed for
30 more than 60 days, the producer would have the option to withdraw
31 from the contract without penalty and program crop bases would be
32 restored to their prior level.

33 We support the payment of interest if CRP payments to
34 participants are more than 30 days past due.

35 We encourage the annual controlled burning of CRP land under
36 best management practices (BMP). The landowner and tenant should
37 not be penalized for such burns.

38 We believe existing contract holders should have the option to
39 rebid into the program when their contracts expire. Calculation of
40 CRP rental rates should be re-examined to ensure they mirror the
41 rental rates of comparable land in the immediate area. Rates should
42 be based on the agricultural production value of the land.

43 Contracts for new and renewal acres enrolled in the program should
44 take into consideration provisions for:

- 45 (1) Highly erodible farmland, including both wind and water
46 erosion;
- 47 (2) An expansion of the continuous signup CRP acreage to include:
 - 48 (a) Filter strips along waterways;
 - 49 (b) Greater widths of waterways, filter strips, field borders and
50 riparian buffers;
 - 51 (c) Setbacks at road intersections;
 - 52 (d) Crop protection product setbacks around tile inlet structures;
 - 53 (e) Up to one acre filter strips around standpipes and other
54 intakes where surface water enters directly into subsurface water;
 - 55 (f) Grassed terraces;
 - 56 (g) Buffers around villages, timbered areas, irrigation reservoirs,
57 ponds and stormwater retention basins;
 - 58 (h) Expanding the statewide allocations on field borders and
59 upland restoration projects; and
 - 60 (i) Allowing enrollment of and acceptance of "infeasible to
61 farm" acres (an area that is too small or isolated to be
62 economically farmed).

63 (3) Land retired to enhance air quality;

64 (4) Full point credit in the Environmental Benefits Index under
65 new CRP seeding criteria for current grass stands meeting 75 percent
66 of CRP requirements; and

67 (5) Basing the judging criteria for CRP re-enrollment on the land's
68 erosion potential as cropland and not on its current erosion status as
69 CRP.

70 Other program parameters should include:

- 71 (1) The current rule limiting CRP acres to 25 percent of the total
72 county crop acres including CREP and all experimental pilot projects
73 except for small acreage enrolled in continuous CRP. Any waivers in
74 effect when expiring contracts were enrolled should remain in effect,

75 as determined by the appropriate state Farm Service Agency
76 committee;

77 (2) Producers being allowed to maintain their crop base history on
78 CRP acres as long as the producer has met all contract obligations;

79 (3) Tree planting programs for such land;

80 (4) Farm land that was enrolled in the old CRP program, planted
81 with approved grasses, should not be required to be plowed and
82 reseeded. Established grasses should qualify on highly erodible land
83 accepted in the new CRP sign-up; and

84 (5) Existing grass waterways and buffer strips on land with a three-
85 year crop history should be eligible for continuous CRP sign-up.
86 However, acres enrolled in the continuous CRP should not count
87 against county acreage caps.

88 We recommend that the current CRP rule on length of the rental
89 agreement with farmers continue and that at the end of the 10-year
90 contract the farmer is given the option of bringing the land back into
91 production or bidding it back into the reserve.

92 Cost-share options should be approved to accelerate conservation
93 structure installation in the year prior to CRP contract expiration.

94 Provisions should allow an additional five to 10-year extension.

95 CRP contracts should be allowed to remain as written. There
96 should be no additional restrictions put on the use of the land when it
97 comes out of the long-range CRP.

98 We support compensation for land removed from production to
99 provide water quality protection. Such land should be eligible for
100 CRP. Producers receiving CRP payments should not be allowed to
101 produce nontraditional crops (biomass) on CRP acres because it
102 provides CRP contract holders an economic advantage over other
103 producers.

104 We are opposed to haying and grazing on CRP acres during the
105 principal growing months. A fee commensurate to the value of the
106 forage should be charged if grazing occurs after the principal growing
107 months.

108 Haying and grazing of CRP acres should be permitted at the
109 discretion of the secretary of agriculture in weather-related or other
110 emergency situations or as a maintenance management tool in a
111 timely manner.

112 We oppose the use of government programs that provide financial
113 incentives for grazing on expiring CRP acres.

114 We support that the basic businesses of licensed hunting preserves
115 be allowed to continue to operate on CRP ground.

116 At the end of three years of the second 10-year CRP forestry
117 program, the secretary of agriculture should allow producers to thin
118 the trees at their discretion without forgoing CRP payments.

119 **CREP**

120 We support:

121 (1) Eligibility for enrollment for all agricultural commodities;

122 (2) Ensuring CREP practices not jeopardize maintenance,
123 operation and utilization of drainage and flood control systems or
124 facilities;

125 (3) Ensuring CREP practices not jeopardize the economic viability
126 of the operation;

127 (4) The continuation of CREP; and

128 (5) Allowing production on acres enrolled in CREP where the
129 purpose is irrigation retirement.

1 We support farmers and ranchers in their efforts to voluntarily
2 develop private resource management plans to manage their
3 agricultural resources while meeting their production, economic and
4 environmental objectives.
5 State administration of federal environmental programs should be
6 encouraged on a state-by-state basis where feasible. Federal
7 cost-share funds should be available.
8 Resource planning on farms and ranches should not be codified into
9 federal law unless it is totally and unquestionably proven to be
10 voluntary, confidential, based on performance standards, and
11 provides acceptable immunity for producers who have exercised good
12 faith compliance with all applicable laws and regulations.
13 Codification of resource management plans at the state level should
14 be left up to the individual states.
15 We oppose attempts by state or federal agencies to develop non-
16 voluntary environmental management systems as a regulatory or
17 permitting framework.
18 When a confidentiality-assured environmental management
19 system is voluntarily developed in any state, administration of that
20 plan should be under the state agency or department most directly
21 involved with agriculture.
22 All information resulting from an environmental management
23 system should be confidential and the property of the individual
24 farmer or rancher. No portion of it should be stored in any
25 government file or database.
26 We should work to ensure that the Natural Resources Conservation
27 Service (NRCS) and/or any other government agency shall advise
28 farmers and ranchers as to the scope of any confidentiality and
29 immunity, or lack thereof, regarding participation in any
30 environmental management system.
31 Environmental management systems should be designed to provide
32 positive incentives for producers to manage natural resources in such
33 a way that it will benefit the environment and be economically
34 feasible. The incentives should include education, technical
35 assistance, cost-sharing and acceptable immunity.
36 Any changes to environmental management systems must be
37 initiated only at the option of the farmer or rancher. No immunity
38 should be withdrawn or changed without the consent of the owner of
39 the plan.
40 To the extent that NRCS is involved in resource management
41 planning, the following criteria should guide its actions:
42 NRCS should continue to provide traditional technical and
43 educational resource planning programs for farmers and ranchers if
44 no further action is taken on new forms of environmental
45 management systems. NRCS has played an important role for many
46 farmers and ranchers in better managing natural resources and that
47 effort should not be lost as program changes are debated.

1 We believe that improving the environment by enhancing
2 conservation, wise use and productivity of our natural resources

3 through private ownership, individual freedom and market-oriented
4 approaches is our most important conservation and environmental
5 goal. Achieving a zero-tolerance for all pollution is not only
6 improbable, but technically impossible as a result of advances in
7 detection and analytical methods.

8 We oppose federal pre-emption of state water laws.

9 A reasonable relationship should exist between economic and social
10 costs and benefits. Public awareness of the costs, as well as the
11 benefits, is a necessary condition of achieving the nation's
12 conservation and environmental goals.

13 We support compensation at fair market value for environmental
14 or regulatory costs that contribute to the public good.

15 Conservation programs should be targeted to productive, working
16 farmland. We oppose the use of federal conservation funds for
17 conservation practices on land that is in the process of being
18 developed for non-agricultural use.

19 We oppose any actions that limit tillage methods.

20 Direct payments and conservation plans should remain separate.

21 A consistent long-term national conservation and environmental
22 policy should be pursued that would:

23 (1) Recognize the importance of improving agricultural
24 productivity, while maintaining a productive natural resource base;

25 (2) Ensure individual freedoms including the right to own and use
26 private property;

27 (3) Balance economic and social costs with real environmental
28 benefits;

29 (4) Encourage voluntary, local and incentive-based approaches in
30 which outcomes are well-defined, identifiable, verifiable and realistic;

31 (5) Rely on market solutions and/or performance-based approaches
32 in which outcomes are well-defined, identifiable, verifiable and
33 realistic;

34 (6) Base decisions on sound, scientific principles and peer-reviewed
35 science;

36 (7) Recognize that education and technical assistance are key
37 components needed to achieve conservation and environmental
38 goals and objectives;

39 (8) Recognize farmers and ranchers as stewards to the land and
40 protectors of the environment; and

41 (9) Minimize potential loss of acres from fencing restrictions
42 adjoining waterways, creeks, ponds and lakes.

43 National conservation and environmental policy should seek to
44 achieve real environmental benefits while minimizing government
45 intervention in agricultural production and private resource
46 management. Watershed and stream management fees by the Fish
47 and Wildlife Service should not infringe on a producer's ability to
48 build ponds, till soils or obtain technical assistance. Good faith
49 efforts and adherence to generally accepted farming practices or
50 Natural Resource Conservation Service (NRCS) approved
51 conservation practices should provide immunity from civil and
52 criminal prosecution under environmental statutes.

53 ***Conservation and Environmental Program Implementation***

54 Conservation programs should be implemented in a manner that
55 achieves adequate program participation while minimizing the undue
56 loss of productive farmland that may artificially inflate local
57 farmland and/or rental values.

58 Federal conservation programs should appropriate more money to
59 build structures such as poultry litter stack houses and composting
60 facilities. The eligibility requirements for this program should be
61 revised to allow more producers to qualify for the program.
62 NRCS conservation and environmental programs should:
63 (1) Be controlled and directed locally by farmer committees
64 elected by farmers, and made available to all agricultural producers.
65 The existing prohibition against funding or reimbursement of
66 existing conservation structures should be removed. Funding should
67 be equally available for repair and replacement of existing
68 conservation structures;
69 (2) Provide that 80 percent of all USDA conservation funds be
70 targeted for local county use;
71 (3) Be voluntary, flexible, site-specific and targeted at specific
72 environmental goals and objectives;
73 (4) Require that all information obtained by government agencies
74 on specific individuals or farms be kept confidential and not made
75 available for public information;
76 (5) Require only the minimal amount of planning necessary to
77 ensure success taking into account agronomic and economic factors
78 as well as environmental considerations;
79 (6) Provide cost share, tax credits or be based on other positive
80 economic incentives; or provide compensation when an individual's
81 use of property is restricted for the benefit of the public; and
82 (7) Promote broad awareness through demonstration projects,
83 information dissemination, education and technical assistance.
84 We support:
85 (1) Funding for the Environmental Quality Incentive Program
86 (EQIP). Funds should be prioritized and distributed on the local level.
87 The primary emphasis should be water quality, soil conservation, on-
88 farm alternative energy systems and animal feeding operation
89 requirements with secondary consideration given to innovative
90 practices and wildlife;
91 (2) The use of long-term agreements to maximize the
92 effectiveness of program benefits for existing programs;
93 (3) Additional USDA funding for Soil and Water Conservation
94 Districts to help implement conservation practices;
95 (4) Funding for cost-share programs, including: consultant fees, the
96 Grazing Lands Conservation Initiative, technical assistance, soil
97 mapping and publication of soil survey information. Once a cost-
98 sharing practice is completed and approved by the Farm Service
99 Agency, payments should be made to the participant within 30 days;
100 (5) Funding to ensure that landowners are adequately compensated
101 whenever property is used for purposes intended to achieve mandated
102 natural resource goals;
103 (6) Conservation priority areas shall only be established after
104 consultation with local conservation district boards and producers.
105 Federal funding for cost-share under the EQIP should be available for
106 short-term conservation projects previously funded under the
107 agricultural conservation program and be expanded to include cost
108 sharing for on-farm dam building and other projects for water
109 conservation to be used for livestock and irrigation;
110 (7) A technical certification process for private sector
111 conservation technicians in which certified technicians would be able
112 to develop conservation plans, revise conservation plans, install and

113 certify conservation practices. Farmers should be able to work with
114 their NRCS district conservationist to develop the conservation plan
115 required by the 2002 farm bill and not be required to hire the service
116 of a technical service provider (TSP). We urge NRCS to streamline
117 the Comprehensive Nutrient Management Plan process and TSP
118 certification;

119 (8) Development of market-based incentives, pollution permit
120 trading as alternatives to government prescriptions;

121 (9) Preparation of a list identifying existing state and federal
122 environmental regulations/requirements which impact agriculture;

123 (10) Legislative protection for landowners from liability resulting
124 from malfunctions of terraces, structures or other mandates of
125 government regulations;

126 (11) Tree planting as a permanent and economical soil
127 conservation practice that protects marginal, fragile or highly
128 erodible land;

129 (12) Funding and maintaining the Forest Land Enhancement
130 Program;

131 (13) Funding for the Conservation Security Program (CSP) with
132 greater accessibility to farmers;

133 (14) Annual open enrollment for the CSP with shortened contracts
134 if funding for the program cannot fully accommodate all applicants;

135 (15) A farmer being allowed to opt out of CSP requirements
136 without penalty if the contract is not fully funded;

137 (16) CSP eligibility based on best management practices including
138 IPM;

139 (17) Enrollment in conservation programs without a requirement
140 to re-seed existing perennial non-noxious cover to meet diversity
141 goals;

142 (18) Grassland and farmland protection programs;

143 (19) Funding for rehabilitation and maintenance for flood
144 prevention sites through low interest loans and grants; and

145 (20) The commercial use of un-manned air systems for natural
146 resource management.

147 The Farm and Ranchland Protection Program should be developed
148 in such a manner as to assure landowners property rights and their
149 willingness to participate. We are concerned about nonprofit
150 organizations being given authority to determine which farm and
151 ranch land should be targeted for this program. While we recognize
152 that this program will be administered by NRCS, we believe that
153 voluntary local-based programs will be the most effective.

National Dairy Program

229

1 We support:

2 (1) A market-oriented national dairy program that includes a
3 national counter-cyclical income assistance component, such as the
4 Milk Income Loss Contract (MILC) program, which is consistent
5 with a worldwide fair and open trade policy;

6 (2) An expanded role for markets and private enterprise in
7 establishing prices for all classes of milk;

8 (3) Continuation of the dairy price support program at the current
9 level;

10 (4) Modifications in the Federal Milk Marketing Order that will
11 enhance the price of milk received by producers;

12 (5) State and regional initiatives or compacts which are consistent
13 with our overall goal of a market-oriented national dairy program,
14 specifically the expansion and reauthorization of the Northeast
15 Interstate Dairy Compact and authorization of the Southern States
16 Dairy Compact;
17 (6) The passage of legislation and administrative action that treats
18 imports of milk protein concentrates, ultra-filtered milk and caseine
19 equivalent to and consistent with the importation of similar dairy
20 products;
21 (7) Implementing the California standards for fluid milk at the
22 national level;
23 (8) A national program for dairy product promotion, research and
24 nutrition education and support for the U.S. Dairy Export Council;
25 (9) The collection of promotion fees on all U.S. and imported
26 dairy products;
27 (10) Any changes needed to facilitate the long-term market
28 development of value-added products;
29 (11) Program savings from the elimination of the Commodity
30 Credit Corporation purchase program being applied to export
31 development programs;
32 (12) A national dairy plant security program to enhance a
33 producer's ability to recover losses due to the financial failure of milk
34 handlers or cooperatives. All those procuring milk from producers
35 should be included in the program;
36 (13) Research to determine a "no-effect" level for any antibiotics
37 and aflatoxins in milk according to Food and Drug Administration
38 (FDA) standards and also recommend uniform testing procedures for
39 antibiotics and aflatoxins that detect levels according to FDA
40 standards;
41 (14) Regulations which provide for and require the inspection of all
42 imported dairy products at the port of entry;
43 (15) All imitation dairy products being labeled imitation;
44 (16) Producers having a priority lien on their milk;
45 (17) Labeling a product cheese only when it is produced from
46 natural milk products;
47 (18) The placing of milk vending machines in public schools;
48 (19) Modifying the Federal Milk Marketing Order system to
49 encourage the production of milk protein concentrates in the United
50 States;
51 (20) A price discovery method which utilizes more milk and
52 expands mandatory reporting and auditing of prices and inventories,
53 including penalties for inaccurate reporting; and Improving price
54 discovery through mandatory reporting and auditing of prices and
55 inventories; and
56 (21) That a "no" vote on a referendum should not do away with
57 the federal order.
58 We oppose:
59 (1) A mandatory supply management program;
60 (2) Creation of a mandatory fund financed by a checkoff on dairy
61 farmers to guarantee milk checks;
62 (3) The adoption of the National Conference on Interstate Milk
63 Shipments (NCIMS) proposal to grant Grade A status on imported
64 dairy products, unless the cost of all inspections are borne by the
65 importing entity and equitable access to markets in the importing
66 country's market is provided; and

67 (4) Discrimination against large producers in the MILC program.
68 We urge:
69 (1) All dairy producers to enroll in the Milk and Dairy Beef
70 Quality Assurance Program and achieve a five-star quality assurance
71 rating;
72 (2) All those procuring milk from producers pay more promptly;
73 (3) An increased effort by the dairy industry to develop domestic
74 and foreign markets;
75 (4) The FDA not change the definition of milk; and
76 (5) U.S. Department of Health inspectors should be accompanied
77 by a state or local inspector and should leave a full report and
78 explanation upon completion of the inspection, which includes:
79 deficiencies, items inspected, equipment disassembled for inspection
80 and overall score.
81 We support a definition of milk protein concentrate and a standard
82 of identity that will define appropriate use of these components as
83 well as provide a means of enforcement. We support and encourage
84 the use of Cooperatives Working Together.
85 We support the producer/handler exemption being limited in all
86 Federal Milk Marketing orders, as is the case in the Northwest and
87 Arizona marketing orders, to 3 million pounds per month to protect
88 other pool producer members from unfair competition.

National Farm Policy

230

1 Agriculture is strategically important to the survival of the United
2 States. Our nation's economy, energy, environment and national
3 security are dependent upon the viability of the agricultural industry.
4 Agriculture must be treated as a strategic resource by our nation and
5 reflected as such in local, state and national government policies. We
6 believe agriculture should not suffer disproportionate cuts in federal
7 spending.
8 We support a consistent, long-term market-oriented farm policy
9 that will:
10 (1) Rely less on government and increasingly more on the market;
11 (2) Allow farmers to take maximum advantage of market
12 opportunities at home and abroad without government interference;
13 (3) Encourage production decisions based on market demand; and
14 (4) Develop risk management tools to deal with the inherent
15 fluctuations in revenue and income associated with farming.
16 U.S. policies affecting agriculture should be designed to:
17 (1) Provide sharp focus on and enhance funding for agricultural
18 research and education;
19 (2) Reduce regulatory burdens on farmers and ranchers;
20 (3) Provide a tax structure that is fair and equitable to present and
21 future generations of farmers;
22 (4) Ensure that U.S. consumers have access to a stable, ample, safe
23 and nutritious food supply;
24 (5) Continue to improve the environment through expanded
25 incentives to encourage voluntary soil conservation, water and air
26 quality programs, and advanced technological and biotechnological
27 procedures that are based on sound science and are economically
28 feasible;
29 (6) Minimize world hunger and nutrition deficiencies;
30 (7) Create and sustain a long-term, competitive and profitable

31 agricultural industry;

32 (8) Enhance U.S. agriculture's access and competitiveness in the
33 world market;

34 (9) Improve the quality of rural life and increase rural economic
35 development;

36 (10) Compensate farmers for their positive impact on habitat,
37 wildlife and the environment;

38 (11) Recognize the regional and commodity based differences that
39 exist in U.S. production agriculture and provide programs that meet
40 these needs, while recognizing the need to be internationally
41 competitive; and

42 (12) Be implemented in a way that minimizes the negative effects
43 on nonprogram crops and livestock production. Statements of
44 support for individual commodity programs and provisions shall
45 adhere to these general principles of farm programs, regulatory,
46 international trade, and tax provisions.

47 Improving net farm income, enhancing the economic opportunity
48 for farmers, preserving property rights and conserving the
49 environment are our most important goals.

50 **Implementation of the Farm Bill**

51 We should undertake a comprehensive effort to assure U.S.
52 producer competitiveness. Competitiveness issues should include
53 biotech seed cost, agricultural research, U.S. transportation
54 infrastructure, U.S. farm bill structure and funding, exchange rates
55 and other factors relevant to agricultural global competitiveness.

56 USDA should recognize eligibility for all farm programs regardless
57 of size.

58 We urge appropriate funding to advance 50 percent of direct
59 program payments as provided in the farm bill.

60 In implementing the 2008 Farm Bill, we favor:

61 (1) Using 2007 and 2008 as base years for calculating Average
62 Crop Revenue Election program payments for the 2009 crop year;
63 and

64 (2) Maintaining the current definition of "actively engaged"
65 farming.

66 We urge Congress to fully fund the farm bill and oppose any
67 attempt to reopen it.

68 **Future Farm Policy Design**

69 We support extending concepts of the Farm Security and Rural
70 Investment Act of 2002 into the next farm bill. However, if
71 changes are necessary, consideration should be given to the
72 following:

73 (1) Reduced complexity while allowing producers increased
74 flexibility to plant in response to market demand;

75 (2) Maintenance of a farm income safety net while encouraging
76 efficiency, including consideration of an energy escalator clause
77 because of the high prices of fuel and fertilizer;

78 (3) Driven by the needs of production agriculture;

79 (4) Be compliant with WTO agreements;

80 (5) Provide a "green box" compliant compensation program for
81 fruit and vegetable growers. We recommend that the specialty crop
82 industry be given consideration in the farm bill with emphasis
83 focused on fundamental research, food safety, nutrition, marketing
84 and promotions, and investment in the competitiveness and
85 sustainability of the U.S. specialty crop industry;

86 (6) Trade-distorting domestic support (amber box) may be reduced
87 in exchange for an economically proportionate increase in
88 agricultural market access and elimination of export subsidies. Such
89 reduction in U.S. "amber box" supports should be offset by a transfer
90 to fully funded "green and blue box" eligible programs. This could be
91 accomplished through working lands conservation programs, risk
92 management, the Market Access Program, enhanced crop insurance,
93 the concept of a revenue based safety net program, or government
94 programs that increase producer profitability that may include direct
95 payments and/or tax credits; and

96 (7) Inclusion of a commodity loan program.

97 We oppose:

98 (1) New mandatory government supply management programs and
99 acreage reduction programs, excluding Conservation Reserve
100 Program and conservation easements, for marketing loan
101 commodities under the current farm program;

102 (2) A farmer-owned reserve or any federally controlled grain
103 reserve with the exception of the existing, capped emergency
104 commodity reserve;

105 (3) Income means testing;

106 (4) Payment limitations; and

107 (5) Targeting of benefits being applied to farm program payment
108 eligibility.

109 **General Issues**

110 We support:

111 (1) Requiring compliance by the Commodity Credit Corporation
112 (CCC) with all federal rule-making notification procedures;

113 (2) Providing timely notification to producers of all program
114 requirements;

115 (3) Implementation in such a manner as to minimize the
116 disruptions to landlord-tenant relationships. We support efforts to
117 provide the state Farm Service Agency (FSA) Committee authority
118 to determine eligibility requirements for farm program benefits;

119 (4) The elimination of any USDA requirement to report the
120 specific cash rental amounts between a landlord and a tenant in an
121 effort to protect a farmer's right to privacy. We do, however,
122 support the requirement to report the type of lease agreement;

123 (5) Requiring FSA to constantly review and make public the
124 formula used to set posted county prices (PCPs) to ensure they
125 accurately reflect market conditions at the county level and that the
126 differential between the cash price and PCP does not penalize
127 producers or county elevators. The formula for calculating the
128 terminal price, differential, and the PCP should be public
129 information to allow producers the opportunity to maximize
130 program benefits;

131 (6) Providing the secretary of agriculture discretionary authority
132 to provide assistance to producers during times of economic disaster;

133 (7) Extending final loan deficiency payment (LDP) dates to
134 coincide with the USDA crop marketing year;

135 (8) Allowing a producer to lock in a published LDP rate at any
136 time after a crop is planted with payment being made only after
137 harvest and yield determination;

138 (9) Allowing producers the option of an interest-free deferment on
139 LDPs into the next calendar year;

140 (10) Allowing farmers to choose the date that they lock in LDP

141 rates while grain is in storage at feed mills;

142 (11) Allowing for verification of actual physical measurement if
143 computer measuring of farm acres results in different acreage
144 measurements than has been the historical case. The cost incurred
145 for such measurement should be borne by the party in error;

146 (12) Allowing a single sign up that covers all programs for a crop
147 year;

148 (13) Changing FSA regulations to not require farms that are owned
149 and operated by the same individual, but not contiguous, be
150 reconstituted into one farm;

151 (14) Individuals directly involved in family farming operations not
152 having payment eligibility adversely affected by farm business loans
153 secured by cross collateralization, (same assets pledged for multiple
154 producer loans);

155 (15) The establishment of a reasonable time limitation on USDA's
156 ability to alter or reverse an FSA compliance determination so that
157 no producer enrolled in a farm program may be penalized in a
158 subsequent crop year;

159 (16) Allowing either a conservation compliance plan or a confined
160 animal feeding operation permit to meet eligibility requirements for
161 farms which require a conservation compliance plan for eligibility
162 for certain USDA farm programs;

163 (17) Increased funding sources be developed to assist farmers in
164 complying with livestock regulations;

165 (18) Increased and continued funding for the Hard White Wheat
166 Incentive Program;

167 (19) The expansion of the FSA grain facility loan program to
168 include all commodity storage;

169 (20) Allowing tenants with multiple landlords to treat each farm as
170 a separate entity for compliance with the farm bill;

171 (21) Action by a landlord not placing any tenant farm program
172 payments in jeopardy. The tenant should be able to maintain
173 eligibility for all farms;

174 (22) Consolidation of the power of attorney form to enable the
175 Natural Resource Conservation Service (NRCS), the FSA and the Risk
176 Management Agency to honor one power of attorney form;

177 (23) Producers being able to use Federal Crop Insurance records for
178 proving yield for base and yield updates;

179 (24) Defining "specialty crops" as any fruit, vegetable, nut or non-
180 program crop grown for consumption and sales;

181 (25) Additional policy options that support the specialty crop
182 industry should be handled separately from the debate over
183 compensation for the loss of the prohibition. We support enhanced
184 spending to support the specialty crop industry through the following
185 prioritized funding options:

186 (a) Per state competitive grant program to enhance grower
187 directed research and extension programs;

188 (b) Expanded crop insurance;

189 (c) Dedicated funding for specialty crop growers in working lands
190 programs; and

191 (d) Expansion of Market Loss Assistance and USDA Commodity
192 Purchases.

193 (26) The recognition of horticulture, Christmas trees, sod and
194 equine as agriculture enterprises eligible for government assistance
195 through disaster programs, crop insurance and conservation

196 programs; and
197 (27) USDA requiring mandatory monthly reporting of rice stocks
198 and rice production.
199 We oppose:
200 (1) Producers becoming ineligible for participation in any
201 USDA program due to their participation in federal or state water
202 projects;
203 (2) Compliance status of one farm affecting the ability to receive
204 benefits on another farm;
205 (3) The extension of the CCC commodity loans beyond the
206 current term;
207 (4) The system of anonymous reporting of operator violations to
208 the FSA and NRCS; and
209 (5) The use of conservation programs by entities unrelated to
210 agriculture.

Sustainable Agriculture

231

1 Agriculture provides society numerous benefits including but not
2 limited to food security, a safe and healthy food supply,
3 environmental benefits and community stability. It is important to
4 remember that agriculture needs the flexibility to alter cropping
5 patterns and practices to meet the demands of operating in an open
6 marketplace where our competition comes from farmers worldwide.
7 When considering sustainable agriculture, there is only one constant
8 and that is agriculture is only sustainable when it is profitable.

9 Sustainable agriculture should recognize the benefits of accepted
10 management practices that American agriculture currently employs,
11 such as Integrated Pest Management. Sustainable agriculture should
12 be flexible enough to fit America's diverse climates, cropping
13 patterns, land use standards, and regulatory requirements. Regulations
14 should not limit agricultural practices without strong scientific and
15 economic justification. Sustainable agriculture should rely on
16 measurable results and focus on adaptive management for continual
17 improvements rather than a rigid set of practices.

18 We support scientific research and education that encourages all
19 participants in the agricultural industry to produce, process and
20 distribute safe food, feed, fiber and fuel in a manner that is
21 economically viable and enhances the quality of life for present and
22 future generations.

Wetlands Reserve Program

232

1 We support the Wetlands Reserve Program (WRP).
2 WRP should include a buy out clause that would allow producers to
3 remove these areas from the program.
4 Authority for the federal government to purchase permanent
5 easements under the program should be terminated.
6 Prior to a landowner putting part or all of a farm in a government
7 wetland program, all adjoining landowners should be made aware of
8 this, especially where surrounding landowners' water flow or natural
9 drainage is affected.
10 The program should not be used to take entire farms out of
11 production.

TRADE / TREATIES

Agricultural Exports

245

1 ***Embargoes/Sanctions***

2 The threat of unilateral sanctions or other restrictions adversely
3 affects markets and is an inappropriate tool in the implementation
4 of foreign policy.

5 If a unilateral sanction is declared because of an armed conflict, it
6 should apply to all trade.

7 The U.S. government should lift all trade sanctions on all countries
8 that may purchase U.S. farm commodities. Requirements for specific
9 licenses and the prohibition on third country financing for
10 agricultural commodities should be eliminated.

11 An embargo should not be declared without the consent of
12 Congress.

13 Unless an embargo is approved by Congress, agricultural export
14 contracts with delivery scheduled within nine months of the date of
15 sale should be honored.

16 Producers should be compensated by direct payments for any losses
17 resulting from unilateral sanctions.

18 We should not limit the use of export credits and programs in
19 response to domestic supply.

20 ***Additional Exports***

21 Agricultural exports will be increased by:

22 (1) Continuing to seek new markets for commodities and
23 value-added products to enhance farm income and improve the farm
24 economy;

25 (2) Continuing to export regardless of domestic supply;

26 (3) Reducing trade restrictions;

27 (4) Immediate, unrestricted trade and distribution of U.S. approved
28 biotech products;

29 (5) Aggressive market development, including barter, and
30 assistance to the former republics of the USSR and to Eastern
31 Europe;

32 (6) The use of export licenses only for information purposes and
33 not to limit the amount, timing or destination of exports;

34 (7) Providing USDA and U.S. Trade Representative (USTR) with
35 the necessary resources to monitor and aggressively enforce trade
36 agreements and reduce trade barriers; and

37 (8) Decreasing the regulation on the movement of U.S. agricultural
38 commodities to Canadian ports for overseas shipment.

39 ***Export Programs***

40 We support:

41 (1) Commercial trade for cash and normal credit terms without
42 subsidies;

43 (2) Expanded use of P.L. 480, within World Trade Organization
44 (WTO) consistent parameters and encouragement for Congress to
45 require USDA and AID to utilize all appropriated funds;

46 (3) The development of export programs for agricultural products
47 by private entities;

48 (4) A joint venture by all of agriculture to develop WTO-
49 consistent export promotion programs; and

50 (5) The expansion and development of hay and forage export
51 markets.

52 Individual shipment violations should not lead to the disruption of
53 all trade.

54 We support the Market Access Program (MAP), Foreign Market
55 Development (FMD) and Technical Assistance for Specialty Crops
56 (TASC) programs to retain export markets. Congress should
57 adequately fund these programs and USDA should utilize all of the
58 funds appropriated. All agricultural products should be eligible for
59 access to these funds, if WTO legal.

60 We urge a reciprocal agreement be executed between the U.S. and
61 Canada for the transportation of agricultural and forestry
62 commodities and transshipment to noncontiguous states.

63 The federal government must enforce current trade agreements
64 more aggressively to protect U.S. farmers from the non-compliant
65 trade practices of other countries.

Agricultural Imports

246

1 We believe that agricultural imports from non-World Trade
2 Organization (WTO) countries should be subject to the same
3 regulations and restrictions as members of the WTO.

4 Legislated import quotas are unacceptable solutions to import
5 problems.

6 We support the prohibition of imported agricultural products that
7 are produced using chemicals and antibiotics banned or not approved
8 for U.S. commercial use.

9 We oppose any unilateral action by the United States to eliminate
10 import restrictions and subsidies without equivalent commitments by
11 other countries.

12 We support consideration of the adverse effects of imported
13 agricultural products on domestic prices before increasing individual
14 agricultural import quotas or reducing the tariffs.

15 We recommend that only domestic agricultural products, when
16 available, be used in government-supported institutions in the United
17 States.

18 We should take an active role in supporting the interests of
19 individual commodity producers, when consistent with our policy, for
20 import relief when domestic economic conditions warrant such relief.

21 We favor immediate import remedies consistent with our
22 international obligations to deal with potentially disastrous
23 disruptions during a short marketing period for perishable U.S.
24 commodities caused by a sudden influx of imported competitive
25 products.

26 We support legislation to give producers of raw agricultural
27 commodities legal standing in petitioning for relief from imports of
28 processed agricultural products.

29 We recommend that the federal government more closely monitor
30 the importing and/or dumping of agricultural products.

31 Legislation should be enacted which provides financial assistance
32 for costs of research and legal services incurred by farmers or their
33 representatives who show prima facie evidence of injury and/or
34 successfully file trade relief petitions seeking relief from unfair trade
35 practices.

36 Countervailing duties should be imposed on imports which are
37 subsidized and the U.S. government should not waive such duties until
38 it finds the production or export of the commodity exported to the

39 United States has ceased to be subsidized. We support legislation that
40 would allow countervailing duties to be imposed quickly when such
41 subsidies are proven. Until trade distorting subsidies are reduced or
42 eliminated, we support import tariffs on subsidized agriculture
43 product imports into the U.S. in order that U.S. agriculture products
44 may remain competitive in the marketplace.

45 We recommend that authority for the inspection of imported
46 agricultural products be transferred from the Department of
47 Homeland Security to USDA/APHIS (Animal Plant Health
48 Inspection Service).

49 We recommend that all imported agricultural products at point of
50 entry be subject to the same or equivalent inspection, sanitary,
51 quality, labeling and residue standards as domestic products from the
52 United States and Puerto Rico. Any products that do not meet these
53 standards and the Food Quality Protection Act (FQPA) standards
54 should be refused entry. The point of entry inspections should be in
55 addition to "processing plant," "field" or other required U.S.
56 government inspections in countries of product origin and should be
57 paid for through user fees paid by the importer. We should increase
58 efforts to ensure that imported foods meet standards equivalent to
59 those set for domestic products. Rejected products should be marked
60 in such a manner that they will not be accepted at other ports. We
61 support increased funds for inspection of imported agricultural
62 products.

63 We support APHIS in the establishment of minimal risk regions
64 with respect to agricultural import restrictions based on a risk
65 assessment of the potential for introduction of bovine spongiform
66 encephalopathy (BSE), foot and mouth disease (FMD) or other
67 foreign animal diseases and the interventions that are in place in the
68 designated region. Minimum requirements for such designation
69 should include:

- 70 (1) The existence of a national animal identification and tracking
71 program;
- 72 (2) Adequate active testing and monitoring programs for all Office
73 of International Epizootics (OIE) Class A animal diseases;
- 74 (3) Food inspection programs that are deemed equivalent to U.S.
75 programs; and
- 76 (4) Product labeling that will enable tracking of the product.

77 We support the use of sound science and OIE guidance in
78 classifying countries as a minimal risk region for BSE. Farm Bureau
79 reaffirms its support for using sound science as a basis for reopening
80 our markets to ensure continued consumer confidence. However we
81 are concerned about the process of reopening markets on our
82 domestic beef industry. We urge USDA to use measures and protocol
83 to open the market in order to ensure consumer confidence and
84 enhance our beef industry. We encourage the AFBF Board of
85 Directors to closely monitor the actions of the USDA and others to
86 meet these goals.

87 We support a ban on the utilization and importation of animals,
88 animal products, animal protein and animal bi-product protein (i.e.,
89 meat, bone, blood meal) for any use in the United States from
90 sources known to have BSE, FMD or other infectious and contagious
91 foreign animal diseases that have not been designated as a minimal
92 risk region.

93 We support taking advantage of new security equipment at ports

94 of entry to detect illegal plant and animal products or diseases.
95 We recommend an audit of the meat inspection system to ensure
96 regulations are being followed. Rejected lots of meat should be
97 tracked and denatured.
98 We recommend quality standards and increased testing of imports
99 for pesticides. We support adequate funding to inspect imports.
100 Live animals shipped to the United States for processing should be
101 reported as an imported product.
102 We oppose the use of technical customs classification rulings to
103 modify the correct and legal duty on imported products.
104 Agricultural products that also have an industrial use or application
105 shall remain classified as an agricultural commodity for purposes of
106 trade.
107 We support the passage of legislation and administrative action to
108 address the importation and reporting of sugar-containing products
109 created for the purpose of circumventing the U.S. sugar import
110 quota.
111 We urge strict enforcement of anti-dumping provisions of the
112 Omnibus Trade Act of 1988.
113 We urge the Department of Homeland Security and APHIS, as it
114 develops regulations relative to regionalization as required by WTO,
115 to work cooperatively with industry in developing a program that
116 ensures U.S. producers and consumers they will not be put at undue
117 risk from the introduction of foreign plant and animal diseases.
118 We oppose importation of livestock from any country without
119 adequate testing, quarantine and tracking due to the possible spread
120 of disease.
121 We should continue to monitor the Meat Import Act of 1964, as
122 amended, to ensure that it operates in the interest of the U.S. meat
123 industry and producers from Puerto Rico.
124 We support the development of an orderly marketing framework
125 involving all countries importing lamb into the United States.
126 We recommend the use of the USDA quality grade stamp to only
127 meat derived from animals born, raised, and processed in the U.S.
128 We support closing the loophole in the Caribbean Basin Initiative
129 that allows an entity to import ethanol tariff-free into the United
130 States.

Foreign Aid

247

1 We support federal funding and public/private incentives for food
2 aid, in order to:
3 (1) Provide domestic and international humanitarian relief in
4 accordance with international trade rules;
5 (2) Improve the marketability and positive public-relations value
6 of U.S. agricultural products;
7 (3) Move towards targeted assistance using further-processed or
8 finished food products; and
9 (4) Shift away from funding programs that are considered export
10 subsidies.
11 Emergency food relief needs should have the highest priority in
12 foreign aid programs.
13 We support continuation of the Food for Peace Program (P.L.
14 480) and believe the primary emphasis should be given to
15 humanitarian needs.

16 We recommend that the use of P.L. 480 be expanded particularly
17 in areas of the world that are suffering from immediate drought or
18 plagued with hunger problems.

19 We support efforts to shift P.L. 480 recipient countries to
20 commercial sales by shortening credit terms and increasing interest
21 rates as certain recipient countries become more affluent.

22 We favor foreign aid in the form of agricultural products and U.S.
23 value-added agricultural products rather than cash, whenever feasible.

24 When the U.S. provides aid to foreign countries, those countries
25 are to be issued credit which can only be used to buy U.S. goods.

26 Because P.L. 480 has many objectives, including foreign policy,
27 national security, humanitarian aid, and market development, we
28 believe financing of this program should be shared by all agencies, in
29 addition to USDA, whose interests are benefited.

30 Concessional sales or grants under this program should be made in
31 such a manner as to encourage economic development within the
32 recipient nations.

33 Foreign aid should not be used in recipient countries to stimulate
34 production or distribution of farm commodities for export that are in
35 surplus in the United States.

36 The limiting factor in food aid programs is money, rather than an
37 actual shortage of commodities in world markets. In order to meet
38 emergency needs throughout the world, we favor the establishment
39 of an international fund to be used for the purchase of agricultural
40 commodities to meet humanitarian needs in disasters and other
41 emergencies. Participating nations could be permitted to make part
42 of their contributions in the form of commitments or commodities
43 rather than actual currency deposits. Even the poorest of nations
44 could contribute according to situation and ability. All nations should
45 support such a fund and should share in its control in proportion to
46 their contributions.

47 Military aid is essential to the maintenance of world peace and is a
48 vital part of total U.S. foreign policy. However, we urge other
49 countries to share their percentage of costs for policing around the
50 world. Aid should be given to encourage private enterprise economic
51 systems.

52 The federal government should be urged to apply countermeasures
53 against countries which discriminate and/or restrict agricultural
54 products from the United States, particularly those countries that
55 receive U.S. foreign and military aid.

56 Proposals to conduct American foreign aid programs through
57 United Nations agencies should be rejected.

58 We believe the United States should use its agricultural production
59 capacity to meet the goal of eliminating world hunger.

60 We support:

61 (1) Securing a commitment from the federal government to
62 provide leadership in combating world hunger;

63 (2) Increasing the commitment to P.L. 480 and other concessional
64 sales programs; and

65 (3) Maintaining the reputation of the United States as a reliable
66 supplier of food for the hungry of other countries.

Global Environmental Agreements and Treaties

248

1 We strongly oppose any U.S. participation in any agreement that

2 would:
3 (1) Impose new regulation on American farmers through the
4 United Nations;
5 (2) Increase costs for fuel, fertilizers and agricultural chemicals;
6 and
7 (3) Put U.S. farmers at a disadvantage in international trade
8 because of exemptions for developing nations.
9 We oppose ratification of the Convention on Biological Diversity
10 and the Kyoto Protocol.
11 We urge the U.S. Senate to not approve any environmental treaty
12 without the use of sound science and to ensure our nation is not
13 placed at a disadvantage or our sovereignty threatened.
14 We oppose the creation of any global environmental agency with
15 extensive powers to regulate the world's environment.
16 The United Nations should not be given any authority or
17 regulatory power over the natural resources of the United States.
18 Treaties not ratified by the United States may impact the ability of
19 U.S. agriculture to trade worldwide. We recommend that all action
20 by the executive branch focus on protecting the rights of U.S.
21 producers and our ability to trade. U.S. involvement should not be
22 viewed as an endorsement of a treaty's purpose or de facto
23 ratification.

International Trade

249

1 We are strong advocates of fair and open world trade.
2 Aggressive efforts must be made at all levels to open new markets
3 and expand existing markets for U.S. agricultural products.
4 We support the use of funds not utilized for direct export subsidies
5 to be made available for other World Trade Organization (WTO)
6 allowed or "green box" programs (including market development,
7 research and promotion).
8 Funding should be at the maximum WTO legal levels.
9 Our government should insist on strict adherence to bilateral and
10 multilateral trade agreements to which the United States is a party to
11 prevent unfair practices by competing nations and to assure
12 unrestricted access to domestic and world markets. All trade
13 agreements should be continuously monitored and enforced to ensure
14 they result in fair trade.
15 We support a "Special 301" procedure for agriculture.
16 Implementation of a timely trade dispute resolution process should
17 take into account the perishability, seasonality and regional
18 production of horticultural products.
19 Any modifications must be compatible with current farm programs
20 as outlined in the farm bill.
21 We support provisions in trade agreements that prevent economic
22 damage to import sensitive commodities and circumvention of
23 domestic trade policy and tariff schedules while advancing U.S.
24 agricultural trade and food security interests.
25 We support policies and actions that enhance and maintain a
26 competitive domestic processing (value-added) industry and
27 infrastructure for U.S. produced agricultural commodities.
28 Future negotiations shall take into account advantages realized by
29 foreign producers through subsidy or other means with respect to
30 import sensitive products that put U.S. producers at a disadvantage.

31 Any formal negotiation of any nation's accession in the WTO should
32 include a positive outcome for American agriculture.

33 Protectionist restrictions on imported and exported farm inputs
34 such as machinery, parts, petroleum and fertilizer must be prevented.

35 Tariffs on fertilizer imports, including the antidumping duties
36 placed on solid urea imports should be eliminated.

37 We oppose international commodity agreements to allocate
38 markets, control supply and restrict world prices to a narrow price
39 range.

40 We believe trade agreements should not be tied to social reforms,
41 labor or environmental standards of other countries.

42 We oppose tariff reductions if it results in creating an oligopoly.

43 We support fair compensation for lost agricultural income as called
44 for in the Trade Compensation and Assistance Act of 1978 and the
45 Federal Agriculture Improvement and Reform Act of 1996 for all
46 existing and future sanctions.

47 We oppose attempts to disguise protectionist policies as an
48 endorsement of the multi-functional characteristics of agriculture.

49 Government spending for such pursuits should be reasonable and
50 nontrade-distorting.

51 We support immediate normalization of trade and travel relations
52 with Cuba.

53 We encourage the U.S. government to strongly enforce U.S.
54 trademarks and patents, particularly when U.S. government entities
55 consider sharing intellectual property with foreign trading partners.

56 We support harmonization of domestic food safety and quality
57 standards with our international trading partners based on the
58 guidelines set by the WTO and Codex Alimentarius.

59 The U.S. government needs to enhance its procedures and
60 responsibilities to protect U.S. interests in North America Free Trade
61 Agreement, WTO and other free trade agreements to increase
62 monitoring and reporting on unfair practices of nations with respect
63 to:

- 64 (1) Dumping commodities;
- 65 (2) Subsidizing transportation and commodities;
- 66 (3) Influence of exchange rates;
- 67 (4) Labeling country of origin and quality of inspection;
- 68 (5) Excessive market fluctuation and/or influence;
- 69 (6) Sanctions and embargoes that affect U.S. agriculture;
- 70 (7) State Trading Enterprises;
- 71 (8) Export subsidies;
- 72 (9) Biotechnology; and
- 73 (10) Foreign government ownership of commodity processing
74 facilities that export to the United States.

75 We support elimination of the privilege of shippers of new
76 products into the U.S. to post bonds in lieu of cash deposits when
77 paying antidumping and/or countervailing duties.

78 Recognizing the importance of the timber industry to our national
79 economy, we support full implementation, compliance and
80 monitoring of the 2006 U.S.-Canada Softwood Lumber Agreement.

Trade Negotiations

250

- 1 We encourage the U.S. agricultural industry be a high priority in
- 2 world trade negotiations, so that the nation's food security will be

3 preserved for future generations. We encourage all countries to
4 adhere strictly to World Trade Organization (WTO) rules.

5 ***Sensitive Commodities***

6 Our highest trade priority remains that of a successful conclusion
7 to the multilateral Doha Round of the WTO trade negotiations. We
8 believe that agriculture's best opportunity to address critical trade
9 issues is in the multilateral arena.

10 We oppose singling out any one commodity for separate
11 negotiations by the WTO.

12 We will not take a final position on any potential trade agreement
13 until the negotiations are completed.

14 The AFBF Board will analyze, review, debate and vote on each and
15 every free trade agreement (either bilateral or regional). We will
16 only support an agreement if it provides a positive outcome for U.S.
17 agriculture. The effects on all agricultural commodities will be
18 considered.

19 China should adhere to the rules set by the WTO and be closely
20 monitored to ensure agricultural trade commitments are upheld.

21 We call for a return to adherence to the Normal Trade Relations
22 (NTR) principle as a step in making WTO a viable organization for
23 handling trade problems. The United States should approve NTR
24 tariff treatment for any country that agrees to reciprocate and
25 conduct itself in accordance with WTO rules. We will support
26 immediate NTR status and GSM-102 credit for the former republics
27 of the Soviet Union and Eastern Bloc countries provided they meet
28 these criteria.

29 We support the renewal of trade promotion authority for the
30 President of the United States.

31 ***Trade Negotiating Objectives***

32 We will urge our administration to support the following
33 objectives for all trade negotiations:

- 34 (1) Elimination of export subsidies;
- 35 (2) Elimination of non-tariff trade barriers;
- 36 (3) Transition other countries to provide decoupled domestic
37 support as the United States has already done under the FAIR Act;
- 38 (4) Discipline and transparency of state trading enterprises;
- 39 (5) Ensure market access for biotechnology products;
- 40 (6) Include all agricultural products and policies in the negotiations;
- 41 (7) Include all ultra-filtered dry dairy products plus casein under
42 WTO quotas for dairy;
- 43 (8) Address issues concerning import sensitive products;
- 44 (9) Elimination of export sanctions and all export restraints;
- 45 (10) Shortening of the WTO dispute settlement process;
- 46 (11) Opposition to reopening of the WTO SPS Agreement;
- 47 (12) Provide special provisions for developing economies if self-
48 determination is eliminated and an objective criteria for determining
49 developing country status is adopted;
- 50 (13) Adopt a formula approach for the negotiations;
- 51 (14) A single undertaking in trade negotiations;
- 52 (15) Opposition to attempts to disguise protectionist policies as an
53 endorsement of the multi-functional characteristics of agriculture;
- 54 (16) Opposition to the Precautionary Principle;
- 55 (17) Opposition to the use of geographic indicators;
- 56 (18) Opposition to special unilateral tariffs for developing nations;
- 57 and

58 (19) Inclusion of a peace clause.
59 We urge USDA and the U.S. Trade Representative (USTR) to work
60 with industry representatives to provide a timely and aggressive
61 response to any infringement of trade agreements.
62 We encourage USDA and the USTR to work aggressively to end
63 unfair trade practices whenever they are found. We recommend that
64 agriculture trade negotiators aggressively protect agriculture's
65 interest.
66 We encourage USTR to work with WTO member countries to
67 establish objective criteria to determine which countries qualify as
68 developing countries.
69 We oppose the Generalized System of Preferences for agricultural
70 products, whereby developing countries are granted duty-free entry
71 on certain products, since this runs counter to the NTR principles.
72 We encourage better reciprocal agreements between the United
73 States and Canada to protect U.S. producers in collecting monies due
74 in private sales transactions.
75 We support measures that would better protect producers who ship
76 vegetables to Canada, especially in regard to grades and standards.
77 All reporting, monitoring and inspection requirements must be
78 fully adhered to by importing countries and strictly enforced by the
79 appropriate agencies.
80 We recommend that use value tax treatment of agricultural land be
81 classified in any WTO agreement as a permitted, nondisciplined
82 producer support element.
83 We advocate the development of classification criteria for
84 developed and developing country status in the WTO discussions
85 rather than the current self-election process.
86 Since the passage of the North American Free Trade Agreement
87 (NAFTA), we support strict enforcement of import restrictions and
88 enhanced export support from our government, and we support the
89 concepts of equivalent quality inspections for domestic and foreign
90 products.
91 We are opposed to any effort to rewrite the NAFTA.
92 NAFTA trade relief should be negotiated to protect regional
93 producers of fresh fruits, vegetables and nursery products.
94 We support trade treaties negotiated with other countries to
95 encourage equal implementation of patent rights relating to
96 biotechnological agricultural seed products.
97 We support USDA as the federal agency for food inspection and
98 food safety, having the primary role in the U.S. trade negotiations.

U.S. Border Regulations

251

1 To prevent the spread of pests and disease, we favor strict
2 enforcement at all ports of entry against smuggling of food, birds,
3 plants and animals into this country.
4 We encourage a thorough inspection system by USDA and U.S.
5 Customs on all products moved across the Mexican or Canadian
6 border or other ports of entry into the U.S. The federal government
7 should provide adequate and efficient services at all U.S. border
8 crossings to protect the general health and welfare.
9 We support increased presence and cooperation of all branches of
10 law enforcement on both sides of our borders, to eliminate border
11 theft, drug and human trafficking as well as illegal crossing.

12 We must secure the borders of the United States by the most
13 technologically advanced means possible and in a way that has
14 minimal impact on agricultural producers. We support the use of a
15 virtual fence on agricultural land where feasible.
16 We support legislative or administrative action that would
17 eliminate imports of foreign trash.

United Nations

252

1 The United States should evaluate its participation in the United
2 Nations (UN). We urge a congressional investigation into the need
3 for and effectiveness of our participation in the UN programs. The
4 investigation should serve as the basis for determining our future
5 participation in these programs.
6 We support:
7 (1) Reduction in all UN programs establishing international
8 environmental standards, land-use regulations, interpreting
9 environmental laws, rules or regulations of the United States, and
10 interfering in the land-use or development of any U.S. business;
11 (2) Congressional efforts to reduce the U.S. share of the UN
12 budget;
13 (3) Any nation not contributing its equitable share to the support
14 of the UN not being permitted to vote;
15 (4) The UN and its affiliated organizations should be used as tools
16 to encourage the nations of the world to cooperate in the solution of
17 international problems. UN actions should not obligate the United
18 States to participate in specific programs without ratification by the
19 Senate; and
20 (5) U.S. production agriculture involvement in the UN discussion
21 on sustainable agriculture.
22 We oppose:
23 (1) One world government, and any treaty or pact that encourages
24 one world government;
25 (2) U.S. troops being under UN command;
26 (3) The stationing, except for training, of foreign UN troops and
27 equipment in this country;
28 (4) Any plan to create a UN park;
29 (5) UN ownership of any public lands within the United States; and
30 (6) Implementing an international tax authority that is being
31 proposed by the UN.

SECTION 3 - MARKETING / BARGAINING / GOVERNMENT REGULATORY FUNCTIONS

AQUACULTURE / EQUINE / LIVESTOCK / POULTRY

Animal Care

301

1 Proper care of livestock, poultry and fur-bearing animals is
2 essential to the efficient and profitable production of food and fiber.
3 No segment of society has more concern for the well-being of
4 poultry and livestock than the producer. We support the right of
5 farmers to raise livestock in accordance with commonly accepted
6 agricultural practices.

7 We oppose legislation or regulations that limit a producer's right to
8 breed livestock or domestic animals on the farm. We also oppose
9 any mandatory requirement that producers establish psychological
10 profiles or daily psychological monitoring of individual animals.
11 We support vigorous enforcement fines and/or reimbursement for
12 animal research lost and all costs and damage incurred, when farms or
13 research facilities are willfully damaged. Responsible persons or
14 organizations should pay all costs.

15 Animal-based medical research benefits both humans and animals -
16 - including pets, farm animals and endangered species. Research
17 utilizing animals is necessary to ensure more effective human and
18 veterinary medical practices. We oppose legislation and regulations
19 which would prohibit or unduly restrict the use of animals in
20 research.

21 We support a proactive and aggressive effort to address attacks by
22 activist organizations on animal agriculture and the food industry.

23 We support properly researched and industry-tested poultry and
24 livestock practices that provide consumers with a wholesome food
25 supply and enable farmers to improve the care and management of
26 livestock and poultry.

27 We support an aggressive, comprehensive educational program
28 presenting the facts of animal and poultry production to the general
29 public, food industry, and school children. We oppose the use of
30 educational materials in our public schools that discourage use of
31 animal products.

32 We believe results from peer reviewed animal stress research should
33 be emphasized along with practical ways to implement the results on
34 farms and ranches.

35 We are opposed to the concept of animal rights and oppose the
36 expenditure of public funds to promote the concept of animal rights.
37 We support the proper treatment of animals. We oppose laws or
38 regulations elevating the well-being of animals to a similar status as
39 the rights of people. We oppose initiatives, referendums or
40 legislation that create standards above sound veterinary science and
41 best management standards.

42 We urge Congress to continue taking steps to address the problem
43 of animal rights terrorism:

44 (1) We support the Animal Enterprise Protection Act of 1992 and
45 urge all states to adopt similar statutes;

46 (2) Amend the federal tax code to allow for suspension or
47 revocation of tax-exempt status for federally recognized charities
48 linked to terrorist groups in the event that such relationships are
49 confirmed by federal or state investigation; and

50 (3) Direct the Office of Personnel Management to allow for
51 permanent removal of the charity from the Combined Federal
52 Campaign list of eligible charities in the event that such relationships
53 are confirmed by federal investigation and be required to return all
54 funds they have received as a result of being on the Combined
55 Federal Campaign list.

56 We oppose legislation that would give animal rights organizations
57 the right to establish standards for the raising, marketing, handling,
58 feeding, housing or transportation of livestock, horses, poultry,
59 aquaculture, fur-bearing, and canine animals. Standards should be
60 science-based and adopted on a voluntary basis. We oppose any laws
61 which would mandate specific farming practices in livestock

62 production.

63 We oppose federal legislation or regulations attempting to place an
64 additional tax or fee on each animal produced by an agricultural
65 production facility. We also oppose any legislation that would pay
66 bounties to complainants.

67 We support continued cooperation with other agricultural and
68 agricultural-related organizations to address the animal care issue.

69 We support the exemption of farm visits by the general public,
70 whether for profit or not, from licensing under the federal Animal
71 Welfare Act.

72 We will support the practice of educating livestock exhibitors and
73 breeders about ethics and positive animal care practices.

74 We recommend:

75 (1) Stricter enforcement of laws requiring livestock market owners
76 to water and feed livestock kept overnight in stockyards and
77 markets;

78 (2) Industry-coordinated, nonambulatory animal handling
79 educational activities and oppose additional unreasonable federal
80 regulations;

81 (3) The livestock industry oppose the shipment of nonambulatory
82 livestock from the farm to livestock markets or auctions;

83 (4) Separate classification of nonambulatory livestock -- those due
84 to an injury or accident and those which are diseased. Nonambulatory
85 livestock due to injury or accident should be allowed to be slaughtered
86 and processed for personal use;

87 (5) Nonambulatory livestock be properly handled or treated on the
88 farm to avoid unnecessary suffering;

89 (6) If the proper professional treatment on the farm fails,
90 nonambulatory livestock be euthanized on the farm and disposed of
91 properly;

92 (7) If livestock becomes nonambulatory during transportation or
93 while being held at livestock markets, nonresponsive livestock should
94 receive appropriate veterinary treatment, and special arrangements
95 be made to have nonresponsive livestock euthanized, disposed of
96 properly and not used for human consumption;

97 (8) The livestock industry support additional research and
98 evaluation of livestock husbandry including proper methods for the
99 movement of nonambulatory livestock, design of livestock
100 production, handling and transportation systems; and

101 (9) The livestock industry encourage aggressive initiatives within
102 its ranks to communicate the best modern animal husbandry and
103 handling practices, including but not limited to:

104 (a) methods to prevent livestock from becoming nonambulatory;

105 (b) information on practical and acceptable methods for the
106 proper movement of nonambulatory livestock; and

107 (c) facility designs that promote the safe and appropriate
108 production and movement of livestock.

109 Regulations should not unduly restrict the right of farmers,
110 distributors, or retailers to hold and sell live animals. Likewise, the
111 right of individuals to purchase live animals to prepare for food
112 consistent with their personal or cultural beliefs should not be
113 restricted beyond reasonable safeguards relating to the health of the
114 species, humane handling, processing of animals, and ensuring food
115 safety.

Animal Cloning

302

1 We support the continued development of animal cloning as a
2 means to advance assisted reproductive technology such as artificial
3 insemination, embryo transfer and "in-vitro" fertilization.

Animal Health Emergency Management Preparedness

303

1 We support the development of a new world-class national animal
2 health emergency management system for the United States. We
3 support cooperative efforts, between government and industry, at
4 the international, national, state, and local levels in crafting this
5 management system, such as the National Animal Health Emergency
6 Management System. Components of this system include
7 prevention, preparedness, response and recovery.

8 We also support additional funding for emerging infectious animal
9 disease research on scrapie, Johne's, porcine reproductive and
10 respiratory syndrome (PRRS), anthrax, chronic wasting disease,
11 porcine circovirus type 2 (PCV2), swine influenza and
12 cryptosporidiosis, which is a critical component to a national animal
13 health emergency management system. We recommend that the
14 USDA continue to work to develop an accurate rapid testing program
15 for Johne's disease. Additional research is needed for developing
16 diagnostics and vaccines, understanding the biology of organisms, and
17 determining why diseases emerge. We and the international
18 community must give priority to other emerging infectious diseases
19 such as foot-and-mouth disease (FMD), Exotic Newcastle Disease
20 (END), West Nile Virus, vesicular stomatitis (VS), bovine spongiform
21 encephalopathy (BSE), hog cholera, pseudorabies, tuberculosis,
22 salmonella and *E.coli*.

23 Animal disease has a direct impact on food safety, which is
24 fundamental to international trade.

25 Adequate USDA animal health facilities are critical to maintaining
26 our world-class research on both foreign and domestic diseases. The
27 United States should use every means necessary to ensure that these
28 diseases do not reach U.S. soil.

29 We support the inspection of all species and equipment from any
30 country known to have FMD and/or BSE or any other disease that
31 may pose a threat to the U.S. livestock industry.

32 We support the continued education and regulations for biosecurity
33 issues already in place.

Aquaculture

304

1 We urge Congress to continue and adequately fund regional
2 aquaculture centers.

3 Recognizing the extremely short shelf life of some aquaculture
4 feeds, we recommend that aquaculture feed labels include date of
5 production and be legible.

6 Individual tagging or other marking of aquacultural products should
7 not be required. Records commonly maintained in the course of
8 normal business should be sufficient to document legally produced
9 aquacultural products.

10 We recommend that soft shell crabs and turtles be included in any
11 future aquaculture census conducted by U.S. government agencies.

12 We recommend that USDA's National Agricultural Statistics
13 Service conduct a national census of aquaculture every five years.
14 We recommend that freshwater aquaculture producers be exempt
15 from permits and fees required as a prerequisite to allow them to
16 hold, raise, and sell aquaculture species.
17 We encourage USDA Animal Plant Health Inspection Service
18 (APHIS) to work with the aquaculture industry and producers in
19 developing rules to contain Viral Hemorrhagic Septicemia (VHS) while
20 not adversely effecting the marketing of live fish not infected with
21 the virus.
22 We urge Congress to adequately fund USDA Veterinary Services'
23 budget requests for surveillance funding for VHS disease to prevent its
24 spread within the United States.
25 We support:
26 (1) Federal legislation recognizing aquaculture as an agricultural
27 industry with full benefits of traditional agriculture such as
28 production insurance, health certification, loan guarantees and
29 expedited approval;
30 (2) Federal activities, such as a fish inspection program at the
31 processing level, under USDA control;
32 (3) The Animal and Plant Health Inspection Service (APHIS) as
33 the lead agency in establishing animal health certification and a
34 national aquatic animal health plan;
35 (4) Efforts to resolve the fish import situation, particularly
36 Vietnamese and Chinese Basa. Efforts should include all areas such as
37 anti-dumping, increased Food and Drug Administration (FDA)
38 inspection and specific labeling;
39 (5) Federally funded U.S. aquaculture research priorities that are
40 developed with industry input and direction to assure such findings
41 will serve industry needs; including the development of a live fish
42 test to address disease concerns. Federally funded aquaculture research
43 at publicly funded institutions (including the regional aquaculture
44 centers) should not compete with private sector aquaculture. Such
45 aquaculture research funding should contain an extension component
46 to get research results out to the targeted U.S. aquaculture industry;
47 (6) Action be taken to amend the Lacey Act to allow free
48 interstate commerce of legitimately grown or harvested aquaculture
49 products. Any limits to the movement of nonindigenous species
50 should be balanced with the need to investigate new species to
51 culture;
52 (7) Federal assistance in the form of low-interest loans or other
53 disaster relief for fish farmers who must remodel or go out of business
54 due to whirling disease;
55 (8) General labeling of aquaculture drugs for classes, families or
56 other groupings or life stages of aquatic species. We oppose
57 species-by-species labeling of drugs;
58 (9) The concept of group or lot identification and oppose
59 individual identification for aquaculture in the event animal ID is
60 maintained;
61 (10) Congressional action to transfer authority for wildlife damage
62 to aquaculture crops, and livestock from the Fish & Wildlife Service
63 (FWS) to USDA's Wildlife Services regarding the control of
64 predatory birds and other predators;
65 (11) The coordination of the various segments of the industry in
66 order to promote industry understanding and harmonization;

67 (12) The 1991 language of nationwide permit 4 with regards to
68 planting shellfish in submerged aquatic vegetation beds, instead of the
69 1996 revision language;

70 (13) A scientific study of the beneficial environmental and
71 economic effects of shellfish aquaculture in coastal regions of the
72 United States;

73 (14) The exemption of fish farms from Farm Service Agency
74 (FSA) restrictions on loans in a floodplain;

75 (15) The strict enforcement of current laws and penalties in cases
76 of theft and/or willful destruction of fish and shellfish raised for sale;

77 (16) The legalization of the sale of U.S.-propagated freshwater
78 turtles that have been certified salmonella-free;

79 (17) FWS and the National Marine Fisheries Service (NMFS) allow
80 aquaculturists to obtain plant materials, invertebrates, vertebrates,
81 broodstock, eggs or juveniles from the wild as required for aquaculture
82 purposes as long as the wild population is not adversely affected.

83 Any legally acquired plant materials, invertebrates, vertebrates,
84 broodstock, eggs or juveniles should be the property of the
85 aquaculturist upon arrival at his farm and be considered agricultural
86 products. The development of a rapid response team by the federal
87 government to control nonindigenous aquatic species should be a
88 joint APHIS and FWS effort, since APHIS is the most experienced
89 federal agency in dealing with invasive species;

90 (18) The use of private aquaculture for contracts prior to building
91 new public hatcheries or expanding existing facilities. Priority should
92 be given to aquatic species quality and full cost of production of
93 those species; and

94 (19) We support the development of sturgeon farming through
95 continued research on captive propagation and husbandry practices.
96 We also support a cooperative effort between sturgeon farms and
97 state and federal agencies. We recommend amending the Endangered
98 Species Act to allow free interstate and international commerce of
99 legitimately grown or harvested sturgeon products.

100 We oppose:

101 (1) Any federal regulatory agency that would duplicate or supersede
102 state controls in regulating the aquaculture industry at the state level;

103 (2) The U.S. Fish and Wildlife Service (FWS) listing any species as
104 injurious wildlife under the Lacey Act until a formal risk assessment
105 has been conducted on that species by FWS;

106 (3) FWS requiring fish farmers to keep a daily instead of monthly
107 log, on birds killed under an FWS depredation permit or depredation
108 order;

109 (4) Any change or reclassification of baitfish as a food additive by
110 the FDA;

111 (5) The listing of triploid black carp and grass carp as an injurious
112 wildlife species;

113 (6) Any component of the Management and Control Plan for
114 Asian Carp that might place unnecessary and/or burdensome
115 regulations on aquaculture producers; and

116 (7) Canadian restrictions on importation of live bighead and grass
117 carp. All carp must be killed before leaving a Canadian fish market.

Commercial Fishing

305

1 We support:

- 2 (1) Regulatory or legislative reform of federal requirements for
3 maintenance of logbooks by commercial fishermen which divulge
4 proprietary information and individual trade secrets; and
5 (2) The commercial harvesting of Atlantic herring to be rendered
6 into a fish meal product to be used in aquaculture feed.
7 We oppose all legislation that attempts to make any commercially
8 caught fish a gamefish only or to make the sale of such fish illegal.

Beef Industry

306

- 1 We support the beef checkoff program. We favor allowing the free
2 market system to work in the U.S. beef industry.
3 We oppose the labeling of U.S. and Canadian cattle herds as one
4 North American herd.
5 We support the following changes to the beef checkoff provisions:
6 (1) An opportunity to petition for a referendum;
7 (2) An increase of the checkoff rate;
8 (3) Enhanced understanding of the Federation of State Beef
9 Councils; and
10 (4) Making the checkoff more inclusive.

Equine

307

- 1 We support:
2 (1) Legislation and rulings that allow the sale, possession and
3 transport of horses intended for processing or rendering, and
4 encourage a national education campaign targeted toward legislators
5 and the media as to the consequences of eliminating equine slaughter,
6 resulting in unintended animal abuse and neglect, and the negative
7 impact on the equine industry;
8 (2) Domestic ownership, control and location of equine processing
9 facilities;
10 (3) The classification of horses as livestock;
11 (4) Maintaining accessibility to federal and state lands for equine
12 activities through the passage of the National "Right to Ride" Act;
13 (5) Funding for Food Safety and Inspection Service inspectors in
14 facilities that slaughter horses;
15 (6) Including all aspects of the equine industry in the agricultural
16 census;
17 (7) Encouraging participation in vaccination regimens for West
18 Nile Virus;
19 (8) Including horses in the definition of livestock as it applies to
20 qualifying for federal disaster programs;
21 (9) Individual and non-governmental organization rights to save
22 horses from slaughter as long as they take possession of the horses
23 and are responsible for their care and feeding; and
24 (10) When an equine is in the custody of a government agency and
25 an adoption has not been able to take place within 6 months, that
26 equine should be humanely euthanized and processed.
27 We oppose:
28 (1) The passage of the Horse Slaughter Prevention Act or similar
29 legislation;
30 (2) The classification of horses as companion animals;
31 (3) Any regulations that prohibit the harvest of equines; and
32 (4) Any legislation that would curtail movement into Mexico and

33 Canada of horses that meet the requirements of existing trade
34 agreements.

Livestock and Poultry Health

308

1 We recognize the need for feed additives and medication in
2 livestock, poultry, and minor species. We favor careful use and
3 withdrawal restrictions of feed additives and therapeutics. We oppose
4 the banning of such additives and therapeutics without adequate proof
5 of danger. We urge thorough investigation of the accuracy of the
6 tests used by government agencies to determine drug residues in
7 livestock and poultry. We recommend that when animals or groups
8 of animals are partially or completely condemned, there should be a
9 complete written report to the seller recording any permanent
10 identification of the animals and stating the reason for
11 condemnation. We support the use of a standard symbol for all drugs
12 that require a withdrawal time.

13 We encourage animal drug companies to continue voluntary studies
14 and research. Animal antibiotics undergo a stringent Food and Drug
15 Administration (FDA) and USDA approval process. Regulatory
16 agencies should continue to work with the animal drug companies
17 and livestock producers to communicate to the public the benefits
18 and safety of antibiotic use in animals.

19 Livestock feed labels should provide clear, concise and accurate
20 information regarding ingredients and nutritional information. We
21 believe the FDA and state feed control officials should consider
22 making modifications in labeling requirements by developing more
23 specific classifications of animal protein sources such as
24 "non-ruminant derived animal proteins," "ruminant derived animal
25 proteins" and "non-mammalian derived animal proteins" to provide
26 producers with the information they need to make the certifications
27 about feeding practices that the marketplace is demanding. We do
28 not believe that it is necessary to label feed ingredients according to
29 species origin. We support the use of the current warning statement
30 of feed labels that states, "Do not feed to cattle or other ruminants"
31 if the feed contains ingredients prohibited to be fed to ruminants by
32 FDA rules.

33 We support:

34 (1) Legislation that would continue the ability of veterinarians to
35 prescribe drugs and the accepted extra label usage of drugs needed for
36 proper animal care. Adequate funding should be provided for the
37 Food Animal Residue Avoidance Databank to allow for continued,
38 free, immediate expert consultation to livestock owners and
39 veterinarians in the event of accidental drug or toxin exposure to
40 livestock or poultry. Veterinarian-prescribed and FDA-approved
41 animal medication should be permitted to be stored in production
42 facilities in properly secured enclosures;

43 (2) The continued sale of over-the-counter animal health products
44 and oppose further restrictions on their use;

45 (3) FDA's proposals to increase the availability of approved animal
46 drugs for minor uses and minor species (MUMS Document) as well as
47 the concept that there should be different requirements for drug
48 approval for minor species and minor uses;

49 (4) Continued research to verify the means of transmission of
50 bovine spongiform encephalopathy (BSE) and methods to inactivate

51 the causative agent;

52 (5) Federal legislation, regulations or programs which will support
53 the establishment of a fund within USDA to pay beef and dairy
54 producers to voluntarily submit the heads of downer animals for
55 increased BSE surveillance;

56 (6) A uniform international standard to confirm BSE;

57 (7) Confidentiality of all inconclusive BSE test results;

58 (8) Announcements relating to BSE testing be made during non-
59 trading hours at the Chicago Mercantile Exchange (CME);

60 (9) Continued monitoring and surveillance programs for BSE and
61 other Transmissible Spongiform Encephalopathies (TSE) in the
62 United States;

63 (10) A ban on the inclusion in ruminant feeds of any animal
64 proteins scientifically shown to transmit BSE;

65 (11) A ban on the inclusion of ruminant animal proteins in poultry
66 feeds;

67 (12) We urge all owners of sheep to participate in the Federal
68 Scrapie Eradication Program;

69 (13) Identification and trace back of source flocks for scrapie. All
70 source flocks for scrapie should be identified for a minimum of one
71 year even if there is a change in ownership. The National Scrapie
72 Eradication Program should be administered consistently across state
73 lines, including rules for tagging and identification of breeding
74 animals;

75 (14) Continued priority funding for scrapie research until the
76 disease is controlled through the ongoing testing regimen;

77 (15) The implementation and funding of the USDA Sheep and
78 Goat Scrapie Voluntary Flock Certification Program. We will support
79 efforts to develop a swift and accurate live animal diagnostic test for
80 scrapie and other TSEs;

81 (16) Federal regulations and programs which will encourage greater
82 uniformity among states and countries in the testing and health
83 requirements necessary for interstate and international
84 transportation of livestock, nontraditional livestock and birds;

85 (17) The USDA program to prevent the introduction of exotic
86 diseases into the United States from foreign countries. Agencies that
87 have import responsibility for mammal, gastropod, reptile, avian or
88 aquatic animal species should be mandated legislatively to coordinate
89 import requirements with USDA to reduce the risk of animal diseases
90 being introduced. Firmer measures should be taken and more
91 stringent penalties imposed to avoid the smuggling of pet birds into
92 the country by requiring the micro-chipping of all imported birds
93 during the time they are in commerce;

94 (18) The practice that all poultry crates and Pullman trailers used
95 to haul live fowl (spent hens) for slaughter be cleaned and sanitized
96 after each use at the poultry processing plant;

97 (19) The development of a high-containment facility by USDA to
98 study avian influenza and an appropriate vaccine;

99 (20) Adequate funding of the pseudorabies eradication plan
100 developed by the swine industry. We support strengthening of the
101 pseudorabies laws and regulations to require cleanup of infected herds;

102 (21) Programs to develop and utilize swift and accurate tests to
103 diagnose trichina in swine at slaughter and ultimately certify the
104 United States trichina-free;

105 (22) The development of a core animal disease control and

106 eradication program to prevent the introduction of foreign or
107 emerging animal diseases and poultry diseases and pests into this
108 country and to control and eradicate those that exist;

109 (23) The efforts of state agencies to control rabies. We recognize
110 the need for restricted labeling of rabies vaccine. We encourage
111 continued research into effective ways to immunize wildlife against
112 rabies and make those vaccines readily available to responsible state
113 agencies;

114 (24) The development and identification of a swift and accurate
115 live animal diagnostic test for Chronic Wasting Disease (CWD) and
116 an eradication program;

117 (25) USDA development of a more accurate tuberculosis test;

118 (26) USDA allowing states to have split state status for tuberculosis
119 certification;

120 (27) The Emergency Action Plan to complete the eradication of
121 tuberculosis (TB), and we support sufficient federal funding for the
122 elimination of TB in the United States;

123 (28) To expedite TB-free status, we support the test and remove
124 option and request USDA to count test and remove herds as TB
125 positive herds only for the one year in which the herd had a positive
126 TB test. We support amending the USDA rules to base downgrading
127 of a state's TB Accredited Free status on the prevalence of disease in
128 the state, and the risk of the disease spreading;

129 (29) Amending the Code of Federal Regulations (CFR) and the
130 Uniform Methods and Rules (UM&R) governing the USDA
131 tuberculosis eradication program to allow the state's animal health
132 authority to quarantine TB-infected herds, employ test and removal
133 procedures to eliminate infection, and control movement within
134 areas of risk defined by scientific analysis, rather than requiring
135 depopulation of infected herds and downgrading the TB status of the
136 entire state. Additionally, we support amending the CFR and UM&R
137 to base any downgrading of states' status on prevalence and risk;

138 (30) The establishment of a reciprocal agreement among
139 brucellosis-and tuberculosis-free states which would enable interstate
140 movement of cattle originating from brucellosis and tuberculosis-free
141 herds by waiving the requirement for multiple pre-movement
142 brucellosis and tuberculosis testing;

143 (31) Farm animal vaccines containing potentially dangerous
144 endotoxins be required to be labeled to identify possible side effects
145 and preventive measures;

146 (32) The National Veterinary Medical Services Act (NVMSA),
147 which provides veterinary school graduates student-loan repayment
148 if they agree to work in under served areas. We encourage Congress
149 to fund NVMSA and USDA to work with the livestock industry to
150 develop participation guidelines that include giving priority to those
151 who agree to enter the food animal and rural veterinary fields;

152 (33) Implementation and funding for the National Strategic Plan
153 for the Cattle Fever Tick Program developed in 2006. We request
154 immediate funding to eliminate Fever Ticks from the temporary
155 preventive quarantine areas and prevent their spread throughout the
156 United States;

157 (34) Research to develop a test for accurate chute-side testing for
158 Persistent Infectious Bovine Viral Diarrhea (PI-BVD); and

159 (35) Research, development and importation of labeled sheep and
160 goat health products.

161 We recommend FDA use scientific research data of foreign
162 countries to assist in approving animal health products for use in the
163 United States and to help ensure international uniformity in
164 standards for pharmaceutical approval. We further encourage
165 Congress to ensure adequate funding for the National Animal Disease
166 Center, National Veterinary Services Laboratory and Center for
167 Veterinary Biologics, and the Poison Plant Disease Center.

168 We commend USDA for finishing its bovine brucellosis eradication
169 rapid completion plan. We continue to support adequate program
170 funding to complete eradication and provide needed monitoring and
171 surveillance. We support an efficient, adequately funded brucellosis
172 control program leading to eradication of this disease in swine. We
173 support a strong application of the program to eliminate swine
174 brucellosis from the United States and Puerto Rico. The federal
175 government should continue full funding of brucellosis control
176 activities in all infected states. In order to speed up brucellosis
177 control, we support a voluntary herd depopulation program and
178 increased surveillance. We support efforts to strengthen brucellosis
179 laws and regulations and make them uniform among states.

180 We support updating state and federal rules regarding vaccination
181 of cattle to coincide with RB51 vaccine science versus Strain 19
182 vaccine, including mandatory vaccination of heifers for breeding and
183 possibly adult cattle.

184 Since brucellosis is a dangerous disease agent transmittable from
185 wildlife to domestic livestock and humans, we support the enactment
186 of a mechanism and the appropriation of funds to require federal
187 agencies in custody of wildlife to compensate livestock owners and
188 other aggrieved entities for actual expenses and losses brought about
189 by conflicts from wildlife when such losses can be substantiated.

190 We support a quarantine of wildlife in Yellowstone Park until it is
191 certified free of brucellosis and TB.

192 We support state and federal funding for developing a more
193 effective vaccine for protecting cattle and wildlife from brucellosis
194 spread by wildlife and expanding research and diagnostics to
195 understand the true health exposure.

196 We oppose any producer checkoff or assessment to fund national
197 livestock disease eradication programs, including but not limited to
198 brucellosis, scrapie and pseudorabies.

199 We urge that USDA continue to work with the livestock and dairy
200 industries to further develop methods to control leukosis.

201 We support the voluntary Johne's herd status program developed
202 by USDA and an accurate rapid testing program. We recommend that
203 USDA:

204 (1) Develop an accurate blood test for Johne's Disease; and

205 (2) Support funding to reduce producer's cost to test for Johne's
206 Disease.

207 We support a multi-year program to identify Johne's disease
208 infected animals and to provide an indemnity payment at fair market
209 value for disposal of cattle whose fecal culture has tested positive for
210 this disease.

211 We urge stepped-up surveillance to prevent the illegal entry of
212 livestock, avian, aquatic, and reptilian species from any foreign
213 country.

214 We encourage producers to participate in voluntary quality
215 assurance programs.

216 We recommend mandatory testing of commercial laying flocks for
217 *Salmonella enteritidis* not be done until there is a statistically
218 significant reliable testing procedure and protocol. Furthermore, we
219 recommend that the trace-back program be discontinued.

220 USDA is urged to continue to assist countries which have
221 experienced outbreaks of African swine fever to eradicate this disease
222 and prevent its spread to the United States.

223 We urge more research and education on the impact of Lyme's
224 disease and other diseases carried by the wildlife population on
225 animals and humans.

226 The United States should have its own testing requirements for
227 animal diseases based only on sound science, with every effort to
228 adhere to the Office of International Epizootics risk assessment
229 standards.

230 We oppose the relaxation of foot-and-mouth disease quarantines
231 on Chile because of a potential epidemic from the importation of
232 carrier llamas and alpacas.

233 We support the Bi-National Tuberculosis and Brucellosis
234 Committee in its effort to control/eradicate bovine tuberculosis and
235 brucellosis in Mexico and to prevent its spread to this country. We
236 urge USDA to adopt regulations consistent with the border states'
237 consensus document. The goal is the complete eradication of the
238 diseases in both countries. This should include the development and
239 validation of rapid tests for the diseases as well as the ability to trace
240 infected animals back to their point of origin. If tuberculosis-infected
241 cattle continue to arrive in the United States from any Mexican
242 state, we should urge USDA to place more stringent inspection,
243 quarantine and testing requirements on all imported animals from
244 that state.

245 We encourage USDA to recognize privately-owned cervidae and
246 camelidae as domestic livestock. We urge individual states to take
247 similar action.

248 We urge USDA to seek authority to regulate the interstate
249 movement of cervidae and camelidae and to develop uniform
250 standards of testing and appropriate follow up procedures. Individual
251 states are encouraged to adopt these standards.

252 We urge more research and education on the impact of blue tongue
253 in livestock.

254 We support adequate levels of selenium in feed for livestock and
255 poultry as recommended in the 1987 FDA feed additive regulations.

256 We recommend that USDA require all commercial feeds being sold
257 show the total digestible nutrients in the feed.

258 We recommend that:

259 (1) Animal and Plant Health Inspection Service (APHIS) actively
260 pursue epidemiological studies on Vesicular Stomatitis (VS) and that
261 the Agricultural Research Service (ARS) move quickly to study
262 vectors, reservoirs and mode of transmission;

263 (2) APHIS and ARS support research for the development of a
264 licensed VS vaccine and protocol for vaccine use;

265 (3) APHIS maintain adequate staff involvement and monetary
266 support to find solutions for the current outbreak and prevent
267 recurrence of this disease;

268 (4) APHIS carefully evaluate international restrictions on animals
269 and especially on products to assure that such restrictions are
270 science-based; and

271 (5) Federal legislation, regulations or programs support
272 regionalization by APHIS to modernize animal movement
273 regulations.

274 We support the removal of the Department of the Interior from
275 regulating exotic animal agriculture. However, we support the
276 Interior's continued regulation of nondomesticated animals.

277 We support the use of preservatives in the meat of farm-bred
278 exotic animals.

279 We encourage the use of electronic animal health papers, with the
280 ability to include but not require actual digital photos of the animal,
281 for relevant species. Digital photos of equine may be practical;
282 however, digital photos of mass transit animals like cattle and hogs
283 are not practical.

Livestock Identification

309

1 National Animal Identification Systems (NAIS) should be
2 considered a separate and distinct issue from country-of-origin
3 labeling. We favor the continued use of legally recognized traditional
4 methods of permanent identification of livestock for individual
5 ownership.

6 Any new method of livestock identification should only be
7 considered if it is proven equally practical and effective as current
8 methods and is a legally recognized form of proof of ownership in all
9 states having livestock brand law. We urge the USDA to conduct a
10 full cost analysis study of the NAIS program and to publish the
11 details. No action should be mandatory until Congress has published
12 the cost figures and appropriated funding.

13 We support the establishment and implementation of a voluntary
14 national animal identification system capable of providing support
15 for animal disease control and eradication. Only non-profit
16 agricultural or meat/livestock organizations should have control of
17 the animal ID program, not a private "for profit" company. We
18 support the opportunity for each state to decide the entity
19 controlling their respective animal ID program database. However, in
20 the event of a disease outbreak, the controlling entities must be
21 equipped to communicate and utilize the system to track and trace
22 animals in a timely manner.

23 A cost effective national system of livestock identification, with
24 adequate cost share among government, industry and producers,
25 should be established and regulated by an advisory board of producers,
26 processors and USDA. Any such program must protect producers
27 from liability for acts of others after livestock leaves the producers'
28 hands, including nuisance suits naming everyone who handled
29 particular livestock.

30 We support the following guidelines for a livestock identification
31 program:

32 (1) The program must be as simple and inexpensive as possible for
33 producers to implement;

34 (2) Cost share support from the federal government is vital
35 especially for development and implementation;

36 (3) Producer information shall be confidential and exempt from
37 disclosure under the Freedom of Information Act (FOIA);

38 (4) Information shall be made available only to the proper animal
39 health authorities in the event of an animal disease incident. Any

40 unauthorized use shall constitute a felony;
41 (5) The identification of animals will not be required until
42 movement from the original registered premise;
43 (6) All imported animals should be permanently identified
44 regarding their country of origin upon entry into the United States;
45 (7) Ensuring the security of producer information and respect the
46 privacy of producers by only collecting data necessary to establish a
47 trace-back system; and
48 (8) All current animal disease programs should be incorporated into
49 NAIS. Producers should need only one number for all programs;
50 however, due to the voluntary nature of NAIS, an opt-out method
51 should be available to producers at their request.
52 We support the development of uniform standards for electronic
53 identification.
54 We support the development and adoption of livestock
55 identification technology which will enhance the implementation of
56 value-based marketing.

Livestock Information Reporting

310

1 We support mandatory price reporting for the livestock industry.
2 We support enhancements that will improve mandatory price
3 reporting related to live hog reporting that:
4 (1) Includes additional sows in the mandatory price reporting
5 system to more accurately reflect the sales and prices paid in the sow
6 market;
7 (2) Alters report timing for data reporting to even out the USDA
8 workload to increase report accuracy and efficiency;
9 (3) Requires that USDA publish an annual compliance report to
10 increase the transparency of USDA's compliance and enforcement
11 efforts; and
12 (4) Enables USDA to publish price distributions for net prices to
13 provide more useful information than is currently provided by the
14 price ranges specified in the current law, while maintaining current
15 confidentiality requirements.
16 State and federal market reporting activities involving auction
17 barns, special and seasonal feeder animal sales and beef, swine,
18 poultry, dairy, lamb and goat breeding animals should be continued.
19 We request that USDA include, in its monthly livestock reports,
20 information indicating the number and origin of imported and
21 destination of exported livestock.
22 USDA should implement publication rules that maintain
23 confidentiality of individual and private business information. USDA
24 should develop better reporting mechanisms for sheep, lamb and goat
25 market information.
26 Price reporting programs should be administered by the
27 Agricultural Marketing Service of USDA. Price reporting
28 information should be provided to the Grain Inspection, Packers and
29 Stockyards Administration to enhance enforcement of the Packers
30 and Stockyards Act.
31 We support more accurate and timely reporting of wholesale and
32 retail meat prices and will work toward increased transparency in the
33 reporting of cattle sales.

Livestock Marketing

311

1 Livestock producers should have access to competitive markets for
2 price discovery that accurately determines the value of their
3 products.
4 We support:
5 (1) Development and implementation of value-based marketing
6 systems which convey the true value of product quality from the
7 retail market to the farm;
8 (2) Rights of producers and packers to enter into formula pricing,
9 grid pricing and other marketing arrangements and contract
10 relationships. Contracts and marketing arrangements should specify a
11 negotiated base price before commitment to deliver. Such contracts
12 and pricing arrangements should not be used to manipulate the
13 market to the detriment of producers. We encourage producers to
14 retain control over contract delivery and/or contract completion in
15 furtherance of value-added marketing;
16 (3) Encouraging co-ops to play a larger role in the meat industry
17 by building or acquiring packing houses; and
18 (4) Development of new risk management tools to enhance the
19 ability of family livestock farmers to cope with market fluctuations.

Organic Nutrient Management

312

1 Organically-based agricultural by-products are a valuable resource,
2 and we oppose classifying them as industrial or hazardous waste.
3 We believe:
4 (1) In investment in technical support and the development of
5 information resources in conjunction with the Soil and Water
6 Conservation District, Cooperative Extension Service, and Natural
7 Resources Conservation Service;
8 (2) Adequate research should be completed to determine air quality
9 and odor parameters that provide scientifically proven levels for
10 livestock health and worker safety;
11 (3) There must be no direct discharge from manure storage systems
12 or livestock facilities to surface waters, drainage ditches or field tiles
13 due to negligence, poor management and faulty structural design.
14 Direct discharges due to natural causes should be exempt from civil
15 and punitive penalties and damages;
16 (4) Research on manure management is a high priority including
17 such topics as odor reduction, waste and nutrient management and
18 artificial wetland remediation of nutrients. Some flexibility should be
19 allowed in wetlands management;
20 (5) Any proposed law, rule or regulation which would restrict a
21 farmer's nutrient management practices shall only be implemented if
22 consistent with best management practices (BMPs) developed at the
23 state level with the cooperation and assistance of our state land grant
24 institutions with considerations given for local conditions. The
25 authority for enforcement and implementation of these standards
26 should be clearly defined to protect farmers from differing
27 interpretations by state or federal agencies;
28 (6) Coordination is required between the permitting agency for a
29 livestock facility and the agency which designs the facility;
30 (7) Government agencies must utilize proven scientific practices
31 when developing policies concerning manure management facilities,
32 and the application of manure;

33 (8) Government cost-share funding should be made available to
34 producers for constructing manure handling facilities to correct
35 existing problems;

36 (9) Industry should develop guidelines for responsible and balanced
37 environmental protection for confined animal units. These guidelines
38 should include, but not be limited to, provisions covering manure
39 control and management, separation distances, odor management,
40 emergency spill response plans, etc.; and

41 (10) Expansion of any existing regulatory authority should not
42 threaten the ability of independent producers to compete. Any
43 standards that require changes in infrastructure for existing facilities
44 must be based on proven scientific research and shall consider a cost-
45 benefit analysis.

46 We support:

47 (1) Programs that educate farmers on techniques regarding
48 properly managed organic nutrient systems and a public relations
49 program to emphasize methods by which farmers protect the
50 environment by using properly managed organic nutrient systems;
51 and

52 (2) The concept of a voluntary certified nutrient applicator
53 program.

54 We oppose:

55 (1) Efforts to impose a new layer of federal regulations and
56 bureaucracy to existing federal and state regulations affecting
57 agricultural operations;

58 (2) Any federal mandate on nutrient management. Each state
59 should negotiate and/or implement its own specific program.
60 Information obtained by government agencies on agricultural
61 producers pertaining to nutrient management plans should be kept
62 confidential;

63 (3) Awarding punitive damages in odor lawsuits; and
64 (4) Undue restrictions on spreading poultry litter on farmland.

Packers and Stockyards Act

313

1 We support continuation of the Grain Inspection, Packers and
2 Stockyards Administration (GIPSA) as a separate agency of USDA
3 and oppose any attempt to lessen the ability of this agency to
4 adequately enforce the act and its regulations.

5 The Packers and Stockyards Act should be amended to:

6 (1) Extend prompt pay requirements to wholesalers and retailers of
7 livestock products;

8 (2) Include a dealer trust provision;

9 (3) Provide jurisdiction and enforcement over the marketing of
10 poultry meat and eggs as already exists for livestock;

11 (4) Strengthen the ability of GIPSA to stop predatory practices in
12 the meat packing industry;

13 (5) Provide producer restitution when a case is successfully
14 prosecuted;

15 (6) Provide GIPSA enforcement authority to ensure that all
16 instruments used in quantifying quality factors for value
17 determination for livestock are performing to a set standard; and

18 (7) Include breeder hen and pullet operations so they are treated
19 the same as broiler operations.

20 We support the addition of dairy cattle and milk processors as

21 named in the Packers and Stockyards Act.
22 We support an amendment to the Packers and Stockyards Act of
23 1921, that would include the ratite (emu, ostrich and rhea) industry
24 wherever applicable.
25 We will support legislation on a state and national basis,
26 establishing GIPSA as the overall authority and provider of oversight
27 to ensure livestock contracts are clearly-written, confidentiality
28 concerns are addressed, investments are protected, enhanced price
29 transparency, price discovery and contractors honor the terms of
30 contracts.
31 We will work with GIPSA for more strict enforcement of
32 regulations requiring poultry to be weighed on the nearest scale
33 within a reasonable time, not to exceed eight hours, after the poultry
34 is picked up at the farm.
35 We recommend stricter enforcement of laws requiring livestock
36 market owners to water and feed livestock kept overnight in
37 stockyards and markets.
38 We support effective enforcement of antitrust laws and the
39 Packers and Stockyards Act.
40 USDA, in conjunction with the Department of Justice, should
41 closely investigate all mergers, ownership changes or other trends in
42 the meat packing industry for actions that limit the availability of a
43 competitive market for livestock producers.
44 Action should be taken to oppose further concentration of the
45 meat packers. The Departments of Agriculture and Justice should
46 more aggressively enforce current antitrust laws pertaining to packer
47 concentration.
48 Beef packers who process more than 1,000 head per day should be
49 monitored so they cannot manipulate the market through forward
50 contracting.
51 We believe that from a regulatory standpoint, captive supplies
52 should be defined as all cattle owned, or controlled or contracted by,
53 a packer seven or more days prior to delivery. We support legislation
54 that would prohibit packers from manipulating the number of captive
55 supply cattle slaughtered from week to week in order to manipulate
56 the cash market.
57 The bonding requirement for livestock dealers and packers should
58 be reviewed on an annual basis and be adjusted to reflect the volume
59 of the maximum financial exposure to producers and/or their brokers
60 and then be made available to the public.

Poultry

314

1 We support our poultry farmers and their role in the poultry
2 industry. We encourage and support open dialogue between the
3 individual poultry farmer and the company representative as the
4 most effective method of issue resolution.
5 We encourage exporting poultry meat products and continuing
6 efforts to ensure that these products are not discriminated against by
7 foreign markets.
8 We support aggressive research to address the inadequate scientific
9 information concerning phosphorus.
10 We encourage individual producers to voluntarily adopt and follow
11 litter/manure management plans.
12 We should collect information concerning economic conditions of

13 poultry farmer/members and farmer/poultry company relations.
 14 We urge companies to justify mandatory modification of buildings
 15 and equipment through research documentation. Any modification
 16 should be a long-term agreement, negotiated in writing, between the
 17 grower and company before installation.
 18 The length of contracts should adequately protect a grower's
 19 investment in buildings and equipment.
 20 We should continue to seek opportunities with poultry companies
 21 to further understanding between companies and farmers. Special
 22 emphasis should be on integrity of the present contractual
 23 relationship.
 24 We support the burial of dead birds as an emergency management
 25 option when mortality exceeds normal daily mortality and the
 26 capacity of normal disposal or treatment methods.
 27 We recommend that integrators and farmers work together to
 28 practice all possible bio-security methods to help prevent disease.
 29 We recommend integrators notify all producers of any contagious
 30 diseases in their area.
 31 We recommend that contract producers continue to be furnished
 32 weight tickets on all poultry sold from their farms and on feed
 33 delivered to the farm.
 34 We recommend pay averaging criteria be revised to compensate
 35 for company production decisions that influence a farmer/producer's
 36 settlement.
 37 We encourage closer cooperation between builders of poultry
 38 houses and agricultural insurance companies and lenders to make sure
 39 the houses meet specifications of building codes.
 40 We request the availability of a non-insured crop disaster assistance
 41 program for contract poultry farmers on a per flock basis, to be
 42 administered through the Farm Service Agency.

Rendering Facilities and Collection Points 315

1 We support:
 2 (1) The streamlining of the permitting process for rendering
 3 facilities and encourage livestock producers to use rendering
 4 facilities; and
 5 (2) Legislation that provides economic and regulatory relief to
 6 rendering facilities and encourage further development and
 7 construction of rendering facilities and collection points.
 8 We encourage research that adds value and marketability of
 9 rendering facility products.

Sheep and Goats, Wool and Mohair 316

1 We support the continuation of a strong sheep, goat, wool and
 2 mohair industry in the United States and recognize the need for
 3 continued promotion and development of value-added processing.
 4 We support the use of domestically raised lamb and goats.
 5 The USDA should evaluate the testing requirement of the wool
 6 grading program with emphasis on producer cost and feasibility.
 7 We support the designation of sheep and goats as minor species so
 8 that cattle research data can be used to approve animal health
 9 products for use in these species.
 10 We support the development of a separate sheep and goat

11 checkoff program for promotion of their respective industries.
12 We support the current loan program for wool and mohair.
13 We support a lamb checkoff if consistent with our commodity
14 promotion policy.
15 We oppose using a somatic cell count test designed for bovines to
16 regulate dairy goat and sheep milk. We support development of an
17 appropriate test for dairy goats and sheep.

Wildlife Pest and Predator Control

317

1 Controlling wildlife damage is a critical factor in maintaining the
2 success of American agriculture. Towards that goal we support:
3 (1) Developing practical recommendations on methods for
4 controlling all wildlife pests by providing adequate funding to USDA
5 for intensive research;
6 (2) Contracts with land grant universities being considered to
7 conduct this research. The results of all research should be more
8 widely distributed to livestock producers; and
9 (3) Programs to control prairie dogs on private and public land;
10 (4) Establishment of statewide or interstate compacts designed to
11 administer a predator bounty system;
12 (5) Continuation of all established predator control practices and
13 broader use, including traps and chemical toxicants under federal or
14 state supervision;
15 (6) Aerial hunting to help control predator numbers;
16 (7) The use of livestock protection collars in animal damage
17 control;
18 (8) Legislation which would require the control of wildlife including
19 endangered species or provide depredation permits for farmers who
20 suffer losses from wildlife;
21 (9) The continuation of the federal-state cooperative program for
22 funding and administration of predator control;
23 (10) The continuance of predator and rodent control in rural and
24 urban areas which benefit public and health safety;
25 (11) Control programs to reduce wildlife populations to
26 manageable levels in areas where they are numerous and destructive;
27 (12) A standing depredation order for the double-crested
28 cormorant;
29 (13) Seek new and more effective means of predator control;
30 (14) Congress taking immediate steps to provide agencies/research
31 scientists with adequate funds for wildlife, pests and predator control
32 and research designed to develop additional control methods, such as
33 electronic surveillance and detection devices;
34 (15) Research to document the losses of livestock and game
35 animals caused by predators and the resultant economic losses;
36 (16) Reinstatement of more effective permits which allow
37 commercial duck and fish producers to control depredating gulls and
38 other predators;
39 (17) USDA to review the availability of government trappers;
40 (18) All Fish and Wildlife refuges to allow hunters and trappers to
41 control pests and predators on any refuges with overpopulation; and
42 (19) That property owners should have the right to control
43 wildlife in any way possible when these animals cause damage to their
44 property or agricultural enterprises or threaten personal safety.
45 We oppose:

46 (1) The introduction or reintroduction of any species, including
47 rodents and animals that prey on livestock, without the approval of
48 the affected state legislature; and
49 (2) Fish and Wildlife Service (FWS), or anyone else, being able to
50 release dangerous predators on or near private property. It should be
51 mandatory to require them to capture and remove them.

CROP INSURANCE / RISK MARKETING

Basis Areas and Transportation 325

1 We support research into the delivery location, pricing and other
2 factors associated with grain marketing so producers may receive the
3 best possible price basis for their crop.

Commodity Futures and Options 326

1 The integrity of all U.S. commodity futures and options exchanges
2 as a pricing mechanism must be maintained by the members of the
3 exchanges and their overseeing governing bodies.

4 Commodity futures and options trading serves a useful purpose for
5 a number of commodities by providing a means to transfer certain
6 types of risk. Other commodities should be included where need
7 exists and research shows futures and options trading would be
8 beneficial. We urge that regulatory laws be strictly enforced.

9 We support the use of off-exchange agricultural trade option
10 contracts in commodity marketing, which would include complete
11 risk disclosure, vendor integrity and the opportunity for cash
12 settlement of the option. We should provide educational programs
13 for producers to learn about this risk management tool and work with
14 commodity buyers to offer agricultural trade option contracts.

15 We will:

16 (1) Aggressively work to maintain agricultural representation on
17 Commodity Futures Trading Commission (CFTC);

18 (2) Oppose efforts by CFTC to regulate cash grain;

19 (3) Encourage CFTC to require additional delivery points and
20 assure an adequate delivery system;

21 (4) Continue to work with state Farm Bureaus and their affiliated
22 marketing agencies to encourage the expansion of forward pricing
23 services based on futures and options and to strengthen current
24 programs;

25 (5) Encourage worldwide electronic trading at U.S. commodity
26 exchanges;

27 (6) Support expanded use of mini-futures contracts on all
28 commodity exchanges;

29 (7) Support changes in current futures contracts if research shows
30 that they will result in maintaining or increasing liquidity of the
31 market;

32 (8) Oppose efforts to combine CFTC and the Securities Exchange
33 Commission and support regulation of the commodity futures
34 business by CFTC;

35 (9) Urge CFTC to increase oversight of futures exchanges and
36 floor traders to ensure that integrity of these markets is maintained
37 and to curb practices that result in manipulation or artificial price

38 swings;
39 (10) Review price-setting mechanisms and make recommendations
40 for the most effective price discovery systems for identity-preserved
41 grains;
42 (11) Urge the governing body of the commodity exchanges to
43 continue to establish predetermined, publicized limits for margins at
44 various market price levels for each commodity;
45 (12) Oppose efforts by the commodity exchanges to charge a fee
46 for delayed market quotes;
47 (13) Conduct a review and actively participate in the
48 reauthorization of the Commodities Exchange Act. That review will
49 seek to minimize price manipulation and ensure the markets are
50 effective as a price discovery mechanism given the increasing levels
51 of contract production;
52 (14) Encourage commodity exchanges to have an active and viable
53 agriculture advisory committee; and
54 (15) Support regular and thorough review of the CFTC and
55 commodity markets.
56 We encourage the use of marketing tools or other marketing
57 alternatives. We support hedge-to-arrive contracts being honored
58 when used as a marketing tool that ensures delivery of the
59 commodity on the contract and has a set delivery date. Those
60 entering into these agreement or contracts should be held liable for
61 their own actions.

Federal Marketing and Bargaining Legislation

327

1 We support the enactment of a comprehensive federal marketing
2 and bargaining act. This legislation should be available to producers
3 in all states if they desire to organize marketing associations and
4 operate within the provisions of the act. It should establish
5 procedures for:
6 (1) Defining bargaining units;
7 (2) Accrediting associations to bargain as exclusive agents for all
8 producer-members of bargaining units;
9 (3) Good faith bargaining between accredited associations, handlers
10 and processors;
11 (4) Establishing minimum requirements and rights in the operation
12 of accredited associations; and
13 (5) Resolving bargaining impasses by mediation and arbitration by
14 a joint settlement committee utilizing the principle of final offer
15 selection.
16 We support enactment of legislation to amend the Agricultural
17 Fair Practices Act to allow state marketing associations to represent
18 all producers of a commodity under the majority rule concept and
19 require handlers to recognize and deal with associations of producers.

Federal Marketing Orders

328

1 Federal marketing orders should be designed to provide for orderly
2 marketing and an even flow of high quality products to consumers.
3 We support the issuance, for industry vote, of any new federal
4 marketing order for promotion, education, research and orderly
5 marketing under the Agricultural Marketing Agreement Act of 1937,
6 which meets the criteria listed below.

7 Orders should not be used to control production directly, establish
8 closed markets, maintain artificially high prices or collect funds for
9 the purchase of agricultural products for diversion purposes.
10 Any federal marketing order should meet the following criteria:
11 (1) Be paid for and controlled by producers; within the bounds of
12 the court;
13 (2) Be used to maintain and expand markets;
14 (3) Provide opportunity for new producers to enter the industry;
15 (4) Contain a provision for periodic review through referenda to
16 determine if the producers covered by an order favor its
17 continuation;
18 (5) Allow a minority of producers to petition for rehearings or a
19 new referendum;
20 (6) Cover commodities which are produced for the same general
21 market irrespective of the production area;
22 (7) Provide that rejection of a proposed amendment shall not
23 result in termination of the entire order; and
24 (8) Provide for termination of an existing order only by producer
25 referendum.
26 Marketing orders for commodities produced for processing should
27 not require processor approval when confined to raw agricultural
28 products. We support an amendment to the act to permit the
29 development of orders for any agricultural commodity and its
30 products when producers request it.
31 We urge USDA to be a strong advocate of federal marketing
32 orders. We oppose the delegation of USDA's authority to any other
33 agency and any efforts to weaken the act.
34 Marketing orders should be implemented on a timely basis once
35 approved by growers.
36 In federal marketing order referendums, the members of a
37 nonprofit agricultural cooperative marketing association should be
38 informed of the intended position of the cooperative before the bloc
39 vote is exercised. Boards of directors of agricultural cooperatives
40 should be allowed to vote for their members on marketing order
41 questions, provided each member is given the right to cast his own
42 ballot in any referendum.

Marketing Philosophy

329

1 We should work aggressively to see that farm producers receive
2 maximum profitable prices for their commodities. We reaffirm our
3 belief in the laws of supply and demand and the free and open
4 movement of the market and its prices. Every educational means
5 available should be used to educate farmers and ranchers on the
6 principles of a market-oriented agriculture. Land grant colleges
7 should be funded to develop and implement this educational goal.
8 We support legislation to require payment in full within 30 days of
9 sale for all agriculture commodities, unless otherwise agreed to by the
10 seller, at all levels of the agricultural marketing chain.
11 We support the principle of keeping farm-to-consumer channels
12 open. We will continue to oppose the efforts of any group which, by
13 force or intimidation, would deny buyers the freedom of choice in
14 the marketplace. We oppose the use of slotting fees. Public
15 institutions should be required to buy domestic agricultural products
16 when they are available.

17 We support efforts to ensure open markets to all producers.
18 We will support an improved USDA commodity price reporting
19 system based upon required price reporting by first purchasers. USDA
20 should establish a mechanism to monitor and report changes in the
21 farm-to-consumer price spread for commodities.
22 We continue to take aggressive steps to investigate and solve
23 national and international marketing problems through the
24 expansion of existing marketing projects and the development and
25 implementation of new programs where feasible.
26 Electronic marketing, using modern technology, is a vital
27 marketing tool. We will strive to keep abreast of developments in
28 electronic marketing and encourage our members to use them where
29 possible.
30 Value-added products can provide significant revenue streams for
31 agricultural producers. Value-added marketing opportunities should be
32 provided for farm producers and the use of U.S. farm products should
33 be encouraged.
34 We will:
35 (1) Monitor the current changes in marketing practices for many
36 farm commodities which are moving from producer to buyer without
37 entering the open market, but are being produced and marketed to
38 contractual specifications;
39 (2) Determine the need for any necessary legislation to ensure that
40 farmers engaging in contract production and marketing are
41 adequately protected;
42 (3) Assist individual member producers in their efforts to negotiate
43 fair and equitable production contracts by:
44 (a) developing an information clearinghouse on and glossary of
45 terms for production contracts;
46 (b) working with commodity groups in developing a list of
47 negotiators available for individual member producers to contact
48 in assisting them in negotiating production contracts;
49 (c) seeking legislation to limit production contract nondisclosure
50 provisions;
51 (d) educating producers about the risks involved with buyers call
52 provisions and ensuring that these provisions include:
53 (i) specific delivery periods with negotiated final delivery date;
54 (ii) payments to seller if delivery period exceeds original
55 contracted delivery period or if buyer "calls" for delivery prior
56 to the contracted delivery period; and
57 (iii) pricing ability to and beyond delivery.
58 (e) support farmers' ability to choose arbitration, mediation or a
59 civil trial in any and all disputes between farmers and
60 agribusinesses. We therefore support legislation that prohibits
61 clauses in agricultural marketing or production contracts that
62 require farmers to submit to arbitration and give up rights to
63 mediation or a civil trial;
64 (4) Study the establishment of a mechanism to provide education
65 and information for farmers engaged in contract production and
66 marketing;
67 (5) Continue to investigate and evaluate new concepts that will
68 allow the market to give accurate economic signals;
69 (6) Encourage seed and chemical companies to include local
70 elevators in the premium structure, thus making specialty crops
71 available to more farmers;

72 (7) Aid farmers in forming small local producing groups that could
73 aid farmers in capturing specialty production premiums;
74 (8) Encourage companies that contract with producers to offer
75 them stock purchases or profit sharing; and
76 (9) Publicly urge all parties who have entered into commodity
77 marketing agreements to fulfill those agreements, despite changes in
78 the prices for the commodity so contracted.
79 We believe that the marketing of grain should remain in the hands
80 of private individuals and organizations. We are opposed to the
81 formation of any new interstate grain compact.
82 We support funding for the Value Added Agricultural Product
83 Market Development Grant to help producers develop value-added
84 enterprises. We support crop research and market development of
85 the production of all fiber crops.

Risk Management/Crop Insurance

330

1 *Crop/Revenue Insurance*

2 We encourage continued producer education of risk management
3 alternatives, efforts to refine existing risk management tools, and
4 the development of new crop insurance and other risk management
5 products. Excluding pilot programs, we believe all producers in all
6 states should have access to crop insurance programs and policies.
7 We support:
8 (1) A crop insurance program which allows producers and landlords
9 to opt out of crop insurance coverage;
10 (2) The federal government maintaining the support payments for
11 crop insurance;
12 (3) Providing producers of all crops options for various insurance
13 products that accurately reflect individual risk considerations when
14 making crop insurance purchasing decisions;
15 (4) Development of additional risk management tools to
16 supplement or be an alternative to the current crop insurance
17 program;
18 (5) The ability of an insurance provider to bring new technology
19 and innovation to the crop insurance industry;
20 (6) Expansion of revenue insurance products, including apiary and
21 livestock products and products for contract producers of livestock
22 and poultry;
23 (7) The Livestock Risk Program (LRP) as a price risk protection
24 tool for livestock producers. We support the Risk Management
25 Agency's (RMA) changes to the policies after the bovine spongiform
26 encephalopathy (BSE) case and encourage further refinements to
27 make it a more viable product;
28 (8) USDA subsidizing the livestock premium rate at a higher level
29 than the current 13 percent;
30 (9) Inclusion of sheep, goat and bison producers in the LRP
31 program;
32 (10) Existing Option B insurance program;
33 (11) Federal crop insurance offering a revenue-based product. Both
34 premium and level of coverage should be based on an average cost of
35 production for the crop and the county along with the individual
36 producer's actual cost;
37 (12) Adjusted gross revenue insurance programs being made
38 available to producers in all counties;

39 (13) A crop insurance program which expands the availability of
40 Revenue Assurance to all currently insurable crops in all states;
41 (14) Eligibility for specialty crop coverage based on the number of
42 producers per state rather than per county;
43 (15) A crop insurance program which has an annual rate review
44 and is actuarially sound by crop, county and state;
45 (16) Increasing the premium subsidy for higher levels of buy-up
46 coverage;
47 (17) Development of crop revenue policies that provide coverage
48 for all grain quality discounts, including unmarketable grain and grain
49 damaged by acts of nature, for producers that follow good farming
50 practices determined by the RMA;
51 (18) Cottonseed as an insurable product in the Federal Crop
52 Insurance Program;
53 (19) Alteration of crop insurance grain quality adjustments to
54 reflect USDA grain inspection standards. When verifying crop
55 quality loss adjustments, sampling and inspection conducted by state
56 or federally licensed elevators grading to a "marketable" quality
57 product should be accepted proof of loss;
58 (20) Updating planting dates to better reflect variety maturity,
59 growing season length, land grant university or processor
60 recommendations, geographic areas and weather conditions. We also
61 support flexibility to allow the secretary of agriculture to adjust
62 planting dates, with loss protection for changing those dates provided
63 to private companies;
64 (21) A catastrophic insurance policy which insures dry land and
65 irrigated fields separately;
66 (22) Crop insurance coverage for any crop grown in an area that
67 can normally produce that type of crop and allowing new crops to be
68 eligible for crop insurance the same year that the new crop is first
69 planted;
70 (23) A crop insurance program which explores the feasibility and
71 possibility of offering producers coverage levels above the currently
72 offered coverage levels;
73 (24) Insurance of dark tobacco in barns;
74 (25) Special provisions for seed crops requiring pollinator rows for
75 seed production;
76 (26) Removing mandatory harvest requirements from Federal Crop
77 Insurance claim provisions;
78 (27) Distinguishing between dry land and irrigated land by
79 proposing that on a field under center pivot irrigation, a person
80 would be allowed to separate the dry land corners from the irrigated
81 circle no matter what direction the rows are planted. Technology to
82 change population rates at planting and yield monitors to check
83 yields at harvest should be accepted for compliance for crop
84 insurance unit designation;
85 (28) Coordination of rules between the Federal Crop Insurance
86 Corporation (FCIC), the RMA and the Farm Service Agency (FSA)
87 to allow for proper differentiation between irrigated and non-
88 irrigated tracts within a farm;
89 (29) A crop insurance program which offers replant benefits that
90 accurately reflect actual cost of replanting the damaged crop;
91 (30) Simplifying application, reporting and claim procedures by
92 promoting flexibility in the process and communication between
93 agents, adjusters, FSA and others;

94 (31) Allowing acreage reporting revisions based on accurate FSA
95 certification;
96 (32) Timely adjustment and payment of claims;
97 (33) Allowing crop insurance agents to be involved in the claims
98 process to provide enhanced and seamless service to producers;
99 (34) Education programs that provide risk assessment and risk
100 management as well as professional education for farmers in
101 marketing, financial management and government regulations;
102 (35) The private sector as the primary deliverer of insurance with
103 FSA as a backup provider;
104 (36) The actual production history (APH) staying with the land;
105 (37) No reduction of APH in areas under disaster declaration;
106 (38) The right of the producer to choose between APH and county
107 FSA transitional yield (T-yield) in the determination of crop
108 insurance yield coverage producers with documented APH should be
109 allowed to increase acreage at that level of coverage without
110 resorting to the T-yield;
111 (39) Requiring RMA claim guidelines to take into consideration
112 economic justification when Best Management Practices are used to
113 determine treatment thresholds and timeliness of applications;
114 (40) The exclusion of crop losses caused by other parties'
115 negligence in the calculation of APHs;
116 (41) Farm owner/operator choice to combine or separate farms,
117 tracts or fields rather than being designated as a single farm unit;
118 (42) Calculation of crop insurance T-yields should not include the
119 years in which an area was under a disaster declaration;
120 (43) The structuring of crop insurance policies so that premiums
121 do not continue to increase for producers whose APH yields are
122 lowered due to multi-year losses;
123 (44) A crop insurance program that includes increased options for
124 high risk land;
125 (45) A crop insurance program that promotes the use of soil
126 productivity, derived from existing county Natural Resource
127 Conservation Service (NRCS) soil surveys, as a guide for establishing
128 base T-yields for federal crop insurance;
129 (46) Allowing new producers to use county National Agricultural
130 Statistics Service (NASS) averages instead of the T-yield when
131 establishing yield for federal crop insurance;
132 (47) Adjusting crops at or below harvest cost to be considered a
133 zero level of production;
134 (48) A producer option in crop insurance to allow collection of a
135 harvest incentive or recalculation of appraised yields to a zero yield
136 when yield values are below harvest cost;
137 (49) The removal of "production to count" from all crop
138 insurance policies written and developed by the FCIC;
139 (50) USDA developing standard production evidence procedures
140 for both FSA and crop insurance purposes;
141 (51) Using actual production yields rather than NASS survey yields
142 to calculate Group Risk Plan (GRP) insurance policies;
143 (52) Expansion of honey insurance programs to include bees and
144 queen bees;
145 (53) Requiring crop insurance agents to receive training and pass a
146 written examination on each specific crop they wish to be certified
147 to sell;
148 (54) Transitioning the sweet potato crop insurance program from

149 a pilot program into a permanent nationwide crop insurance
150 program;

151 (55) A crop insurance program which allows written agreements,
152 once granted, to remain effective until loss ratios dictate otherwise;

153 (56) Abolishing or modifying the "three-in-one" rule that requires
154 a farmer to plant and harvest a particular program crop at least one
155 out of three years in a field in order for that crop to be eligible for
156 crop insurance;

157 (57) A crop insurance policy provision to provide coverage due to
158 regulation of a quarantined disease;

159 (58) Provisions that allow increasing APH when adopting new
160 technologies such as drip irrigation;

161 (59) Separate insurance policies for different types of farming
162 practices, e.g. drip and pivot irrigation;

163 (60) Allowing 100 percent insurance coverage of an alternative
164 secondary crop upon failure of the primary crop at planting time.
165 This should not be considered "double cropping;"

166 (61) Allowing insurance personnel to obtain a 578 Producer
167 Report from FSA offices;

168 (62) Development of insurance products for limited irrigation
169 production that would allow irrigation from low volume or
170 appropriated wells at critical times or stages of the crop cycle;

171 (63) Allowing harvested apples and peaches, regardless of the
172 intended use, to be counted toward yield and APH;

173 (64) A perennial fruit and nut replacement crop insurance option;

174 (65) Elimination of the multi-crop restrictions on Adjusted Gross
175 Revenue (AGR) and the ability to purchase 80/90 coverage for
176 specialty crop participants at a risk adjusted premium;

177 (66) A crop insurance program that requires RMA to consider
178 economic justification when "good farming practices" are used to
179 determine treatment thresholds in timeliness of applications;

180 (67) The elimination of the "staged production guarantee" that is
181 only found in a limited number of crop insurance policies;

182 (68) Crop insurance for canola;

183 (69) Extending the time-frame for USDA to declare a disaster
184 from the current three months to six months;

185 (70) Creation of an alternate means of insurance by establishing a
186 pre-tax agricultural savings account, with the federal government
187 matching grower contributions up to traditional federal crop
188 insurance subsidy levels;

189 (71) Expansion of crop insurance programs for vineyards,
190 including vinifera grapes; and

191 (72) The FSA recognizing wildlife as a cause of loss to crops in the
192 same way as the Federal Crop Insurance Corporation (FCIC).

193 We oppose:

194 (1) Means testing for crop insurance participation or eligibility for
195 assistance;

196 (2) The automatic triggers for auditing crop insurance and believe
197 they should be revised;

198 (3) Crop insurance participation as a requirement for eligibility in
199 other government farm programs;

200 (4) Requiring irrigation after crop failure has occurred; and

201 (5) The current restrictions on crop insurance related to livestock
202 grazing.

203 The FSA should completely review the Non-Insured Assistance

204 Program (NAP) elements including the applicable dates, guarantees,
205 premium payments and prices related to the program.

206 When a producer pays the maximum NAP fee of \$750.00 for
207 three specified crops in a county, the statement "or any other crops"
208 should be included and the producer be considered in compliance for
209 the Supplemental Revenue Assistance Payments Program or any
210 other disaster related programs. The NAP premium should be pro-
211 rated to reflect appropriate percentages of crop ownership as stated
212 in the rental agreement.

213 ***Disaster Programs***

214 Until such improvements in risk management tools are made, and
215 in the event federal disaster payments are approved, we believe:

216 (1) Funding for disaster assistance programs should not come from
217 reopening the farm bill or from other agricultural funding offsets;

218 (2) Disaster payments should not penalize producers who have
219 purchased higher levels of crop insurance;

220 (3) Disaster payments should be in the form of increased levels of
221 coverage for those producers carrying crop insurance with eligible
222 losses;

223 (4) Disaster assistance payments should be distributed in as timely a
224 manner as possible;

225 (5) Disaster assistance should be available for producers of
226 uninsurable crops and livestock;

227 (6) Disaster assistance payments should be available for producers
228 who are victims of bioterrorism;

229 (7) Disaster payment determinations should be based only on data
230 from FSA; and

231 (8) Disaster programs should take into account present losses, the
232 ability to produce the same or similar crops and on-going losses when
233 determining levels of disaster payments.

234 We support:

235 (1) A disaster assistance program that includes low interest loans
236 and/or grants until an improved crop insurance program is available
237 for all commodities. Producers should not have to be turned down by
238 a lender to qualify for a low-interest disaster loan;

239 (2) Allocation of disaster assistance by Congress without regard to
240 existing farm program payments;

241 (3) The implementation of a disaster assistance program in such a
242 manner to assure that it does not undermine the integrity, future
243 participation and new product development in crop insurance/risk
244 management programs;

245 (4) Continuation of the emergency livestock feed assistance
246 program until an effective forage insurance program is available;

247 (5) In declared disaster areas, a payment to producers based on the
248 difference between the producer's yield for that year and the
249 producer's APH;

250 (6) The ability of a producer to receive disaster assistance in the
251 year of the disaster even if harvest is scheduled for the following
252 year;

253 (7) A crop insurance program which allows the use of all elevator
254 quality factors conducted by certified graders using certified testing
255 equipment. These factors include moisture, foreign material, test
256 weight, damage, and mycotoxins. The disinterested third party
257 requirements for mycotoxin testing should be eliminated if certified
258 equipment and testers are in place;

259 (8) When a canning field is "passed" for harvest, a producer should
260 receive an APH based on the settlement yield;
261 (9) Changes in FCIC regulations to offer full coverage on both
262 crops to farmers who double crop; and
263 (10) Changing the due date of crop insurance premium to Dec. 1 of
264 that crop year.
265 Coverage for crop losses due to governmental restrictions or pest
266 infestations should be considered for disaster payments.
267 We recommend the prevented planting clause that prohibits
268 grazing be removed.
269 We recommend rule changes that would allow farmers to recover
270 commodity losses under the Crop Insurance Program if they have
271 been adversely affected by erroneous information given out by FDA
272 and USDA.

FOOD: PROTECTION, QUALITY AND SAFETY

Aflatoxin-Vomitoxin

335

1 We support:
2 (1) A uniform sampling and grading system that takes into account
3 the actual aflatoxin levels;
4 (2) The present uniform test for aflatoxin for use in all states and
5 support the development of an accurate method for testing and
6 sampling at the marketplace;
7 (3) Research that accurately reflects the level of aflatoxin that
8 may be ingested by a particular species with no harmful effects;
9 (4) Research on the prevention of aflatoxins by USDA and favor
10 increased research into the use of aflatoxin-affected commodities;
11 (5) Research for more accurate tests to determine aflatoxin levels
12 as opposed to the black light test for final determination of
13 aflatoxin;
14 (6) The Food and Drug Administration (FDA) ruling on interstate
15 shipments of grain and other products which contain aflatoxin as
16 long as the ruling provides protection for animals and humans;
17 (7) Commodity Credit Corporation changes in the tolerance levels
18 of aflatoxin for privately stored corn in the government loan
19 program to the same levels for public storage facilities;
20 (8) The standardized use of the "thin layer" test for determining
21 vomitoxin levels in grains and end products; and
22 (9) The removal of FDA restrictions on interstate and export
23 shipments of aflatoxin corn and cottonseed which has been treated
24 with a high pressure-high temperature ammonification process to
25 reduce the aflatoxin to insignificant levels.

Agricultural Chemicals

336

1 Agricultural chemicals are important in continuing to supply
2 consumers with an abundant, safe, nutritious, high quality and
3 reasonably priced food supply. We are committed to continuing the
4 use of agricultural chemicals in a safe and judicious manner so as to
5 protect the health and safety of producers, our employees, our
6 families, our communities and the environment.
7 We support access to critical pesticides used for crop and livestock

8 production, along with increased funding for research on alternative
9 crop and livestock protection tools. We request EPA increase and
10 expedite registration of additional new crop protection tools.

11 We will work with and encourage the agricultural chemical industry
12 through its advertising to present a positive and professional image
13 of farmers and agriculture to the general public.

14 We encourage state control of container disposal and recycling
15 programs.

16 **Regulation**

17 We believe implementation of the Federal Insecticide, Fungicide
18 and Rodenticide Act (FIFRA) should be based on credible scientific
19 information in order to benefit farmers, the environment and the
20 public.

21 The United States, Canada and Mexico should harmonize
22 registration guidelines, labeling requirements and accept registration
23 material for agricultural pesticides from those countries.

24 We encourage testing of pesticides based on realistic levels of
25 exposure or consumption.

26 We believe that when a pesticide product receives an emergency
27 use exemption under Section 18 of FIFRA, the state administering
28 the pesticide provisions where the exemption was issued, be
29 authorized to re-issue that emergency use until a full FIFRA
30 assessment is completed.

31 We urge that risk/benefits be considered when the Environmental
32 Protection Agency (EPA) or other agencies make determination to
33 restrict or cancel pesticides or agrichemicals.

34 EPA should consider actual use data in its risk assessment process
35 to support pesticide registrations and avoid decisions based on worst
36 case assumptions. EPA should not assume that farmers apply
37 pesticides at the maximum dosage rates or frequency of application
38 as the label will allow.

39 USDA and EPA should work cooperatively to find alternatives for
40 pesticides that, as a result of regulatory action, have lost registrations
41 and uses. We encourage the development of voluntary Pest
42 Management Strategic Plans.

43 We also request re-evaluation of previously canceled pesticides
44 based on current scientific data.

45 USDA should expand its scientific capabilities to better serve as a
46 full partner with EPA in pesticide regulatory activities. EPA should
47 be required to strengthen and take more seriously its required
48 consultation with USDA.

49 Pesticide manufacturers and formulators should be held responsible
50 for the safety and efficacy of crop protection products, if the
51 chemical is used in accordance with the label.

52 EPA should be able to contract with USDA to perform the testing
53 for pesticide residues.

54 Atrazine, Acetachlor and Simazine are effective economical crop
55 protection chemicals that must continue to be available to farmers.

56 Provisions for experimental use, emergency exemptions and state
57 special use registration are particularly important until federal
58 registration is completed.

59 We support:

60 (1) Legislation that would limit authority for pesticide regulation
61 solely to federal and state governments;

62 (2) Adoption of a negligible risk standard;

63 (3) The right to import U.S. approved pesticides from other
64 countries;

65 (4) The continued use of agricultural chemicals which currently
66 have no viable alternatives, such as methyl bromide. We encourage
67 research funded through state and federal agencies to find
68 alternatives for methyl bromide that are economically viable, of
69 equal performance and sensitive to the exposure needs of individual
70 crops. Until a viable alternative is found, we support the use of a fair,
71 science-based process for Critical Use Exemptions. The process
72 should contain a reliable, consistent set of standards equitable to all
73 parties involved;

74 (5) Clean Air Act amendments to allow U.S. producers to have
75 access to methyl bromide consistent with phase-out dates for non-
76 industrialized countries as outlined in the Montreal Protocol;

77 (6) Continuation of the Pesticide Data Program which provides
78 pesticide residue information in food products for use by EPA in
79 setting tolerance standards and registering pesticides; and

80 (7) The concept of state management plans. However, we oppose
81 the proposed EPA state management plan rule which fails to
82 recognize effective state programs and imposes federal requirements
83 to maintain uses of important crop protection tools.

84 We oppose:

85 (1) Any regulation that would require a permit prior to application
86 of a chemical for crop protection;

87 (2) Any requirement that pesticide applicators be required to
88 notify all neighbors prior to any pesticide application and/or
89 fumigant buffer zone limitations proposed by the EPA;

90 (3) Any curtailment of the safe and proper use of agricultural
91 chemicals unless research and scientific data determine that injury to
92 health and well-being would result;

93 (4) The inclusion of the Private Right of Action provision in the
94 language of FIFRA; and

95 (5) Any reduction to the quantity of methyl bromide requested by
96 methyl bromide users for nomination as Critical Use Exemptions to
97 the Parties of the Montreal Protocol, and we oppose any reduction
98 by the EPA in the amount of Critical Use Exemptions authorized by
99 the Parties of the Montreal Protocol.

100 USDA should expand its scientific capabilities to better serve as a
101 full partner with EPA in pesticide regulatory activities. EPA should
102 be required to strengthen and take more seriously its required
103 consultation with USDA.

104 ***Labeling and Handling***

105 We recommend:

106 (1) The agricultural chemical industry and agricultural producers
107 work with the appropriate agencies to develop and use reusable,
108 returnable and soluble pesticide containers and an economically and
109 logistically feasible plan to dispose of containers;

110 (2) That compliance with federally approved label instructions
111 absolve farmers from liability claims for environmental pollution and
112 from paying the cost of cleaning up environmental contamination;

113 (3) EPA financially support continued education on the proper use
114 and handling of agricultural protectants. We encourage people using
115 pesticides for nonagricultural purposes to become better educated on
116 the safe application of these products; and

117 (4) Farmers to triple rinse or pressure rinse containers and to

118 return them for recycling in areas where such programs are currently
119 available.

120 We believe:

121 (1) A permanent labeling system covering, product name, date of
122 manufacture, effective life and proper storage requirements must be
123 required to avoid the use of ineffective pesticides; and

124 (2) EPA labeling for pesticide application wind speeds should be
125 reconsidered in view of advancements in engineering and technology
126 such as wind guards, and low drift spray tips.

127 We support:

128 (1) Clarification of the current label on 2,4-D to allow its
129 continued use as part of no-till systems;

130 (2) The development and immediate use of uniform, permanent
131 international symbols on agricultural chemical containers to ensure
132 proper handling;

133 (3) EPA/state pesticide applicator training should be periodically
134 upgraded to ensure a sound and effective source of training,
135 information and certification on the proper handling and safe use of
136 pesticides; and

137 (4) The use of vegetable oils as the base or carrier for pesticides.

138 We also encourage the development of more effective equipment for
139 farm applications.

140 We urge:

141 (1) That the EPA registration number and re-entry interval of
142 each pesticide active ingredient be printed in legible type size directly
143 below its name; and

144 (2) EPA to cooperate in sponsoring amnesty programs for proper
145 disposal of hazardous chemicals and discontinued chemicals.

146 We oppose politically mandated buffer zones.

147 ***Data and Record-keeping***

148 We support:

149 (1) Uniform pesticide record-keeping and statistically valid
150 reporting for use in evaluating and maintaining pesticide
151 registrations. The enforcement of record-keeping for restricted use
152 farm chemicals should be done at the state level and in a manner that
153 educates and is helpful to the producer rather than punitive;

154 (2) The voluntary collection of actual residue data from farm and
155 orchard products to establish use patterns of the agricultural
156 chemicals used in crop production. This data should be used in the
157 pesticide registration, reregistration, cancellation and special review
158 process only;

159 (3) The safe use of pesticides and practices which will ensure the
160 safety of handlers, applicators and agricultural workers; and

161 (4) Increased funding for the USDA to increase credible
162 information on pesticide use collected by the National Agricultural
163 Statistics Service (NASS).

164 ***Specialty (Minor) Crop Chemicals***

165 We urge Congress and the appropriate agencies to address the cost
166 of label registration and reregistration for chemicals to be used on
167 minor use crops and to provide methods of label clearance for them.
168 Reregistration of specialty use chemicals should not be required
169 unless research by qualified specialists demonstrates a need to change
170 the registration.

171 To expedite specialty crop pesticide registrations, we urge that
172 chemicals cleared for application on edible food crops be additionally

173 registered, with agreement of the manufacturer, for like applications
174 of that same crop when planted for nonfood uses. If a chemical is
175 cleared for control of a specific pest on an edible food crop, it should
176 also be cleared for pest control on nonfood crops.

177 We support:

178 (1) Legislative solutions to ensure availability of specialty crop use
179 pesticides. These solutions shall include, but not be limited to,
180 expanded Interregional Research Project #4 (IR-4) activities, tax
181 credits to registrants who maintain these uses and reduced third-party
182 registration liability;

183 (2) Encouraging the EPA to re-register Monosodium
184 Methanearsonate; and

185 (3) The use of Canadian data by the EPA for the registration of
186 chemicals for use on minor oilseed crops.

187 We oppose any farmer, landowner or chemical dealer liability
188 when anhydrous ammonia, ammonium nitrate or any other
189 legitimate farm chemical is stolen from a farm premise.

Biotechnology

337

1 We will encourage and educate producers to be good stewards of
2 biotechnology to:

3 (1) Maintain the integrity of the U.S. food and grain supply;

4 (2) Ensure technology remains effective through adherence to
5 regulations (i.e. buffer, refuge, storage, transport, Integrated Pest
6 Management); and

7 (3) Preserve opportunities for future biotech products and
8 processes.

9 We urge state and national political leaders to develop a positive
10 national strategy for biotechnology research, development and
11 consumer education. Part of this strategy should include an open and
12 frank dialogue with all interested parties. We believe that our
13 competitive advantage in world markets will be maintained only by
14 the continued support and encouragement of technological
15 advancements. We encourage USDA to take a lead in coordinating
16 efforts to evaluate and move approved products and technologies to
17 the marketplace in a timely manner.

18 The approval of new products should be based on safety and
19 efficacy criteria. We support initiatives that assist in the research,
20 development and regulatory clearance of specialty crop
21 biotechnology products. U.S. government agencies, particularly the
22 USDA and the Food and Drug Administration (FDA), should continue
23 to serve their respective roles in providing unbiased,
24 scientifically-based evaluations concerning the human and animal
25 safety and wholesomeness, as well as the environmental impacts of
26 biotechnology-enhanced commodities.

27 U.S. government agencies should evaluate whether there are
28 improvements in the regulatory approval process that could be made
29 to further enhance consumer confidence. Consideration of
30 socioeconomic criteria should not be required.

31 We recommend that Congress take the appropriate actions to
32 ensure that the USDA's Agriculture Research Service plant-breeding
33 programs be permitted to utilize biotechnology, and other developing
34 technologies in their breeding programs.

35 We encourage seed companies to continue producing and making

36 available conventional and genetically modified seed varieties. We
37 favor strong patent support to encourage these new technologies.
38 Patents should be broad enough to provide reasonable protection of
39 development costs, but should not be so broad as to grant one
40 developer the right to a whole class of future developments for
41 common plants or growing processes already in the public domain.
42 We support:

- 43 (1) Increased efforts through biotechnology and animal stem cell
44 research to more rapidly develop traits, which are recognized
45 consumer benefits, to increase the marketability of our products, to
46 solve environmental concerns, to increase net farm income by
47 decreasing input costs and to improve product quality and quantity to
48 feed our ever-growing population;
- 49 (2) Patenting of animals to allow biotechnology companies to
50 recover the costs of research and development of transgenic animals
51 for agriculture. However, royalties from patents on transgenic
52 animals must be structured in a manner which allow producers a clear
53 understanding of their obligations and do not disrupt the existing
54 livestock marketing systems;
- 55 (3) Active involvement by the United States in the development
56 of international standards for biotechnology. In order to protect
57 producers from liability, adequate testing methods must be made
58 available for all commercialized crops. Producers should not be
59 penalized for testing costs. The original buyer of commodity crops
60 should be responsible for testing of the commodity and upon taking
61 delivery such testing should be accepted by end users. Producers
62 shouldn't bear liability for off farm introduction of biotech matter;
- 63 (4) Harmonization of international standards for biotech, testing
64 and adventitious presence. The international bodies established to
65 administer the sanitary and phytosanitary agreement of the World
66 Trade Organization should retain the authority to influence the
67 regulation of international trade in agricultural products enhanced
68 through biotechnology;
- 69 (5) Seed tags on packages of agricultural seed stock that warrant
70 genetic purity of seed contained therein. We will also support
71 legislation which allows producers to recover all damages in those
72 instances where the seed does not conform to the genetic purity
73 indicated on the seed tag. Adequate and accurate information on
74 acceptable markets, and market and planting restrictions must be
75 provided in writing to producers prior to the time they purchase the
76 original input product;
- 77 (6) The maintenance of U.S. export markets by securing foreign
78 regulatory acceptance of biotech products. Manufacturers of
79 agricultural products enhanced through biotechnology should assume
80 major responsibility for this acceptance, as well as making farmers
81 aware of markets where the products are not accepted;
- 82 (7) Increased efforts to educate the public worldwide regarding the
83 safety and benefits of products developed through biotechnology; and
- 84 (8) An industry-wide effort to standardize colors for seed
85 treatments to enhance the effectiveness of producer and industry
86 stewardship of an ever increasing number of biotech seed traits.

87 We oppose:

- 88 (1) All attempts by local political subdivisions to limit the
89 production or use of genetically modified crops or animals;
- 90 (2) Any law or regulation requiring registration of farmers who use

91 or sell products approved for sale by the FDA;

92 (3) Individual states establishing separate policies on agricultural
93 biotechnology labeling, identification, use and availability;

94 (4) Split registration or limited use registration of seeds enhanced
95 through biotechnology. Producers should seek and seed companies
96 should provide adequate and accurate information on acceptable
97 markets and market restrictions in writing to producers prior to the
98 time they purchase the original input product. Adequate and
99 universally accepted testing methods for biotech adventitious
presence in seed should be established. Seed that is approved for
101 restricted use or controlled distribution should be labeled and have
102 visually distinguishing characteristics. FDA should set acceptable
103 standards for determining what is non-biotech. Standards governing
104 the identification or availability of biotech products should be
105 established uniformly across the United States;

106 (5) The imposition by foreign countries of any import restrictions,
107 labeling or segregation requirements of any agricultural product
108 enhanced through biotechnology, once such commodity has been
109 certified by the scientific community as safe and not significantly
110 different from other varieties of that commodity;

111 (6) The practice of seed marketers imposing a surcharge on U.S.
112 customers that is not imposed on foreign customers; and

113 (7) Classifying plants derived through biotechnology as pesticides.

114 ***Labeling of Products Derived From Plant Biotechnology***

115 Agricultural products that are produced using approved
116 biotechnology should not be required to designate individual inputs or
117 specific technologies on the product label.

118 We support:

119 (1) The science-based labeling policies of FDA, including:

120 (a) no special labeling requirement unless a food is significantly
121 different from its traditional counterpart, or where a specific
122 constituent is altered (e.g., nutritionally or when affecting
123 allergenicity); and

124 (b) voluntary labeling using statements that are truthful and not
125 misleading; and

126 (2) Voluntary labeling of identity-preserved agricultural and food
127 products that is based on a clear and factual certification process.

128 ***Products Not Destined for Food or Feed***

129 Plant-made pharmaceuticals offer benefits in preventing and
130 treating diseases. USDA should ensure appropriate protocol for the
131 approval of research and production of pharmaceutical or industrial
132 crops to protect the integrity of agricultural products.

133 Producers of biopharmaceutical crops and the regulatory agencies
134 governing them should take extraordinary measures to ensure food
135 safety and to protect the integrity of the U.S. food and grain
136 marketing system. We urge the USDA and FDA to utilize a
137 scientifically sound risk-based approach (tolerances) to regulation of
138 introduced proteins in biopharmaceutical and industrial crops. FDA
139 should consider establishment of risk classifications of such proteins
140 and USDA should take these risk classifications into account when
141 establishing requirements for experimental field trial and production
142 permits.

1 If suppliers of anhydrous ammonia are mandated to modify
2 anhydrous ammonia by adding deterrents, we believe that the
3 supplier should be compensated by the government authority
4 mandating the deterrent's use so that the additional cost will not be
5 passed on to the farmer.
6 If farmer or landowner takes reasonable steps to secure anhydrous
7 ammonia on their property, we oppose any criminal or civil liability
8 being imposed on the farmer/landowner if the product is stolen
9 and/or used for an illegal purpose.
10 We support:
11 (1) Research into the discovery of alternative sources of plant
12 nutrients, expansion of existing mines, and development of new
13 mines and production facilities;
14 (2) The continued availability and use of anhydrous ammonia as a
15 valuable tool for agricultural production;
16 (3) The classification and labeling of anhydrous ammonia as a
17 nonflammable gas;
18 (4) The Surface Transportation Board continuing to regulate the
19 pricing of transportation of anhydrous ammonia through pipelines;
20 (5) Vigorous prosecution of the theft and/or use of anhydrous
21 ammonia for methamphetamine production or other illegal purposes;
22 (6) Research on additives or deterrents for anhydrous ammonia
23 that would prevent its illegal use;
24 (7) Requiring individuals purchasing ammonium nitrate to show
25 positive identification;
26 (8) Regulating the sale of ammonium nitrate, as long as the
27 requirements are reasonable for farmers, fertilizer distributors and
28 dealers;
29 (9) Creation of a USDA-led, inter-agency working group to
30 develop specific strategies or actions to help address and alleviate
31 shortages and excessive price increases for fertilizer; and
32 (10) Coal gasification technology being used to produce nitrogen-
33 based fertilizers.
34 We are opposed to any reformulation of ammonia nitrate that
35 reduces its effectiveness as a fertilizer or increases its cost.

Food Quality and Safety

339

1 The American food supply is the safest, most abundant and
2 affordable in the world. Agricultural chemicals and other
3 technological advances play a major role in maintaining both the
4 quality and quantity of our food supply.
5 We will monitor initiatives to improve and streamline food safety
6 to ensure that policies and procedures are in place that build trust and
7 reliability in U.S. agriculture.
8 We support:
9 (1) The consideration of both the risks and the benefits of
10 pesticides in the evaluation of chemical products;
11 (2) The establishment and promotion of sound scientific research
12 criteria which ensure the safety of food additives;
13 (3) Legislative and regulatory decisions concerning food irradiation
14 (cold pasteurization) based on valid research;
15 (4) Utilization of USDA approved technologies, such as cold
16 pasteurization and high pressure processing to eliminate e-coli and
17 other pathogens from our food supply;

18 (5) The use of modern technology in the processing and the
19 handling of food to assure food safety and to promote consumer
20 confidence in the food supply. More research should be conducted by
21 agricultural colleges into inspection methods to eliminate the risk of
22 pathogens in food;

23 (6) Immediate actions by USDA and the Food and Drug
24 Administration (FDA) to raise the priority of, and resources devoted
25 to, federal safety and inspection services, including: Food Safety
26 Inspection Service and Animal and Plant Health Inspection Service;

27 (7) Protection of our food supply by requiring that imported food
28 products be subjected to the same high safety standards and testing as
29 food products produced in the United States;

30 (8) Funding appropriate inspection services at a level permitting
31 effective inspection of imported and domestic food products;

32 (9) Legislation to require the FDA and the Environmental
33 Protection Agency (EPA) to prepare, in advance of final rule-
34 making, agricultural cost/benefit statements on proposed regulations
35 having a significant impact on agricultural producers;

36 (10) Cooperative efforts with food processors, chemical
37 companies, government agencies, scientists and others who are
38 responsible for the food supply of our nation to provide factual
39 information on the safety of our food supply;

40 (11) Open communication with willing consumer groups;

41 (12) Measures to improve and streamline food inspection by
42 having USDA serve as the sole federal agency responsible for food
43 inspection and safety;

44 (13) Provisions to allow the transport and storage of fresh eggs
45 based on current USDA standards of 45 degrees Fahrenheit or less,
46 but oppose the mandatory pasteurization of fresh eggs;

47 (14) State efforts to ensure the quality and integrity of
48 unpasteurized fruit juices. We oppose FDA regulation of these
49 products;

50 (15) Promoting science-based, voluntary commodity quality
51 assurance products;

52 (16) Additional research on food safety technology advances;

53 (17) USDA and FDA removing *E.coli* as an adulterant; and

54 (18) The FDA to allow the extra-label use of cephalosporin
55 antimicrobial drugs in animals when warranted.

56 We believe food safety issues at the producer level should be
57 handled through "quality assurance programs."

58 We believe that equivalent and consistent standards should be set
59 for beef, pork and poultry for school lunch programs.

60 We encourage the education of all food handlers on the proper
61 preparation, cooking and serving of all food products and on sanitary
62 practices as part of state licensing procedures.

63 Ensuring a safe, secure food supply is a critical concern when
64 establishing domestic and international policy. We should continue
65 to communicate accurate, timely information on food safety issues
66 to the mainstream media and the general public. Our goal is to
67 improve awareness and understanding of agriculture's commitment to
68 providing a safe, high quality food supply at a reasonable price to the
69 public.

70 We support efforts to develop food safety guidelines to help
71 prevent microbial contamination of fresh produce. The guidelines
72 must:

73 (1) Be based on sound science;
74 (2) Provide flexibility to accommodate the great diversity of the
75 fresh produce industry;
76 (3) Be practical to implement;
77 (4) Take the form of good agricultural practices rather than federal
78 or state mandates;
79 (5) Be consistent with existing state and federal regulations and
80 guidelines;
81 (6) Ensure that Good Agricultural Practices and Good Handling
82 Practices standards are crop specific;
83 (7) Be implemented in a manner that will not impair our ability to
84 export produce items; and
85 (8) Provide adequate resources to carry out an education program
86 for the industry and consumers.
87 USDA should be designated as the lead agency in the development
88 of the proposed safety guidelines.
89 We encourage food regulatory agencies to research and develop
90 expedient and efficient processes to trace food contamination
91 outbreaks, which result in economic losses and a lack of consumer
92 trust.
93 Producers of legal agricultural products should not be held
94 responsible or liable for long-term health problems claimed to occur
95 from the product's consumption or use.
96 We support the right of private industry or farmers to meet quality
97 demands exceeding U.S. Government standards for products they
98 produce.
99 Those making public health decisions that result in product recalls,
100 product seizures or destruction of perishable goods must be held
101 accountable when such decisions prove erroneous. Such entities must
102 be required to compensate or indemnify individuals and companies
103 for the monetary losses that occur.
104 We recommend funding to assist in the implementation of food
105 safety regulations should come from the state and federal
106 governments mandating the regulations.

Food Quality Protection Act (FQPA)

340

1 As Environmental Protection Agency (EPA) establishes and
2 revises regulations implementing the Food Quality Protection Act of
3 1996, we will actively participate in the regulation writing process to
4 assure satisfactory implementation of the law and to protect farmers'
5 use of many important and safe agricultural chemicals. Balanced and
6 science-based implementation of the Food Quality Protection Act
7 (FQPA) is of the utmost concern to farmers and ranchers.
8 Failure to implement the FQPA in a balanced way will have serious
9 negative effects on pest management and food and fiber production
10 in the United States, with subsequent adverse impacts on the health
11 and well-being of the American people.
12 Specifically, we support the following FQPA principles:
13 (1) Sound Science—implementation decisions must be based on
14 peer-reviewed science founded on reliable and accurate information;
15 (2) Transparency—the public must be informed of the criteria used
16 to assess risk and the process by which decisions are reached;
17 (3) Balance—as EPA considers canceling older pesticide products
18 as a result of the tolerance reassessment and re-registration process,

101

19 it must give high priority to the review and approval of new
20 products; and

21 (4) Workability—the law must be administered in a practical and
22 realistic way. If EPA fails to follow congressional intent during the
23 implementation process, we support the use of options such as
24 litigation and legislation.

25 We will work aggressively to persuade EPA to find a workable and
26 reasonable implementation of the FQPA. To achieve this, EPA
27 must:

28 (1) Use sound science and reliable information, as intended by
29 Congress, in fulfilling the FQPA mandate to protect public health
30 from unacceptable risk of exposure to pesticides;

31 (2) Acknowledge to Congress and the public that sound science
32 requires good data and validated methodologies, which require time to
33 develop;

34 (3) Not use unrealistic default assumptions in the tolerance
35 reassessment process;

36 (4) Abandon the idea of wholesale revocation of tolerances for the
37 organophosphate insecticides;

38 (5) Determine whether to apply additional uncertainty factors on a
39 chemical specific, case-by-case basis, considering the weight of all
40 available and reliable scientific evidence;

41 (6) Use the most relevant toxicity endpoints in the tolerance
42 reassessment process;

43 (7) Establish and maintain a deliberate, consistent, and transparent
44 decision-making process;

45 (8) Give higher priority to making sound scientific decisions than
46 to completing final tolerance reassessments by statutory deadlines.
47 EPA should use the authority provided in the law to make
48 preliminary decisions on tolerances and delay effective dates for a
49 reasonable period of time to allow for data development;

50 (9) Revoke only those tolerances that pose unacceptable risk, and
51 avoid removing uses that only pose a theoretical risk based on worst-
52 case assumptions;

53 (10) Not revoke tolerances unless tolerance reassessments are
54 based on actual pesticide use and usage information;

55 (11) Propose and maintain policies and methods for risk allocation
56 and make them available for public review and comment;

57 (12) Allow adequate time for pesticide users to make a reasonable
58 transition to economic and effective alternative products and
59 practices when existing product tolerances are revoked;

60 (13) Redress the current resource imbalance between tolerance
61 reassessment and new chemical, new registration and accelerate the
62 pace of making decisions of new products and uses. EPA should adopt
63 an incremental risk approach to evaluating Section 18s;

64 (14) Give high priority to the protection of minor crop uses;

65 (15) Use USDA's knowledge and expertise throughout the entire
66 decision-making process; and

67 (16) Maintaining pesticide use tolerances if cancellation of a
68 tolerance results in increased imports, or until effective, affordable
69 products are in place.

70 To further achieve the goal of having a science-based workable
71 implementation of the FQPA which will assure producers' access to
72 safe, effective and economical crop protection products, we support:

73 (1) Giving top priority to streamlining the Section 18

74 registration process so products become quickly and readily available
75 for emergency use;
76 (2) Grower input on products that may lose crops from labels,
77 prior to the agency and the registrant reaching registration decisions;
78 (3) Developing additional incentives for registrants to register new
79 products and reduced risk products;
80 (4) Utilizing negligible risk to speed the registration process for
81 Sections 3 and 18 registrations and to reduce the cost of registration;
82 (5) Increased funding for the Interregional Research Project #4
83 (IR-4) so land grant institutions may conduct the necessary research
84 needed to meet legislated guidelines for product review;
85 (6) Working with industry groups and the appropriate agencies to
86 reduce the impact of the implementation of FQPA on the farm
87 community;
88 (7) Inclusion of human risk data, whenever such data are available,
89 in the tolerance reassessment process. Peer reviewed and ethically
90 obtained human risk data should have priority over animal study
91 data; and
92 (8) Expansion and full funding of the USDA's Pesticide Data
93 Program to provide accurate data on exposure to pesticide residues at
94 the final point of sale. Tolerance reassessment should rely on these
95 data to the greatest extent possible.
96 We will:
97 (1) Urge Congress to review the implementation of the FQPA;
98 (2) Ensure the FQPA is being implemented as originally intended
99 by Congress; and
100 (3) Support congressional action that will ensure a workable and
101 reasonable implementation of the FQPA.
102 We recommend that EPA use a 95 percent confidence interval
103 when evaluating pesticides for registration.

Integrated Pest Management

341

1 We support the widespread promotion and voluntary use of
2 integrated pest management (IPM) as a method of reducing costs,
3 risks, liability and total dependence on farm chemicals. IPM can
4 reduce the risk of output loss, the per-unit cost of production and
5 liability from chemical damages. IPM is a defensible use of pesticides
6 because it focuses use where problems have been identified.
7 We encourage continued research and development of pesticides
8 which degrade more rapidly, are less environmentally persistent and
9 are compatible with accepted IPM practices.
10 The loss of environmentally benign pesticides for specialty crops
11 through the reregistration process will weaken IPM efforts.
12 We urge the Environmental Protection Agency (EPA) and USDA
13 to consider the impacts of pesticide product use losses and minimize
14 their adverse affects on speciality and minor use crops.
15 We support the removal of pheromones from the pesticide
16 classification in order to permit, expedite and encourage their usage.
17 We support increased biological pest control research to determine
18 where biological pest control measures can provide practical and
19 feasible substitutes for, and supplements to, chemical controls. We
20 support a "beneficial insects" category in USDA's Competitive
21 Grants program.
22 Expanded educational programs are needed to encourage the

103

23 widespread adoption of IPM. We recommend the addition of IPM
24 instruction to pesticide applicator training programs.
25 IPM should continue to be a budget priority for USDA and land
26 grant institutions. They should expand their research and
27 development of IPM techniques on a regional basis.

Labeling

342

1 We support consumer friendly, science-based labeling of
2 agricultural products that provides useful information concerning the
3 ingredients, nutritional value and country of origin of all food sold in
4 the United States. We support USDA-approved market-based
5 certification programs that identify production practices used to
6 produce such food.

7 We support proper labeling of feeds, foods, fibers and other
8 agricultural products, including the specific oils and percentages used
9 in food products. Safe handling instructions on agricultural
10 commodities are encouraged. Warning labels on products should be
11 based on conclusive scientific proof. The correct nomenclature for
12 imitation products used as substitutes for traditional foods and fibers
13 is an integral part of consumer protection. We do not object to new
14 food products entering the market; however, these products should
15 stand on their own merits. Manufacturers of imitation foods should
16 be allowed to label their products with any available name provided
17 no reference is made to the product being simulated and no
18 descriptions are used that imply the traditional food origins. Labels
19 on imitation products should state on the main display panel of the
20 package that the product is an imitation. We support the country-of-
21 origin labeling (COOL) program in the 2008 Farm Bill and efforts to
22 implement COOL that are both feasible and reasonable to the
23 livestock industry. USDA should administer rules and regulations for
24 certification. The implementation of COOL should not impose
25 undue compliance costs, liability, recordkeeping and verification
26 requirements on farmers and ranchers.

27 We support the inclusion of all dairy products in country of origin
28 legislation.

29 We recommend implementation of COOL to include all peanut
30 products, raw and processed.

31 We support Congressional funding for the implementation of
32 country of origin labeling.

33 Imported products should be labeled at the distribution point and
34 retail level as to the country of origin and date of packing. Labels on
35 imported products should state on the main display panel of the
36 package that the product is imported in letters not less than one-half
37 the size of the product name. Labels on imported bulk food products
38 should appear on the container panel/bin or in close proximity.

39 Wines derived from grapes labeled as American or U.S.A.
40 appellations must contain 100 percent U.S. grapes.

41 All food products containing animal or vegetable ingredients should
42 be labeled as to the percentage and type of each.

43 Labels should not be required to contain information on production
44 practices that do not affect nutrition or safety of the product.

45 Severe penalties should be imposed for intentional mislabeling of
46 agricultural products.

47 The Federal Standards of Identity for fruit juices should not be

48 further weakened. We support percentage labeling for all processed
49 juice and juice beverages to declare juice content. Fruit juices
50 reconstituted from concentrate should be reconstituted at a Brix level
51 equal to the average of the single-strength juice produced from that
52 fruit in the United States. We support the timely enforcement of
53 Food and Drug Administration (FDA) regulations concerning the
54 adulteration of juice.

55 For animal products to receive a "Grown in the USA" label the
56 animal(s) must have been exclusively born, raised and processed in
57 the United States.

58 U.S. origin products should proudly display the American flag in a
59 prominent position on the label.

60 We encourage the use of the "REAL" seal only on domestically
61 produced dairy products.

62 We support legislation to require labeling of clothing and fabrics
63 according to their degree of flammability and melting point when
64 exposed to heat.

65 We oppose false, misleading, negative or deceptive marketing and
66 promotion and/or label claims such as food products derived from the
67 use of biotechnology.

68 Agricultural products that are produced using approved
69 biotechnology should not be required to designate individual inputs or
70 specific technologies on the product label.

71 We support:

- 72 (1) The science-based labeling policies of FDA, including:
73 (a) no special labeling requirement unless a food is significantly
74 different from its traditional counterpart, or where a specific
75 constituent is altered (e.g., nutritionally or when affecting
76 allergenicity); and
77 (b) voluntary labeling using statements that are truthful and not
78 misleading; and

79 (2) Voluntary labeling of identity-preserved agricultural and food
80 products that is based on a clear and factual certification process.

81 We oppose FDA's proposal which would require warning labels on
82 unpasteurized juices and fresh fruits and vegetables.

83 We oppose the use of "all natural" and "GMO free" synonymously
84 with "organic" as a way to avoid producer certification as an organic
85 grower.

86 We oppose any product labeling that states or implies that organic
87 food is in any way superior to other farm products.

88 The Federal Uniform Packaging and Labeling Regulation
89 requirements should not apply to horticultural live plants grown in
90 containers when these products are sold at the retail level.

91 We encourage truth in advertising when live plants are offered for
92 sale to the general public.

93 We encourage all levels of government to vigorously enforce laws
94 regarding the fraudulent and misleading labeling of dairy products.

95 We oppose the creation of the new Bureau of Alcohol and
96 Tobacco, Tax, and Trade regulations regarding nutritional labeling of
97 alcoholic beverages.

Product Quarantines

343

- 1 A quarantine period should not exceed 30 days. By the end of that
2 period, the governmental agency imposing the quarantine should be

3 required to take one of the following actions:
4 (1) Revoke the quarantine;
5 (2) Continue the quarantine for an additional 30 days, for a total
6 quarantine not to exceed 60 days; except in the case of poultry, the
7 total quarantine should not exceed 30 days; or
8 (3) Condemn the product and dispose of it within 10 days.
9 If the quarantine extends into the second 30 days, loan
10 arrangements should be made available to producers whose products
11 are quarantined for conditions beyond their control.
12 We urge regulatory agencies to promulgate rules and procedures for
13 removing quarantines on affected agricultural commodities. We
14 recommend the federal government, in consultation and cooperation
15 with state and local agencies, have the authority to impose regional
16 quarantines.
17 Quarantines restricting the interstate movement of agricultural
18 products should be based on conclusive science.

INSPECTIONS / STANDARDS

Fruit and Vegetable Grades and Standards 355

1 We urge periodic review and revision of federal grades and
2 standards for fruits and vegetables to better reflect conditions due to
3 modern harvest and marketing methods.
4 Fruit and vegetable grades and standards should not be changed
5 solely on the assumption that such a change would alter crop
6 production practices.

Grain Standards, Grading, Inspection and Pricing 356

1 We support adjusting U.S. grains and oilseeds premiums and
2 discount schedules to encourage the storage, delivery and export of
3 high-quality, clean grain; and to offer incentives to minimize the
4 percentage of moisture, foreign material, dockage, and shrunken and
5 damaged kernels.
6 We support strengthening and enforcing federal standards that
7 would reflect the quality of grain sold in world trade.
8 We propose that USDA:
9 (1) Accelerate research to develop more objective tests and
10 promote the use of those tests to accurately differentiate between
11 types of classes of grains based on hardness, protein content and
12 physical and biological characteristics;
13 (2) Conduct a comprehensive study to identify the changes in
14 grading procedures and standards including sampling and testing
15 methods needed to ensure that class and grade will accurately indicate
16 the appropriate end use for each lot of grain; and
17 (3) Allow all information available, such as identification by
18 variety, to be used in the classification procedures, pending the
19 adoption of acceptable objective tests.
20 We support continued development of new grain standards to
21 improve the present U.S. Grain Standards Act. Revised grain
22 standards should indicate clearly and give assurance that we will
23 provide clean, identity-preserved grains for our customers at home
24 and abroad.

25 The objective of improving grain standards must be to enhance
26 sales and improve returns to producers. New standards should be
27 developed immediately and be strictly enforced. Foreign material,
28 including dockage, should be defined in new grain standards as
29 material other than the grain being marketed.

30 We believe Farm Bureau, USDA and the grain trade should
31 continue to work cooperatively to improve grain standards which
32 accurately reflect the importance of test weight, protein content,
33 insect infestation levels, moisture, dry matter basis, and foreign
34 material in determining quality, grading, and pricing factors for
35 soybeans, wheat and feed grains. We support grading in increments of
36 tenths. Premium and discount schedules should be consistent and
37 stated at the time of contracting and not be subject to change at
38 delivery.

39 USDA needs to ensure that grain imported into the country
40 complies with domestic grain quality standards.

41 If grading procedures or standards are changed, proper and timely
42 notification should be given so farmers and grain dealers have the
43 opportunity to adjust with the current crops.

44 We support working for the development and funding of a
45 voluntary certification process for identity-preserved grain.

46 We encourage and will work to develop contract language on grain
47 that will not extend producer liability for grain quality or type past
48 the point of delivery.

49 We support imposing a late cash payment penalty on grain brokers
50 and mills who fail to pay by the agreed upon contractual date. This
51 penalty should include the contractual payment price plus
52 compensation for delay in payment.

53 The practice of adding foreign material, other grains, screenings to
54 a shipment of grains to meet a certain grade should be prohibited.
55 Criminal penalties for violations should be swiftly and surely
56 administered.

57 The Grain Inspection, Packers and Stockyards Administration
58 (GIPSA) should inspect and check cargo weights of all export
59 shipments. GIPSA should also verify the cleanliness, quality and test
60 weight of every export grain shipment.

61 We support producer representation on the GIPSA advisory
62 council.

63 The current grain marketing system discounts producer returns for
64 high moisture grain, but does not pay a premium for low moisture
65 grain. Therefore, we support the adoption of the equivalent bushel
66 concept for grain marketing which rewards producers for delivery of
67 a quality product. A change to the equivalent bushel concept would
68 eliminate the economic incentive of manipulating moisture levels
69 and more accurately reflect the commodity's true value.

70 Unless sound science demonstrates a real need, we oppose the
71 establishment of defect action levels in grain by the Food and Drug
72 Administration (FDA) and encourage the continual use of guidelines
73 so that blending of like products can be continued.

74 We urge further research of new and advanced technology in
75 testing grains for quality, such as protein and oil content, to
76 determine the profitability of adopting these testing procedures to
77 enhance income of grain producers.

78 We oppose federal grain warehouses being exempted from state
79 grain indemnity laws and applicable coverage.

80 We support standards for the quality and safety of feed co-products
81 coming out of ethanol plants.

Hay and Forage Standards

357

1 We urge USDA, the American Forage and Grassland Council, the
2 National Forage and Testing Association, the National Hay
3 Association, universities and other interested parties within the
4 forage industry to develop and improve standardized testing
5 procedures to create national uniformity in forage test results.
6 Reporting methods should utilize 100 percent dry matter data and
7 avoid ambiguously calculated values. We recommend proper
8 sampling techniques and the use of certified labs for all forage
9 testing.
10 We should provide leadership for advancing and standardizing
11 forage quality testing in the United States.

Inspection and Grading of Meat, Poultry and Seafood Products

358

1 The objective of federal and state meat and poultry inspection
2 programs is to provide consumers with a supply of wholesome meat
3 and poultry products. This is a service to consumers and costs should
4 be paid from general revenue funds.
5 We urge USDA to adopt a program taking advantage of new
6 techniques proven by research to be effective in reducing bacterial
7 contamination.
8 We urge that all tests required by other countries for the export of
9 our meat products be conducted by the Food Safety Inspection
10 Service (FSIS). If FSIS is unable to do the required tests, FSIS should
11 be required to coordinate and facilitate the transfer of any required
12 tests to certified laboratories.
13 We urge USDA to focus an aggressive education program on safe
14 food handling of perishable foods to minimize the risk of pathogen
15 contamination. The public also must be educated about the relative
16 and changing risk status to individuals.
17 We believe all meat, poultry and seafood products should be
18 inspected and tested to the same standard. Funding sources for any
19 new federally mandated seafood inspection program should be
20 consistent with existing funding for other food commodities.
21 We recommend that inspection of seafood, farm-raised rabbits,
22 privately-owned cervids, buffalo and ratite meat be conducted by
23 USDA as is being done with poultry, pork and beef.
24 We recommend that meat and poultry inspected under state
25 programs, which are equal to federal inspection and approved by
26 USDA, be permitted to move in interstate commerce.
27 Regulations governing the application of federal inspection
28 programs to custom slaughtering plants, locker plants and
29 producer-slaughtering should be modified so as not to eliminate these
30 local services.
31 We favor modifying U.S. beef, lamb and pork grade standards if
32 scientific research shows that changes will provide leaner, more
33 acceptable beef, lamb and pork that will benefit consumers,
34 processors and producers.
35 USDA should develop electronic beef, lamb and pork grading

36 machines and institute their use where practical.
37 We support:
38 (1) USDA approval of the use of hot water, steam and other
39 proven rinses of carcasses prior to further processing. We also
40 support USDA approval of the use of pasteurization and completion
41 of research of high intensity pulses of light to kill pathogens;
42 (2) Granting the secretary of agriculture authority to impose
43 mandatory quarantine and recall of meat products based on scientific
44 testing and detection procedures. Authority to do trace backs to the
45 farm should be focused on control and eradication of animal health
46 diseases and related epidemiological studies;
47 (3) Development of analytical methods for on-site detection of
48 contaminants and other adulterants that may impact food safety;
49 (4) Changes to the Wholesome Poultry Act to allow more than
50 one person to slaughter or process poultry at a facility;
51 (5) Changes to USDA regulations to allow for part-time
52 supervision of small local slaughterhouses;
53 (6) USDA revisions of the yield grade standards for lamb and
54 mutton. This includes mandatory coupling of yield and quality
55 grading and the removal of the kidney and pelvic (KP) fat on the
56 slaughter floor;
57 (7) Establishing federal standards for packing plants that purchase
58 cattle, sheep and hogs on a grade and yield basis;
59 (8) Legislation to eliminate unnecessary inspection;
60 (9) Producer-led quality assurance programs that deal with issues of
61 food safety; and
62 (10) Enforcement of meat inspection standards. We recommend
63 that the meat inspection program remain under USDA and not be
64 placed with the Food and Drug Administration (FDA).
65 We oppose:
66 (1) User fees to finance federally mandated meat, poultry, non-
67 traditional food animals, and seafood inspection;
68 (2) The use of excessive penalties on producers, processors, and
69 handlers. Producers should have feasible control or prevention
70 programs available to them before punitive actions are taken;
71 (3) Characterizing meat animals as carriers of E.coli;
72 (4) Uniform grade names for all graded foods; and
73 (5) Cutbacks in funding of the federal meat inspection programs
74 unless the regulations are changed.

Organic Standards

359

1 Since a national organic program has been established, we urge
2 USDA to continue to evaluate and improve the organic accreditation
3 system.
4 To maintain the integrity of organic agriculture, we support
5 USDA's National Organic Standards with the following changes:
6 (1) Keeping organic standards strictly organic, i.e. not allowing
7 some drugs or non-organic feed to be used and the product still able
8 to retain the certified organic label;
9 (2) We recommend that certified farmers should be able to
10 participate in their certification management boards;
11 (3) Imported products labeled as organic must be subject to the
12 same standards as the U.S. organic standards;
13 (4) The Organic Materials Review Institute's list of approved

14 materials should be the USDA's approved list;

15 (5) The final rule replaces voluntary organic certification with
 16 mandatory certification, and prohibits the use of the word
 17 "organic" for commercial use if farmers are not certified by a
 18 USDA accredited certifier; and

19 (6) All persons selling, handling or processing organic products
 20 from bulk or opened packages need to be certified.

21 We support:

22 (1) All methods of agricultural production and marketing provided
 23 they offer opportunities to all producers who qualify or meet required
 24 standards;

25 (2) Efforts to enhance marketing opportunities for producers of
 26 organically grown commodities just as we support such efforts for
 27 conventionally produced crops;

28 (3) Enhanced auditing and enforcement of the USDA-certified
 29 organic program in line with its increasing economic importance and
 30 growth; and

31 (4) Broad availability of information on the USDA-certified
 32 organic program, certification process and labeling requirements, as
 33 well as other unbiased information on organic products or
 34 production.

35 We recommend that the National Organic Program follow
 36 recommendations of the National Organic Standards Board regarding
 37 livestock medications, pasture and composting.

38 Organic growers should be responsible for taking appropriate
 39 measures to protect their crops from pollen drift or other factors
 40 that affect the integrity of their crops.

Plant Variety Protection Act

360

1 We encourage the timely release of information regarding increases
 2 in tech fees and seed prices to allow for appropriate planning by
 3 producers.

4 Farmers should be allowed to save and replant biotech seed by
 5 paying a minimal technology fee on saved seed.

6 For decades, the PVPA has played a critical role in the protection,
 7 maintenance and propagation of agricultural seed varieties. While
 8 the advent of biotechnology and the applicability of plant and utility
 9 patents to plants have complicated the plant protection landscape,
 10 PVPA should still play a substantial role in the protection and
 11 propagation of current and future plant varieties. In order to do that,
 12 PVPA must remain relevant and effective.

13 In order to strengthen the rights of plant breeders and maintain a
 14 farmer's ability to save seed for the land he or she farms and dispose
 15 of incidental amounts of seed, we support:

16 (1) Strong intellectual property rights protection to allow seed
 17 developers the ability to recover the costs of research and
 18 development of seeds, while abiding by all antitrust laws;

19 (2) Restricting the sales of protected varieties without the
 20 permission of the owner;

21 (3) The present provision which allows a farmer to save seed for
 22 use on all the land that he or she farms;

23 (4) A provision to allow growers of seed varieties protected under
 24 the Plant Variety Protection Act (PVPA) to sell the seed according
 25 to local commercial law if the seed company fails to abide by the

26 grower contract;
27 (5) Maintaining the international and domestic gene/germplasm
28 banks/stores. These should remain easily accessible to the public;
29 (6) Continued plant variety research in the public sector;
30 (7) Compensation for the public contribution to a joint public-
31 private venture; and
32 (8) Uniformity in the establishment of tech fees globally.
33 Companies that sell biotech seed should help keep the price of seed
34 competitive for U.S. farmers with farmers from other countries
35 however, plant breeders should not sell patented seed in countries
36 that do not provide the same intellectual property rights protection.

PESTS: ANIMAL AND PLANT

Fire Ant Control

375

1 We support:
2 (1) Adequate funding at the local, state and federal levels for
3 research, organization and administration of regulatory and pest
4 control programs in each of the infested states, including all land in
5 the affected area;
6 (2) Continuation by USDA of its fire ant program;
7 (3) Cost sharing by the Natural Resources Conservation Service on
8 farms for chemical, predator or biological control of fire ants;
9 (4) Expanded research by Animal and Plant Health Inspection
10 Service to provide safe, effective and practical treatments for multi-
11 year certification of field and container-grown nursery stock; and
12 (5) Relaxation of United States quarantine requirements to allow
13 the importation of the Phorid fly for the sole purpose of controlling
14 Imported Fire Ants.

Harmful Invasive Species

376

1 We believe federal, state and local agencies should work more
2 closely with private landowners and industry to address harmful
3 invasive species problems.
4 We support a comprehensive national policy addressing the
5 introduction and management of harmful invasive species. Programs
6 should rely on cooperative, voluntary, partnership-based efforts
7 between public agencies, private landowners, industry and concerned
8 citizens.
9 The development and adoption of statutory policy and control
10 measures to deal with harmful invasive species should be based on the
11 following principles:
12 (1) Regulations and statutes should not be allowed to interfere with
13 or erode property rights;
14 (2) Clear criteria must be established to delineate what are harmful
15 invasive species;
16 (3) Regulations should include emergency measures to allow for the
17 timely use of chemical controls;
18 (4) Any consideration of endangered or threatened species should
19 have a component recognizing and addressing the role of harmful
20 invasive species;
21 (5) State and federal funding should be adequate to develop sound

22 science sufficient to determine long-term effects of non-native
23 species;
24 (6) We support the indemnification of crop and livestock losses
25 from harmful invasive species when it can be documented that the
26 quarantine requirements or treatment methods are the basis for the
27 loss. We support an increase in funds for inspection services and
28 facilities. Funding should also be made available for public education
29 and outreach efforts;
30 (7) Public lands should be managed to reduce and eliminate impacts
31 of harmful invasive species as effectively as private lands and in
32 coordination with neighboring privately owned or leased land. Any
33 efforts on public lands that affect the uses and private rights held by
34 public land permittees and users shall be subject to compensation and
35 fair market value for the taking of these property rights by the
36 introduction or proliferation of harmful invasive species;
37 (8) Proper incentives should be provided for farmers and ranchers
38 to effectively control noxious and aquatic weeds along with support
39 for an Integrated Pest Management approach;
40 (9) Any harmful invasive species program that is proposed should
41 not create additional restrictions on agricultural producers,
42 landowners and industry; and
43 (10) Harmful invasive species should not be defined to include
44 agricultural products or other beneficial nonnative species.

Indemnification

377

1 Federal and state livestock and poultry indemnification laws and
2 regulations should be revised to reflect current market value and
3 trends in marketing conditions and production programs in these
4 industries. Revisions should also take into account the period of
5 government-enforced business interruptions and economic
6 restrictions.
7 Indemnification should be provided for losses of agricultural
8 products when products are impounded, farms are quarantined, or
9 movement or sales are restricted in the public interest.
10 Producers should be compensated in these cases and not held
11 responsible for conditions beyond their control. We urge financial
12 assistance for testing feed in efforts to locate the source of pesticides
13 and residues.
14 Producers should be responsible for losses resulting from
15 condemnations from animal drugs and pesticide residues due to
16 negligence on their part.
17 Current law should be amended to include indemnification for
18 losses due to the use of chemicals, drugs or vaccines which are not
19 caused by producer negligence. There should be no retroactive
20 liability for property owners, farmers or their agents for chemical
21 applications made in accordance with laws in effect at the time of
22 application.
23 We support:
24 (1) State-federal funded eradication programs for plants, livestock
25 and poultry that provide indemnification as needed to control the
26 spread of and eradication of serious communicable diseases. Prompt
27 indemnity payments should be based upon current market values;
28 (2) Legislation indemnifying farmers and farm owners for the cost
29 of cleanup and other damages arising from the pollution of their land

30 by the willful or negligent acts of others;
31 (3) Re-evaluation of the indemnities for foreign animal diseases;
32 (4) In the event of an outbreak of a major animal disease
33 appropriating the necessary funds to farmers with indemnity for lost
34 animals and income until the affected farms are approved to resume
35 operations;
36 (5) Including integrators, contract growers and producers in all
37 federal indemnity payment programs pertaining to the livestock and
38 poultry industries. When a company receives an indemnity payment,
39 a pro-rata share should go to the grower;
40 (6) Federal and state efforts to control tracheal and Varroa mites
41 and to provide suitable indemnity if bee colonies are destroyed in the
42 process; and
43 (7) The need to post a bond in a reasonable amount by
44 environmental organizations that sue state or federal agencies to
45 protect workers and the company owners from loss of income due to
46 work stoppages. In the event that the suit is unsuccessful, the bond
47 should be forfeited to the company in order to defray their losses.

Plant and Animal Infections and Infestations

378

1 We support an aggressive national and state effort to halt the
2 spread of non-native pathogens and pests which endanger agricultural
3 production.
4 We support the establishment of a program to analyze the
5 effectiveness of state, federal and international plant and animal
6 diseases and insect control measures. This analysis should estimate
7 the risk of spread of undesirable plants, animals and insects under
8 current control procedures. Recommendations to improve control
9 measures should be included in the analysis. Findings should be made
10 known to the affected industries.
11 Measures taken by USDA should include:
12 (1) A ban on untreated products and packing materials from
13 countries with known populations of destructive pests not native to
14 North America;
15 (2) Intensive monitoring of all imported products;
16 (3) Funding of research on eradication methods; and
17 (4) Creating a nonindigenous pests hotline.
18 Because the control of plant and animal pests is an important
19 factor in reducing farm losses pest control funding should be made
20 available when the need arises. Programs should be developed so
21 when a problem arises the funds and facilities can be put in place
22 expediently. We also encourage the Animal and Plant Health
23 Inspection Service (APHIS) to undertake early monitoring to
24 determine the location of pest infestations in order to maximize
25 resource allocation.
26 The departments or agencies of the federal government should
27 implement and pursue an effective program for the control of
28 noxious plants and other undesirable plant species on all lands under
29 their control or jurisdiction, including wilderness areas and national
30 parks. Such programs should be in accordance with state and federal
31 weed laws and should be in cooperation with the state departments of
32 agriculture and/or with a designated agency where there is a state
33 weed and pest organization. States that are sentinel states for pest
34 introductions should receive increased focus and support to

35 strengthen pest protection efforts.

36 We support the concept of multinational cooperation in the areas
37 of research exchange, technology transfer and the development of
38 new plant varieties to offset the loss of federal and state research
39 dollars devoted to preventing the introduction of new plant pest
40 diseases.

41 We urge a greater international effort to control the spread of
42 noxious plants, insects and animal pests. Quarantine protection from
43 these pests should not be compromised in international trade
44 negotiations.

45 We support:

46 (1) The separation and autonomy within USDA of APHIS and the
47 scientific advisory panel;

48 (2) Increasing the efficiency of the APHIS programs and increased
49 funding for APHIS inspections and stronger regulation of plant
50 materials entering the U.S.;

51 (3) The transfer of authority for agricultural inspections at the US
52 ports of entry from the US Department of Homeland Security to
53 APHIS and increased funding for the agency or agencies responsible
54 for these inspections;

55 (4) The employment of technical staff qualified to address new and
56 more complicated phytosanitary and sanitary matters.
57 Improvements to infrastructure, facilities and shared database
58 technology must become a priority for the agency or agencies
59 responsible for agricultural inspections;

60 (5) Increased monitoring of raw wood products and other
61 plant-based construction material including packaging materials;

62 (6) The removal of spending limitations from the APHIS user fee
63 trust fund included in the USDA appropriations act. User fees should
64 be used to fund vacant inspection positions at ports of entry;

65 (7) The development and maintenance of effective pest exclusion
66 programs at ports of entry. These programs should include increased
67 inspection of travelers, as well as public awareness programs, to
68 inform travelers of the threats to agriculture from imported pests;

69 (8) Aggressive enforcement of phytosanitary protocol at ports of
70 entry to detect illegal plant and animal products, diseases, pests or
71 harmful invasive species. Immediate expansion of USDA's Plant
72 Protection and Quarantine Branch personnel and facilities to take
73 care of increased plant imports. We further request that sufficient
74 fees be imposed on the plant material imported to cover the costs of
75 adequate inspection and fumigation. USDA should re-evaluate and
76 strengthen the risk assessment criteria it uses in determining the
77 impact of importing plants, animals and their products from areas
78 with exotic pest infestations. In determining pest-free zones, USDA
79 should be required to hold any public field hearings in the domestic
80 production area which will be affected;

81 (9) Mandatory identification of manifests of organic shipments for
82 targeted inspection;

83 (10) Increased cooperation between the U.S. Postal Service and
84 APHIS to increase first class mail inspections at high risk entry
85 points;

86 (11) Increased fines for private and commercial smuggling of
87 agricultural products. Fines should be severe enough to deter
88 smuggling and be used to fund the APHIS/Agricultural Quarantine
89 Inspection System (AQI);

90 (12) A prohibition on the use of untreated wood products from
91 countries known to have the Asian Longhorn Beetle;
92 (13) An awareness program to provide education to assist Texas
93 ranches in identifying and controlling the Fever Tick. We also
94 recommend that we solicit Mexico's assistance to increase the width
95 of the Mexican "border barrier zone;"
96 (14) Implementation and funding for the National Strategic Plan
97 for the Cattle Fever Tick Program developed in 2006;
98 (15) Legislation that would require USDA to fund and implement
99 dipping facilities at sale barns in south Texas to control fever ticks;
100 (16) Strengthening of Quarantine 37 and continuing efforts to
101 require enforcement. In addition, other protection regulations that
102 safeguard producers from plant diseases and exotic pests including
103 citrus canker should not be weakened;
104 (17) The APHIS proposal to allow the importation of certain
105 fruits from Hawaii, including lychee, provided they are not held in
106 transit in any state that is host for the tri-fly complex and provided
107 they are irradiated or treated immediately after arrival;
108 (18) The continued development of domestic currant cultivation
109 by allowing the importation of new cultivars from European Union
110 countries via an appropriate phytosanitary protocol; and
111 (19) All wheat imported from Mexico meeting equivalent testing
112 standards as U.S.-produced wheat.
113 We oppose:
114 (1) Any importation of citrus, nursery stock and citrus products
115 other than juice from any country having citrus canker or any other
116 harmful phytosanitary problems and pests until that citrus is certified
117 free of all harmful phytosanitary problems and pests;
118 (2) The combining of APHIS and U.S. Customs Service;
119 (3) To weed seed being sold as bird feed unless it has been treated so
120 that it will not germinate;
121 (4) All sales of Tamarisk as a nursery stock; and
122 (5) Government entities, other than local fire authorities,
123 regulating burning of burdensome vegetative growth on private
124 property.
125 ***Bacteria, Diseases and Virus***
126 We support:
127 (1) The development and implementation of a formal plan such as
128 Florida's Citrus Health Response Plan that helps growers manage and
129 control the spread of citrus pests and diseases (e.g., citrus canker,
130 citrus greening);
131 (2) Increased citrus greening exclusion efforts and research funding
132 for vector and disease detection efforts and eradication, inoculation
133 and best orchard management for the protection of the U.S. citrus
134 industry.
135 (3) Continuation of strict enforcement of the virulent potato wart
136 virus quarantine on all Canadian potatoes, and any livestock fed fresh
137 Canadian potato stock within 30 days of shipment, until such time
138 that Canada is declared free of the potato wart virus;
139 (4) USDA protecting U.S. potato production by investigating the
140 magnitude of the threat of the root-lesion nematode (*Pratylenchus*
141 *neglectus*) to and if warranted taking action up to and including a
142 moratorium on shipments of Canadian seed and/or commercial
143 potatoes into the United States;
144 (5) Scientifically-based, federally-funded programs for the survey

145 and control of the spread of plumpox virus in North America
146 including eradication if necessary. We further support indemnity
147 payments based on established values of established orchard trees as
148 well as nursery trees and ornamental nursery stock affected in the
149 eradication program. Indemnification should take into account
150 business interruptions as well as long term economic losses; and
151 (6) APHIS protecting the interests of U.S. soybean producers, by
152 actively engaging in monitoring and surveillance activities to control
153 Soybean Rust. We support testing and development of crops resistant
154 to diseases that are not yet present in the United States. Testing and
155 development should be conducted in non-sensitive areas to protect
156 the health of present crops.

157 ***Karnal Bunt***

158 The tolerance on karnal bunt must be based on sound science and
159 appropriate to each segment of the industry, for karnal bunt in
160 wheat, wheat products and other commodities. USDA should work
161 towards that goal by:

162 (1) Sponsoring an international meeting of scientists to evaluate
163 the status and strategies for management of the smut and bunt
164 diseases of cereals worldwide, with particular attention to karnal
165 bunt;

166 (2) Taking a leading role in re-evaluation of international policies
167 on the use of quarantines to prevent the movement of cereal smut
168 and bunt fungi; and

169 (3) Maintaining an aggressive research effort on smut and bunt
170 diseases of cereals, including karnal bunt.

171 In order to protect and expand U.S. wheat exports, USDA, U.S.
172 Trade Representative (USTR) and the wheat industry should actively
173 promote and gain acceptance of karnal bunt as a quality issue at the
174 earliest possible date. Karnal bunt should be deregulated and handled
175 as a quality issue in a manner that facilitates the marketing of grain
176 and prevents market disruptions.

177 We encourage continuation of compensation discussions and
178 should keep the minimum compensation level the same as 1996.
179 Compensation should be established for harvesters and transporters
180 and consistent regulations need to be established for sanitizing
181 equipment.

182 ***Noxious Weeds***

183 We support:

184 (1) A control program for multiflora rose, autumn olive,
185 Johnsongrass and other designated noxious weeds and the necessary
186 funds from the federal government to adequately eradicate the weeds;

187 (2) USDA taking immediate action to enact a program to control
188 and/or eradicate Tamarisk (Salt Cedar); and

189 (3) USDA taking immediate action to enact a program to control
190 and/or eradicate giant salvinia in the lower Colorado River.

191 ***Pests and Invasive Species***

192 We support:

193 (1) Recision of presidential Executive Order No. 13112 with its
194 broad scope and potential for uncontrolled costs;

195 (2) Increased and extended funding for the integrated pest
196 management programs;

197 (3) Irradiation as an approved technology for pest control;

198 (4) USDA controlling the West Indian sugarcane weevil;

199 (5) Efforts to control or sterilize the starling, blackbird and crow

200 populations to the point where they are no longer an economic
201 problem for agriculture;
202 (6) Control measures on federal lands adjacent to private property;
203 (7) Adequate funds be allocated for the eradication of harmful
204 species of fruit flies in the United States and its territories;
205 (8) APHIS studying and monitoring the Russian Wheat Aphid and
206 taking the necessary action to control its spread; and
207 (9) Programs that will lessen the impact of the gypsy moth and
208 southern pine bark beetle.

209 **Research**

210 We support:

211 (1) Continued research and implementation of detection,
212 exclusion, control and eradication measures;
213 (2) The land grant colleges and universities, (Agricultural Research
214 Service (ARS) and Natural Resources Conservation Service (NRCS)
215 Plant Materials Laboratory) continuing to search for and develop
216 plant material for forage production, conservation and wildlife uses;
217 (3) The best plant species available, native or non-native, be used
218 for forage production, conservation or wildlife purposes. Universities
219 (ARS and Cooperative Extension Service) and federal agencies should
220 promote the use of domestically developed, imported and native
221 plant species for forage production, conservation and wildlife
222 activities. Further, NRCS should continue support and allow the use
223 of domestically developed and/or imported plant species in their cost
224 share programs;
225 (4) Research to learn how to effectively and economically manage
226 domestic European honeybees in the area where Africanized
227 honeybees exist;
228 (5) Research efforts to address viable control methods for
229 *Phytophthora capsici* and Downy Mildew; and
230 (6) Continued research and development into the problem of
231 preventing the importation of exotic species in the ballast tanks of
232 cargo ships. Shippers should be required to use only those methods
233 that are financially reasonable and technologically feasible to
234 prevent exotic species in ballast tanks.

SECTION 4 - MONETARY TAX AND MISCELLANEOUS

ENERGY

Electric Power Generation

401

1 The production, transmission and distribution of power, including
2 the production of power from atomic materials, should be primarily a
3 function of private enterprise, which includes cooperatives, and of
4 other nonfederal electrical utility systems.

5 We support increased electrical generation capacity by updating
6 old and constructing new power plants and transmission lines to keep
7 pace with increased demand in the United States. Federal production
8 or transmission of power should be limited to instances where it is
9 clearly demonstrated that adequate development cannot be obtained
10 otherwise.

11 An owner of a communication or utility tower should be
12 responsible for the removal and disposal of the tower once its use is

13 discontinued.

14 We support the use of biomass fuels for electric power generation
15 whenever economically feasible.

16 We support development of renewable fuels, clean coal, natural gas
17 and next generation nuclear technologies in order to keep the costs
18 of electrical energy affordable.

19 Switchgrass or biomass residue should be encouraged as a source of
20 fly-ash in cement as an alternative to coal fly-ash. The American
21 Society of Testing Materials should conduct research and establish
22 cement specifications for fly-ash from co-fired electrical generation
23 from sources other than coal.

24 We support shortening the permitting process for construction or
25 improving power generating plants.

26 We support nuclear energy plants, as a source of needed energy
27 with adequate safeguards to ensure their safe and environmentally
28 sound use, with increased emphasis regarding the reprocessing of
29 nuclear waste as a way to generate additional energy.

30 We support the study of the impact of nuclear power plant
31 emissions upon the surrounding agricultural community. The
32 operator of a nuclear facility, prior to beginning of operation and at
33 regular intervals thereafter, should be required by the Nuclear
34 Regulatory Commission to educate neighboring farmers on
35 emergency agricultural practices and procedures to be followed in the
36 event of a nuclear accident.

37 We support the sale of the right to generate power at federal dam
38 sites to private enterprise or local units of government unless it
39 would adversely affect the cost of electricity to rural America. When
40 power is produced by a federal agency, we favor its sale at the plant.

41 Cooperatives and municipalities should have the first opportunity
42 to purchase federal power subject to such modifications as may be
43 necessary to accomplish equitable geographic distribution.

44 The price of power sold by public agencies should include an
45 amount equal to the federal income taxes and local property taxes
46 and such amounts should be paid to the appropriate units of
47 government in lieu of taxes.

48 We should support effective regulation of power rates, fair
49 treatment of customers and responsibility for service in franchised
50 territory.

51 Water of a quality which is useful for agricultural and domestic
52 consumption should be protected for those uses, whenever
53 practicable.

54 We oppose requirements for utilities to collect funds from
55 customers or members to finance residential utility consumer action
56 groups or any other organization.

57 We are opposed to the Tennessee Valley Authority (TVA)
58 reclassifying farm accounts.

59 At least one director should be a farmer-landowner Farm Bureau
60 member. TVA has achieved most of its original goals and purposes
61 and should not continue in its present form.

62 TVA's debt is a problem for the agency. TVA rate payers should
63 not bear the burden of a debt created to benefit the nation as a
64 whole. We should work toward a fair debt payment. TVA must be
65 allowed to compete fairly in the total marketplace if TVA is to
66 remain a reliable power generator.

67 We oppose legislative or regulatory programs that will increase the

68 cost of electricity to businesses, farms and industries without
69 evidence that the program is needed.

70 We support compliance with standards to reduce electrical ground
71 currents.

72 ***Electric Utility Restructuring***

73 We oppose efforts to deregulate electric utilities because it may
74 result in higher power costs and distribution problems.

75 If efforts continue to restructure and deregulate electric utilities,
76 the following principles must be met:

77 (1) Changes in the structure of the electric industry must not be
78 undertaken without full and informed public debate;

79 (2) Benefits of deregulation should be measured primarily in terms
80 of economic and social consequences;

81 (3) The results of restructuring should ensure that all customers
82 have access to reliable electrical service at fair and reasonable prices;

83 (4) Restructuring should be consistent with the goals of protecting
84 the environment, cost-effective sustainable energy technologies;

85 (5) Restructuring should maintain adequate staff levels and training
86 to ensure safety, reliability, customer service and planning standards;

87 (6) Rural consumers must be assured of reliable service and
88 competitive prices;

89 (7) Provide a phase-in to purchase electric power in a competitive
90 market;

91 (8) Provide a mechanism for smaller customers to pool their
92 electric power consumption into a larger marketable share through
93 aggregation in order to attract and better obtain low-cost electric
94 power; and

95 (9) Provide authority for rural electric cooperatives to:

96 (a) decide whether to enter into a deregulated marketplace;

97 (b) retain control through their elected representatives;

98 (c) continue to provide operation and maintenance of
99 distribution lines and services;

100 (d) not be required to give up territories in established service
101 areas when municipalities expand into these areas through
102 annexation;

103 (e) have full cost recovery for the use of their distribution lines;
104 and

105 (f) retain their present tax status.

106 The federal government should set the framework for the
107 implementation of changes in the structure of the electric utility
108 industry, but should allow state government to decide whether or not
109 to deregulate.

110 ***Hydroelectric Facilities - Federal Licenses***

111 We favor federal relicensing of hydroelectric generation facilities
112 in a manner that will protect agriculture's interest in maintaining the
113 availability of lowest cost energy. The entity that constructed and
114 operated the generation facility during the original license period
115 should be given a preference for the license extension.

116 If a license should be revoked or not renewed, the utility must be
117 compensated at current value by the federal government.

118 ***Rural Electric Utilities***

119 We support rural electric cooperatives organized and operated in
120 accordance with accepted cooperative principles and practices.

121 We oppose any plan or effort to convert rural electric
122 cooperatives into a public power system.

123 We support the use of electrical generation turbines at navigation
124 dams.
125 We believe that a properly designed federal revolving fund can and
126 should be an integral part of the means to provide the rural electric
127 cooperatives adequate credit to maintain and strengthen their
128 systems. Such a revolving fund should include an adequate rate of
129 interest to keep the fund solvent and be used in conjunction with
130 private capital to finance the system.
131 We recommend that the Rural Utilities Service (RUS) be preserved
132 as an independent agency within USDA and that steps be taken to
133 ensure that key administrative functions, including those pertaining
134 to the establishment of technical and engineering standards, are
135 retained within RUS.
136 We support research and development of methods for storing
137 electricity generated from renewable resources.

Energy

402

1 The U.S. should be focused on energy independence.
2 We support the development of a comprehensive energy policy,
3 which includes conservation, exploration, and research that also
4 provides for the production of traditional and renewable energy
5 sources. However, further action is needed to address the
6 vulnerabilities of the U.S. energy sector and the resulting impacts on
7 our nation's farmers and ranchers. We urge Congress and the
8 administration to enact policies that will:
9 (1) Expedite the development of energy resources anywhere in the
10 U.S., including the Arctic National Wildlife Refuge and Outer
11 Continental Shelf;
12 (2) Increase domestic oil refining capacity by modifying and
13 streamlining permitting requirements and other regulations;
14 (3) Diversify geographic locations of oil refineries and U.S. energy
15 supplies;
16 (4) Encourage exploration, extraction, pipeline and port facility
17 construction to ensure gas supplies meet demand;
18 (5) Reduce the number of boutique fuels;
19 (6) Decrease the demand for natural gas by increasing incentives
20 for the use of clean coal technology in electric power generation;
21 (7) Stimulate domestic production of oil and gas by reinstating the
22 depletion allowance, eliminating the tax disincentives for drilling and
23 removing excessive environmental regulations; and
24 (8) Support further development of nuclear, solar, geothermal,
25 hydroelectric, oil shale, tar sands, wind and other sources of energy
26 and recommend that special emphasis be given to converting to
27 expanded use of coal, including gasification, liquefaction and alcohol
28 production.
29 We support incentive programs and initiatives that will increase
30 the use of, and facilitate the local ownership of, electrical generation
31 from renewable sources.
32 We support the use of renewable portfolio standards to stimulate
33 electricity production from renewable sources such as wind, bio-mass,
34 solar, tidal, hydroelectric, methane from manure and landfills.
35 All tax incentives for domestic renewable energy production should
36 be calculated on a standard btu/kWh equivalent measurement basis,
37 without regard to the materials methods or sources used to produce

38 the energy.

39 We support Department of Energy (DOE) developing a grant
40 program for the installation of alternative energy systems on farms.

41 We support increased funding for the AGSTAR program.

42 We encourage the development of additional connections between
43 utility and transmission infrastructure that could provide energy
44 customers direct access to lower cost energy supplies.

45 We support legislation that will permit natural gas transmission
46 lines to renegotiate take-or-pay contracts in order to decrease the
47 price of such gas.

48 Extensive changes need to be made to laws and procedures
49 governing the review, approval, location and construction of
50 interstate gas pipelines. In particular, we would recommend changes
51 to law that would:

52 (1) Require governmental agencies to timely notify all landowners
53 who would be affected by a proposed gas pipeline under their
54 jurisdiction;

55 (2) Require gas pipeline operators to provide compensation to
56 landowners for not only all current losses but also all future losses
57 which may result from condemnations for gas pipeline use, and
58 require operators to pay such compensation within six months of the
59 date the landowner loses his or her property interest;

60 (3) Require a minimum 5-year restitution period for the tile and
61 compaction disruption on public easement; and

62 (4) Require gas pipeline operators to drain any area which has
63 become a wetland as a result of pipeline construction and restore
64 such area to its previous condition and productivity.

65 We oppose government rationing as a means of allocating scarce
66 energy supplies, except in the case of national emergencies. In such
67 cases, agriculture should receive uninterrupted supplies.

68 We oppose so-called "divorcement" legislation, at state or national
69 level, which would prevent anyone, including farm cooperatives, who
70 sells gasoline at wholesale from selling gasoline at retail.

71 We encourage educational programs and incentives to promote
72 sound energy conservation renewable energy programs.

73 We support continued testing on E diesel to prove the viability of
74 an ethanol additive to lower the particulates in diesel engine
75 emissions.

76 We oppose any attempt to establish oil prices through legislation.

77 We support a gradual increase in the Strategic Petroleum Reserve.

78 We oppose releasing oil from the Strategic Petroleum Reserve in
79 non-emergency situations.

80 We support changes in testing for low-sulfur fuel to be based on
81 levels of sulfur rather than testing for red dye.

82 We support ownership of methane as separate from other energy
83 resources.

84 We support funding for the Renewable Energy System & Energy
85 Efficiency Improvement Program.

86 We support the goals of 25' x 25' which are: "Agriculture will
87 provide 25 percent of the total energy consumed in the United States
88 by 2025 while continuing to produce abundant, safe and affordable
89 food, feed and fiber."

90 We oppose the DOE's ability to use eminent domain to override
91 state authority when siting energy corridors under the 2005 energy
92 act. DOE should act in an advisory capacity only.

93 We oppose declaring any potential biomass crop ineligible for use
94 in any biomass energy incentive program simply because it is non-
95 native.

Mineral Development

403

1 We support restoration of those concepts of the 1872 mining law
2 that guarantee the rights and freedom of prospectors and miners.
3 We support legislation:
4 (1) That clearly states that ownership of all rights not specifically
5 reserved by the U.S. government by Homestead or any other land
6 transfer acts rest with the fee title owner;
7 (2) That reverses the Supreme Court decision, which classified
8 gravel as a mineral subject to reservation;
9 (3) To ensure that property owners and tenants are fully
10 compensated for all property and environmental damages including
11 crop and pasture losses, due to mineral operations on their
12 properties; and
13 (4) To clarify that water released from a quarry site must be
14 demonstrated to contain pollutants before the quarry operator should
15 be required to obtain a national pollution discharge elimination
16 system (NPDES) permit.
17 We support rules and regulations that:
18 (1) Allow our nation to use our abundant supply of coal to achieve
19 energy independence;
20 (2) Require the reclamation of all mined lands, including disrupted
21 underground and surface water;
22 (3) Treat surface owners fairly by requiring landowner consent in
23 energy recovery company-landowner negotiations;
24 (4) Encourage states to develop their own reclamation standards,
25 which could exceed federal standards in order to protect the local
26 environment;
27 (5) Curtail unnecessary bureaucratic administrative delays in the
28 processing of leases;
29 (6) Require the federal government to release the entire amount
30 collected in fees from mining operations for the reclamation of
31 abandoned mines;
32 (7) Amend the compliance levels for ground vibrations and air
33 blasting associated with mining and construction operations. These
34 compliance levels should be set at a reasonable level to protect
35 property owners;
36 (8) Eliminate uneconomic and unreasonable requirements to return
37 strip-mined land to its original contour when such restoration will
38 not return it to its most productive level; and
39 (9) Amend the 11 federal surface mining regulations imposed in
40 order to allow land use changes from premining to postmining, to
41 provide an agricultural land use category, which would include
42 agricultural crops such as grain, hay, pasture and timber in one group.
43 However, such federal regulations should not preempt state
44 reclamation regulations.

Renewable Fuels

404

1 We support:
2 (1) A mandate for renewable energy/electricity to be purchased at a

3 minimum of the wholesale price;
4 (2) Private and public efforts to develop and promote new uses for
5 agricultural products;
6 (3) Research into the viability and economic potential of
7 agricultural products and commodities;
8 (4) Production and use of agricultural based fuels;
9 (5) Research and demonstration programs that use renewable fuel
10 as a fuel for fuel cell engine development;
11 (6) Continued research into ruminant and non-ruminant feed
12 utilization of renewable fuel Dried Distiller's Grains with soluble
13 (DDGs) co-products;
14 (7) The definition of biomass to include timber and other
15 renewable resources;
16 (8) Retention and development of policies which support the
17 biomass fuels industry;
18 (9) Renewable fuel producers be encouraged and offered incentives
19 to use recycled effluent water produced by local municipal wastewater
20 treatment facilities in the production process;
21 (10) Harvesting of lowland and riparian areas for biomass use
22 except lands enrolled in retirement programs;
23 (11) Full research and development for the increased production of
24 all forms of renewable energy from agricultural resources including
25 effects and solutions to help producers effectively manage soil and
26 water conservation issues related to energy crop production;
27 (12) The continued use of Commodity Credit Corporation (CCC)
28 funds as incentive payment to producers of renewable fuels for new
29 gallons of production;
30 (13) The establishment and enforcement of national quality
31 standards for biodiesel, renewable fuel and related coproducts.
32 Biodiesel shall be defined by meeting the specifications of the
33 American Society of Testing and Materials (ASTM) 6751 or its
34 properly designated successor;
35 (14) The reporting and publishing of renewable fuel production and
36 renewable fuel plant construction on a timely basis by an entity such
37 as the United States Department of Energy (USDOE);
38 (15) Encouraging research for better performing engines that run
39 on renewable fuels;
40 (16) Adding price reporting for corn and its coproducts, including
41 DDGs, to the Bureau of Census Current Industrial Reports as well as
42 to the Bureau's domestic and international market reports;
43 (17) Diesel to be a biodiesel blend and gasoline be an renewable fuel
44 blend;
45 (18) State and federal tax credits that provide incentives for the
46 use of alternative ag-based energy;
47 (19) Grants, cost-share programs and renewable fuel production tax
48 credits for farmers to produce their own fuel for farm use.
49 (20) Requiring all new gasoline powered vehicles to be capable of
50 burning fuel containing a minimum of 85 percent ethanol blended
51 gasoline;
52 (21) Regulation or legislation that increases the ethanol blending
53 standard to a level higher than 10 percent, without requiring engine
54 modifications to existing standard gas engines;
55 (22) The timely certification by Underwriters Laboratory (UL) of
56 dispensing equipment for all renewable fuel products, including all
57 storage tanks and pumping equipment;

58 (23) Requiring new renewable fuels or renewable energy production
59 facilities that utilize public funding, tax deferments or grants to offer
60 a percentage of investment opportunity to local producers to keep
61 gains realized in rural America;

62 (24) The promotion, use and expansion of renewable fuel as an
63 octane or cetane enhancer, fuel source, or lubricity agent to improve
64 air quality. Our goal is expanding the use of renewable fuels to the
65 maximum amount possible; and

66 (25) The tariff on imported renewable fuels.

67 We support an oxygenate standard unless there are enhancements
68 of laws and regulations (anti-backsliding) that preserve the
69 improvements in air quality that renewable fuel provides as a fuel.
70 We support legislation requiring the production of clear gasoline that
71 would accommodate year-round blending with ethanol in all fuels.
72 We support research for the development of alternative denaturing
73 options, in an attempt to make the denaturing of renewable fuel
74 more economical.

75 We are opposed to states being exempt from the oxygenate
76 requirements of the Clean Air Act.

77 We support amending the Clean Air Act to hold states harmless
78 for emission levels resulting from emergency waivers granted by
79 EPA.

80 We support biodiesel being included in all the Department of
81 Energy's policies and materials regarding alternative and renewable
82 fuels.

83 We support the use of biodiesel to meet up to 100 percent of an
84 affected utility or government fleet emission reduction requirements
85 under the Energy Policy Act of 1992.

86 We support streamlining and expediting the process for issuing
87 permits for the construction and operation of refineries for the
88 production of renewable fuels and coal gasification.

89 We encourage the distribution of renewable fuels via pipelines or
90 other cost effective means.

91 The tax benefits for renewable fuels should be maintained.

92 We support the small Ethanol Producer Credit (a federal income
93 tax credit provided under section 40(B)(4) of the Internal
94 Revenue Code) being allowed to pass through to cooperative
95 members or being sold as a tax credit.

96 We support volumetric renewable fuels excise tax credits at the
97 blending point.

98 We oppose the use of federal renewable fuels tax incentives for
99 imported renewable fuels.

100 We support designating the cost of purchasing biodiesel as an
101 allowable expense in the Congestion Mitigation Air Quality program.

102 We will seek an industry standard that would require all vehicles
103 capable of burning E85 fuel to be equipped with a yellow gas cap to
104 distinguish this capability.

105 We support color coding fuel pumps to indicate blends of liquid
106 energy.

107 We urge the use of renewable fuels in all federal vehicles where
108 available.

FISCAL / GENERAL ECONOMY

1 Producers need a variety of credit sources at the lowest possible
2 interest rates. While competition in farm credit markets is in the
3 best, long term interests of agricultural, we encourage commercial
4 banks, the Farm Credit System and other lenders to seek out
5 opportunities to cooperate in meeting the financing needs of
6 farmers.

7 We support the following principles regarding agricultural credit:

8 (1) Individuals or institutions that hold mortgages or instruments
9 that would normally require a certificate of release in order that a
10 clear title may be presented, shall upon maturity or other satisfaction
11 of said instruments, file a certificate of release in the local
12 government entity of affected property at their expense within 30
13 days;

14 (2) Lenders should not be permitted to retain mineral interests
15 when disposing of real property;

16 (3) We believe that Federal small business grants should not
17 exclude beginning farmers and ranchers and entrepreneurs without
18 any employees. The requirements should be changed so that grants be
19 awarded based on the character of the applicant and the merit of
20 business and financial plans submitted;

21 (4) Adequate incentives should be available for beginning farmers
22 to access capital and should not be based on age; and

23 (5) Small business government guaranteed loans should be available
24 and promoted for U.S. citizens.

25 ***Farm Service Agency (FSA)***

26 We support:

27 (1) FSA providing financing for those individuals who cannot
28 obtain credit elsewhere;

29 (2) Requiring FSA loans be secured by adequate collateral and
30 reasonable repayment capacity;

31 (3) Stopping FSA lending to anyone unable to build up enough
32 equity to get financing from other institutions after 10 years;

33 (4) Continuation of financing to current insured loan borrowers.

34 However, direct insured FSA loan programs should be eliminated.
35 Until that is accomplished, interest rates for insured loans should be
36 slowly increased to current market rates;

37 (5) Expansion of the FSA guaranteed loan program. The loan
38 process should be streamlined, however, to allow producers and
39 lenders to implement or change management plans;

40 (6) FSA expediting loan processing to allow farmers ample time to
41 make planting decisions;

42 (7) A requirement that FSA ensure clipping and noxious weed
43 control is performed on acquired property;

44 (8) The FSA providing adequate levels and terms of credit;

45 (9) A review and recommendations of appropriate FSA agency
46 policy on loan term limits, loan size limits, and interest rate
47 subsidies;

48 (10) Extending the low-interest loan program for grain storage
49 facilities to livestock forage crop storage structures;

50 (11) A requirement that FSA-acquired property be offered first to
51 qualified FSA young farmers and ranchers;

52 (12) FSA farm labor housing loans;

53 (13) Increased responsiveness from local FSA offices when

54 farmers/ranchers ask for financial assistance, especially on
55 conservation items, and when receiving reports on crop and
56 livestock issues;

57 (14) Easements or FSA inventoried lands remaining with FSA
58 rather than allowing for transfer to the U.S. Fish and Wildlife Service
59 or state agencies;

60 (15) A much broader definition for on-farm income;

61 (16) Horse boarding operations being covered under the FSA
62 programs;

63 (17) Increasing USDA/FSA farm loans for grain and forage storage
64 and grain handling equipment for farmers and landowners; and

65 (18) Flexible cash rent agreements be treated as a standard cash
66 rent agreement for FSA purposes and payments with the producer
67 receiving 100 percent of those payments.

68 **Commercial Banks**

69 We oppose regulations that are restrictive, inflexible and damage
70 farmers' and ranchers' ability to obtain and keep adequate financing.

71 We urge regulators to strike a balance between banking capital
72 requirements which preclude lending to qualified farmers and making
73 sure that financing for agriculture does not repeat mistakes on credit
74 worthiness.

75 **Farm Credit System**

76 Preservation of the Farm Credit System (System) is in the
77 long-term best interest of U.S. agriculture. The System should remain
78 a farmer-owned, federally chartered system of banks and
79 associations. We support efforts to make patronage allocations and
80 cash distributions a higher priority than building capital reserves.

81 We support:

82 (1) Lending primarily to farmers, agricultural cooperatives and
83 agribusiness;

84 (2) Full disclosure of financial condition;

85 (3) Removal of the statutory exit provision from the Farm Credit
86 Act;

87 (4) Retention of regulatory authority by the Farm Credit
88 Administration (FCA) and oppose the regulation of the System by
89 the U.S. Treasury Department;

90 (5) FCA examination of regulatory burdens and capital
91 requirements to ensure System institutions can be competitive; and

92 (6) The 1938 Memorandum of Understanding between the System
93 and the Forest Service allowing grazing permits to be used as loan
94 collateral.

95 We support farmers and ranchers serving on the boards of directors
96 of System institutions and are opposed to their replacement on the
97 boards by commercial bankers. We oppose allowing commercial
98 banks to have access to money procured by virtue of the System's
99 agency status.

100 We support FCS expanding its authority to allow rural lending
101 which meets the changing production and marketing needs of
102 agriculture and would help absorb the cooperative's fixed costs, thus
103 allowing these institutions to continue serving their primary
104 farmer-owner members with quality service and competitive interest
105 rates. We support the need to modernize and expand Farm Credit's
106 ability to serve agriculture and rural America to help them compete
107 and thrive in the emerging global market.

108 The population limit for rural home loans should be increased.

109 **Farmer Mac**

110 We support Farmer Mac as a viable source of farm credit.
111 We support legislation that would provide agriculture producers a
112 priority lien on crop, livestock and other agricultural products that
113 are sold to brokers, processors, accumulators and end users.

Bonding and Bankruptcy

416

1 The licensing and bonding regulations of the Federal Warehouse
2 Act should be strengthened to protect farmers in the storage of
3 agricultural products by increasing bonding requirements from
4 \$500,000 to \$1,000,000. Federal licensing of warehouses shall not
5 preempt state license requirements and regulatory authority,
6 including but not limited to examinations, audits, scale inspections
7 and indemnity fund collections.

8 Bankruptcy laws and regulations should be governed by the
9 following principles:

10 (1) Farmers who have delivered commodities or other products to
11 a purchaser that subsequently files for bankruptcy without paying for
12 those commodities or other products, should have first claim on the
13 commodity inventory and all assets of that purchaser;

14 (2) Dealers or brokers of agricultural products not regulated by the
15 Packers and Stockyards Act or a federal marketing order should be
16 bonded;

17 (3) A federal guarantee fund to pay producers for losses suffered
18 for nonpayment for commodities should not be established unless
19 first approved by a producer referendum;

20 (4) Bankruptcy laws should provide more severe penalties for
21 people who fraudulently declare bankruptcy and should require a
22 period of 10 years between bankruptcy filings; and

23 (5) Commission merchants, dealers and brokers, who are insolvent,
24 in receivership, in trusteeship or in bankruptcy, must provide written
25 notice of the bankruptcy to growers and suppliers for agricultural
26 commodities before the commodity is purchased or contracted for.

Federal Deposit Insurance

417

1 We encourage the FDIC to make permanent the increase in its
2 guarantee on individual and small business bank accounts from
3 \$100,000 to \$250,000.

Fiscal Policy

418

1 Government economic policies should be designed to encourage
2 economic stability, to increase productivity, to improve our
3 competitive advantage in the international market and to promote a
4 high level of economic prosperity.

5 We support a balanced federal budget except in the event of war,
6 national emergency and natural disasters. A balanced budget should
7 be accomplished through spending restraint and by reducing the rate
8 of growth, rather than by increasing taxes. All departments of the
9 government should be examined for cuts in spending. We support
10 fundamental reform in federal entitlement programs and
11 cost-of-living adjustments.

12 All government agencies should be required to return unspent

13 money to the Department of the Treasury without a penalty.
14 Agencies and programs that are not reauthorized by Congress
15 should not be funded. All new federal programs should sunset.
16 Dedicated trust funds should be used for their intended purpose and
17 not be used to mask the size of the federal deficit.
18 Federal budget surpluses should be used to reduce the federal debt
19 and to cut taxes.
20 The economic benefits of proposed tax code changes should be
21 recognized and dynamic scoring should be used to determine their
22 impact on federal revenue.
23 Federal mandates to state and local governments must provide
24 complete and continuous funding.
25 The federal budget should be presented so that it can be understood.
26 We oppose changing the budget status of programs to mask federal
27 spending or taxation.
28 The definition of "spending cut" should be an actual reduction in
29 dollars spent and the definition of "budget cut" should be an actual
30 reduction in dollars budgeted.
31 The Federal Reserve System should be audited regularly and the
32 results of the audit should be made public. The Reserve should have
33 an independent board of governors with agriculture represented on
34 the Board.
35 We oppose:
36 (1) Awarding federal grant monies to citizen action groups;
37 (2) Federal funding for the National Endowment for the Arts; and
38 (3) Withholding funds to force compliance with federal programs.

Foreign Investment

419

1 Foreign investment in U.S. assets is a concern. The impact of
2 foreign investment in agriculture, banking, insurance and other
3 business institutions in the United States should be monitored.
4 Foreign ownership of utility companies and natural resource
5 businesses, excluding agricultural land, should be limited to less than a
6 controlling interest. We oppose preferential treatment of foreign
7 investments in agriculture and insist that foreign investors be required
8 to conform to the same tax laws, import and export regulations as
9 American producers.

Governmental Ownership of Property

420

1 Government-owned enterprises which compete with private
2 enterprise and government-owned properties which are not available
3 for public use should be required to bear their equitable share of the
4 cost of services provided by other governmental entities through
5 payments in lieu of taxes. Those government-owned enterprises that
6 could be privatized should be sold to the private sector as a means of
7 providing more efficient service and cost reduction.

Monopoly

421

1 Monopoly power is a threat to our competitive enterprise system
2 and the individual freedom of every American.
3 Consolidation, and the subsequent concentration within the U.S.

4 agricultural sector is having adverse economic impacts on farmers
5 and ranchers. Congress should review existing statutes, develop
6 legislation where necessary and strengthen enforcement activities to
7 ensure proposed agribusiness mergers and vertical integration
8 arrangements do not hamper producers' access to inputs, markets,
9 and transportation.

10 The following changes should be made to further protect the sellers
11 of commodities from anticompetitive behavior:

12 (1) Department of Justice (DOJ) should ensure that proposed
13 cooperative and/or vertical integration arrangements continue to
14 maintain independent producers' access to markets;

15 (2) USDA should be given authority to review and provide
16 recommendations to DOJ on agribusiness mergers and acquisitions;

17 (3) USDA should be empowered to investigate mergers,
18 consolidation or concentration of agricultural input suppliers,
19 processors and retailers for antitrust or anticompetitive activities;

20 (4) DOJ should investigate competitive markets and price
21 discovery when purchasers of agricultural products and providers of
22 resources to agricultural producers secure a 25 percent (or greater)
23 share of its markets;

24 (5) DOJ should have broader regulatory authority to include
25 regulation of anticompetitive monopsonistic business behavior to
26 protect agricultural producers as well as consumer;

27 (6) Producers impacted by unfair marketing practices should be
28 compensated when harmed by monopolistic practice;

29 (7) USDA and DOJ should jointly provide clarification of farmer
30 cooperatives' rights to encourage the development of cooperatives
31 and producer bargaining associations;

32 (8) USDA oversight of the Packers and Stockyards Act should be
33 enhanced. Specifically, Grain Inspection Packers and Stockyard Act
34 (GIPSA) investigations need to include more legal expertise within
35 USDA to enhance their anti-competitive analysis on mergers;

36 (9) DOJ, GIPSA and other appropriate agencies should investigate
37 any anti-competitive implications agribusiness mergers and/or
38 acquisitions may cause. These investigations should consider
39 regional monopolistic powers and abuses; and

40 (10) Individuals and companies who attempt to control
41 commodity prices and agricultural production in violation of
42 antitrust and monopoly laws should be swiftly prosecuted.

43 The continued use and expansion of production contracts is
44 appropriate as long as producers have equal input in the process of
45 negotiating the contract and companies owning critical genetics do
46 not obtain too much market power.

World Bank and International Monetary Fund

422

1 We support:

2 (1) A congressional review of the charter for the World Bank to
3 determine if it is operating according to its original purpose of aiding
4 economic development and reconstruction and in keeping with sound
5 banking practices;

6 (2) A thorough congressional evaluation of the U.S. contribution
7 to the capital stock of the World Bank with emphasis on taxpayer
8 costs and effects on world poverty;

9 (3) World Bank loans consistent with interest rates that are

10 internationally competitive so that the borrowers are not insulated
11 from world markets for capital;
12 (4) A restructuring of loans to assure repayment of loans made by
13 the International Monetary Fund (IMF); and
14 (5) The charter for IMF operating according to its original purpose
15 of ensuring international liquidity and exchange rate convertibility to
16 facilitate world trade and capital flows.
17 We oppose World Bank loans to countries that would subsidize
18 products for export that are in direct competition with the United
19 States or that are in surplus.

TAXES

Federal Estate and Gift Taxes

435

1 We support permanent repeal of federal estate taxes. Until
2 permanent repeal is achieved, the exemption should be increased to
3 \$10 million per person and indexed to inflation. A full unlimited
4 stepped-up basis at death must be included in any estate tax reform.
5 The federal estate tax exemption should also be portable between
6 spouses.
7 We support increasing the annual federal gift tax exemption to
8 \$25,000 and indexing it for inflation.
9 There should be no limit to the amount that property value can be
10 reduced to reflect its actual use. In the event of lower exemption
11 levels, it is essential that agricultural land and its capital assets be
12 excluded from estate tax valuation, as long as they remain in
13 production agriculture.
14 Farmland owners should have the option of using either a full value
15 or current use value appraisal when determining land values for tax
16 purposes.
17 We support changing the federal tax code to allow:
18 (1) The sale of agricultural land preservation and environmental
19 easements on farm estates without triggering a recapture tax; and
20 (2) Timbering of farmland during the 10-year agricultural use
21 period.

Sales, Fuel and Excise Taxes

436

1 Under the current tax system, sales taxes should be reserved to
2 state and local governments.
3 Federal excise taxes should be limited to nonessentials and only be
4 used to generate revenue for dedicated uses and/or funds.
5 Revenue from road fuel taxes should be dedicated to the Highway
6 Trust Fund and taxes on aircraft fuels should be used to improve
7 aviation systems.
8 Federal gasoline taxes should not be held in the Highway Trust
9 Fund and should be released to the states.
10 We oppose any new or increased excise taxes. Excise taxes should
11 not be paid on:
12 (1) Aircraft fuel used for agricultural purposes such as crop dusting;
13 (2) Used trucks that have been further manufactured;
14 (3) Commodity futures or options transactions; and
15 (4) E-mail or other private package or courier service.

16 Fines for nonfarm use of tax-exempt dyed diesel fuel should be
17 commensurate with the revenue lost from highway use taxes.
18 Farm licensed vehicles should be exempt from having to file Form
19 2290, Heavy Highway Vehicle Use Tax
20 Trucks mounted with farm equipment and/or farm trucks exempt
21 from state vehicle registration as farm machinery should be allowed
22 to use tax-exempt diesel fuel.
23 We oppose:
24 (1) The sale of untaxed items by merchants on tribal land;
25 (2) Increases in the special occupational tax on wineries;
26 (3) Requiring out-of-state sales tax collection;
27 (4) A windfall profits tax on oil, gas and renewable energy; and
28 (5) Pretaxation of off road fuel and user fees for turbine-powered
29 agricultural aircraft.

Social Security

437

1 Action should be taken to preserve the integrity of Social Security
2 for retirees and workers paying into the system. Long-term reform
3 should include:
4 (1) Giving all Americans a choice of retirement systems,
5 government or private, which operate under the same deposit
6 percentages and withdrawal age rules as social security; and
7 (2) Allowing taxpayers to invest a portion of their social security
8 taxes into personal retirement accounts that are owned by the
9 individual and are transferable at death without affecting benefits for
10 current or future recipients.
11 We recommend:
12 (1) Employers and employees should continue to share equally in
13 the payment of Social Security taxes;
14 (2) The separate payroll deduction for FICA taxes should continue
15 so that they are clearly identifiable;
16 (3) Social security taxes collected should be placed in a restricted
17 interest bearing fund to be used only for social security programs;
18 (4) Tax exempt income should be excluded from the formula that
19 determines the taxation of Social Security benefits;
20 (5) Any income tax collected on Social Security benefits should be
21 returned to the Social Security Trust Fund;
22 (6) Benefits should be based upon an individual's contributions to
23 the system;
24 (7) Adjustments in Social Security benefits should be based on the
25 annual decrease or increase in average wage;.
26 (8) The spouse or family of a deceased person should be able to
27 keep the social security check for the month the person dies;
28 (9) The Government Pension Offset and the Windfall Elimination
29 Provision should be repealed;
30 (10) All employees, both in the private and public sector, and
31 members of Congress, be included in the Social Security program; and
32 (11) Each individual having the right to participate in pension
33 plans in addition to Social Security.
34 We support information programs to help people understand that
35 Social Security is not intended to satisfy all retirement income needs.
36 We support maintaining the integrity of the Social Security
37 number.
38 We oppose:

- 39 (1) An increase in Social Security taxes;
- 40 (2) Collecting more in Social Security taxes than is distributed in
- 41 benefits plus a one and one-half year reserve fund;
- 42 (3) Financing Social Security out of general revenues;
- 43 (4) Exempting low income taxpayers from paying Social Security
- 44 taxes;
- 45 (5) The earned income restriction;
- 46 (6) Means testing;
- 47 (7) Social Security payments to illegal aliens or to prison inmates
- 48 who have no dependents; and
- 49 (8) The taxation of Social Security benefits.

Tax Reform

438

- 1 We support replacing the current federal income tax system.
- 2 The new tax code should encourage, not penalize, success and
- 3 encourage savings, investment and entrepreneurship. It should be
- 4 transparent, simple and require a minimum of personal information.
- 5 Any replacement tax system should meet these guidelines:
- 6 (1) Fair to agricultural producers;
- 7 (2) Implemented simultaneously with the elimination of all payroll
- 8 taxes, self-employment taxes, the alternative minimum tax, the
- 9 capital gains tax, death taxes and personal and corporate income
- 10 taxes;
- 11 (3) Revenue neutral;
- 12 (4) Repeal the 16th amendment;
- 13 (5) Based on net, not gross, income; and
- 14 (6) Not tax business-to-business transactions or services except for
- 15 final consumption.
- 16 We support requiring a two-thirds majority for imposition of new
- 17 taxes, or for the increase of tax rates.
- 18 We support the creation of a fair tax system.

Taxation

439

- 1 ***Income Taxes***
- 2 Tax policy should be designed to encourage private initiative,
- 3 economic growth, equity and simplicity. We support:
- 4 (1) Income tax indexing;
- 5 (2) Reductions in all tax rates;
- 6 (3) Confidentiality of federal income tax returns;
- 7 (4) The option of using cash accounting;
- 8 (5) Creating pretax savings accounts as a risk management tool for
- 9 farmers and ranchers including deferment of self-employment taxes;
- 10 (6) Allowing farmers and ranchers to average income over a five
- 11 year period and allowing share-based rental income to be eligible for
- 12 income averaging;
- 13 (7) Elimination of the Alternative Minimum Tax (AMT). Until
- 14 repealed, the threshold and deductions allowed should be increased;
- 15 (8) The same depreciation for income and the alternative
- 16 minimum tax;
- 17 (9) Elimination of the imputed interest rate;
- 18 (10) Reinstatement of investment tax credit;
- 19 (11) Eliminating income tax on Social Security benefits;
- 20 (12) Acceptance of canceled checks as sufficient documentation of

21 any deductible expense or contribution;
22 (13) Seized real property being returned to the tax roles as soon as
23 possible;
24 (14) Taxing for profit businesses operated by tax-exempt
25 organizations;
26 (15) Tax credits for small business;
27 (16) Treatment of replacement hedges (i.e. exchanging cash
28 positions with a futures contract) as ordinary income or loss;
29 (17) Eliminating income tax on reduced quota payments and state
30 master settlement payments;
31 (18) Allowing corporations to deduct earnings distributed to
32 stockholders as dividends;
33 (19) A tax deduction for produce and agriculture products donated
34 to charity; and
35 (20) Federal income tax exemptions for loan forgiveness
36 programs, incentives or other monies given to rural medical or large
37 animal veterinary practitioners because they practice in rural areas.
38 We oppose:
39 (1) A freeze or cap on scheduled tax cuts;
40 (2) Taxing interest income as it accrues;
41 (3) The use of agricultural land as a long-term, tax sheltered
42 investment by pension and profit-sharing funds;
43 (4) Taxing the cash value buildup in life insurance;
44 (5) A value-added tax;
45 (6) Allowing earned income credits for dependents who are not
46 citizens and who do not live in the United States;
47 (7) IRS's taxpayer compliance measurement program;
48 (8) Taxing health insurance premiums to fund health coverage for
49 those who do not have insurance;
50 (9) Retroactive taxation as unconstitutional; and
51 (10) Taxation by tribal governments of nonenrolled people within
52 reservation boundaries without representation.
53 ***Self-Employment Taxes***
54 We Support:
55 (1) Conservation Reserve Program payments being classified as
56 rental income and not subject to social security tax;
57 (2) Exempting rental income from land rented to the owner's
58 family farm corporation, Limited Liability Company (LLC) or
59 partnership from the self-employment tax; and
60 (3) Cutting the self-employment tax so that it equals the
61 employee's share of employment taxes.
62 ***Capital Gains Tax***
63 We oppose any tax on capital gains. Until the capital gains tax is
64 repealed, we support:
65 (1) Cutting the tax rate on capital gains;
66 (2) Indexing capital gains to inflation;
67 (3) An exclusion for the sale of agricultural land that remains in
68 production;
69 (4) An exclusion for payments for farm land preservation
70 easements and development;
71 (5) An exclusion for the transfer of a business, including farms,
72 between parent and children;
73 (6) Allowing a taxpayer to defer taxes from the sale of property
74 and machinery by investing the proceeds into a retirement account
75 with taxes due at withdrawal;

76 (7) Eliminating the \$3,000 limit on capital losses; and
77 (8) A waiver of any land taken through threat of/or by eminent
78 domain.

79 ***Depreciation, Expensing and Deductions***

80 We support:

81 (1) Allowing at least \$250,000 of expenses to be deducted under
82 Section 179 Small Business Expensing and indexing the amount for
83 inflation;

84 (2) Annual expensing of preproduction expenditures;

85 (3) Treating costs incurred for major equipment repairs as an
86 expense rather than a capital improvement;

87 (4) Accelerated depreciation using the same methods available to
88 non-farm businesses;

89 (5) Allowing water storage reservoirs built for irrigation and the
90 cost of land leveling for water conservation to be depreciated over a
91 four-year period;

92 (6) Reforestation costs being treated as an expense in the same
93 year they are incurred;

94 (7) Raising the cap on the tax credit and shortening the
95 amortization period for the cost for replanting of trees;

96 (8) A deduction for a portion of the home telephone bill used in
97 the farm business;

98 (9) A deduction for all state and local taxes;

99 (10) Allowing a full year's depreciation on capital purchases made
100 during the year;

101 (11) If as a result of a divorce, farm assets must be purchased by
102 the spouse remaining with the farm, interest and depreciation should
103 be deductible for tax purposes; and

104 (12) The use of a written business work and/or employment
105 agreement to establish a valid employer/employee relationship with
106 the farm family members.

107 ***Environmental Tax Issues***

108 We support:

109 (1) Tax incentives to encourage farmers and ranchers to safeguard
110 plant and animal species, conserve our natural resources and improve
111 the quality of our air and water;

112 (2) Allowing a deduction for the full and fair value of a donated
113 conservation easement or purchased development right;

114 (3) Allowing the same installment sales reporting for landowners
115 who donate a term easement as those who donate a permanent
116 easement;

117 (4) Remitting tax revenue received by the federal government
118 from the sale of property development rights to the state of origin
119 for farmland protection programs;

120 (5) The non-taxability of cost share benefits received as the result
121 of complying with government mandated or government sponsored
122 conservation practices; and

123 (6) Tax incentives for wind power and renewable fuels that remain
124 in place for at least ten years.

125 We oppose the imposition of carbon emission related taxes or fees
126 on horsepower of vehicles and equipment used for agricultural
127 production.

128 ***Financial Distress Tax Relief***

129 We support:

130 (1) A capital gains tax exclusion for asset sales forced by disasters,

131 bankruptcy, insolvency, condemnation and indemnification;
132 (2) Delaying the recognition of gains for two years after a forced
133 livestock sale caused by government reduced grazing periods or
134 permits;
135 (3) Up to a ten-year carry-forward of income from forced
136 liquidation of assets due to disaster;
137 (4) Forgiving income taxes for producers who are forced to sell
138 livestock because of disaster or condemnation if they purchase
139 replacement livestock within 10 years;
140 (5) An exclusion from income for federal farm payments related
141 to weather disaster, reduced quota payments and state master
142 settlement payments;
143 (6) Proceeds from crop insurance or indemnity payment should be
144 eligible for tax postponement until the following year; and
145 (7) Casualty-loss tax treatment for timber destroyed by insects,
146 diseases or natural disasters.
147 We oppose:
148 (1) The recapture of investment tax credit on agricultural property
149 owned by a farmer declared to be insolvent; and
150 (2) The assessment of income taxes against property owners who
151 are declared insolvent with their property bringing less than the loan
152 amount.
153 ***Taxes on Savings***
154 We support:
155 (1) Increasing the maximum allowance on individual IRAs and tax
156 deferred retirement plans to \$12,000 indexed for inflation;
157 (2) Elimination of the adjusted gross income limitation for
158 deductible Individual Retirement Account contributions;
159 (3) Changing the Simplified Employee Pension-Individual
160 Retirement Account contributions regulation to allow employees to
161 work up to 210 days and make up to \$10,000 before they must be
162 included in the same percentage of income as the owner contributes;
163 (4) Elimination of income taxes on the first \$1,000 of interest
164 income from savings accounts of individuals; and
165 (5) Elimination of mandatory distribution from IRAs.
166 ***Taxes on the Transfer of Property***
167 We support:
168 (1) Allowing farmers to defer taxes when exchanging farm
169 property for farm property (Section 1031 exchanges);
170 (2) Changing from 45 days to six months, the time allowed to
171 identify exchange property and from six months to one year, the
172 time allowed to close and receive property under like kind exchange
173 rules;
174 (3) Tax incentives for persons who sell or lease land, machinery,
175 or other assets to beginning farmers; and
176 (4) Allowing installment sale reporting of all gains from the sale or
177 exchange of farm properties.
178 ***Tax Record Keeping Issues***
179 We support:
180 (1) Increasing the \$150 Social Security and Medicare threshold to
181 \$2,500, eliminating the total farm payroll test, indexing the
182 threshold to increases in the minimum wage and inflation, imposing
183 a 24-day test for determining if wages are subject to tax, and
184 exempting full-time students 18 years of age or younger from
185 withholding;

- 186 (2) Raising the minimum amount required to be reported on the
187 1099 form to \$4,000 and index it for inflation;
188 (3) The exemption of forward contract sales by farmers from form
189 1099B filing requirements;
190 (4) Granting corporations the same safe harbor from
191 under-estimation penalties as individuals;
192 (5) A 60-day federal tax deadline following the end of the
193 corporate fiscal year for small family farm corporations, without
194 requirement of estimated quarterly payments;
195 (6) Not requiring taxpayers to maintain depreciation schedules for
196 equipment that is no longer owned; and
197 (7) An exemption for all plants from the uniform capitalization
198 rules.

199 **Family Tax Issues**

200 We support:

- 201 (1) An immediate health insurance deduction for 100 percent of a
202 person's health, dental, disability and long term care insurance
203 premiums;
204 (2) Premiums and non-reimbursable medical expenses being an
205 adjustment to business income for income tax reporting purposes;
206 (3) Eligibility for this deduction shall not be predicated on all
207 employees being provided health insurance;
208 (4) Children with income and who are claimed as a dependant not
209 having to pay taxes at their parent's rate;
210 (5) A tax deduction for post-secondary education tuition;
211 (6) The elimination of the marriage penalty;
212 (7) Allowing child-care credits for the self-employed;
213 (8) Increasing the personal exemption;
214 (9) Limiting the amount of the Earned Income Tax Credit to the
215 amount of income and employment taxes paid;
216 (10) Extension of the Child Tax Credit from age 17 to 23 for
217 dependent children who are full-time college students; and
218 (11) An exemption for the proceeds from the sale of business
219 property from adjusted gross income caps for retirement purposes.

Taxation of Cooperatives

440

- 1 Farmer cooperative's income should be taxed only once, either by
2 the cooperative as earned or by the patron when received in cash.
3 Farmer cooperatives should be given at least two years to adjust to
4 a new interpretation concerning the tax status of cooperatives.
5 Changes should not affect long-established practices nor apply
6 retroactively.
7 An exemption for income used to build required reserves should be
8 maintained for farm credit institutions impacted by a change and
9 income not used for that purpose should be returned to cooperative
10 members.
11 We oppose withholding taxes on patronage refunds.
12 Producer-purchased companies that transition into cooperatives
13 should have the same tax advantages as employee-purchased
14 companies.
15 We support an investment tax credit for producers who purchase
16 shares in value-added cooperatives.

USDA: PROGRAMS AND SERVICES

Agricultural Reports

455

1 We support changes in the national and international crop
2 reporting services which are needed to provide more timely and
3 accurate supply-demand information, including current planting
4 intentions, to farmers. USDA should include the imports of
5 agricultural products from all countries in its crop reporting service
6 and provide this in a timely manner.

7 We urge USDA to schedule releases and reports to minimize the
8 impact on other agricultural commodities.

9 We support funding to establish a national dry bean stocks report
10 compiled by the USDA National Agricultural Statistics Service
11 (NASS).

12 We urge that the Peanut Planting Acreage Report be released after
13 the Farm Service Agency (FSA) deadline for planted peanuts has
14 passed.

15 We support efforts to work with NASS to add an additional rice
16 stocks reporting date of June 1.

17 We urge implementation on an operational basis of the Large Area
18 Crop Inventory Experiment (LACE) technology developed by the
19 tri-agency (National Aeronautical & Space Administration, USDA,
20 National Oceanic & Atmospheric Administration) for the worldwide
21 inventory of agricultural production in order to provide accurate and
22 timely reports.

23 A greater international effort should be made to improve global
24 crop and livestock reporting.

25 USDA should promptly release to American producers all satellite
26 and other sources of information on crop acreage and conditions
27 such as production estimates, effects of weather and insect pressures
28 in the United States and foreign countries. The lack of such pertinent
29 information from USDA on acres planted throughout the world on
30 major crops results in wide swings in market prices which are costly
31 to farmers.

32 World production information, including U.S. data, should be
33 reported in the same units of measurement.

34 We will work to require USDA to prepare budget expenses and
35 recoveries that more clearly portray the net cost of farm programs
36 to the U.S. government.

37 We urge all Farm Bureau members to cooperate with the NASS by
38 submitting their best estimates whenever they are asked to fill out a
39 crop report questionnaire or to provide information to enumerators.
40 The confidentiality of the information reported should be
41 maintained.

42 We recommend that the agricultural census be taken every five
43 years, that it be restricted to questions relative to farm acreage and
44 livestock numbers and that reporting forms be updated and
45 simplified.

46 We support the definition of a farm as at least \$2,500 in gross
47 sales for the purpose of conducting the agricultural census.

48 We oppose the releasing of government-collected individual
49 producer data or records, including the names and addresses of
50 participants, with any government agency or any other entity. This
51 sharing of data violates an individual's expectation of privacy and

52 confidentiality in complying with mandatory reporting. A privacy
53 statement should be supplied stating that the information will not be
54 released without written consent from the individual/customer/client.

55 The USDA Market News Service should furnish information on
56 direct sales of slaughter and feeder cattle, sheep and hogs. We favor
57 the reporting of wholesale dressed beef, pork and lamb trade. Annual
58 production reports should be reinstated for all fruit, vegetables and
59 specialty crops.

60 USDA includes in its estimated gross agricultural income the fair
61 rental value of farm homes and the value of home-grown produce
62 consumed on the farm. We recommend that the NASS survey be
63 audited periodically. These factors are not used in computing
64 nonagricultural income. The same methods should be used in
65 computing agricultural and nonagricultural gross income.

66 We support appropriate action be taken if a processor incorrectly
67 reports inventory to either NABS or Chicago Mercantile Exchange,
68 and are found to be manipulating the market by incorrectly reporting
69 inventory.

70 We support the definitions of agritourism enterprise and
71 agriculture tourism for use in policy development and the 2007
72 Agriculture Census be as follows:

73 (1) Agritourism enterprise refers to an enterprise at a working
74 farm, ranch or agriculture plant conducted for the enjoyment of
75 visitors that generates income for the owner; and

76 (2) Agriculture tourism refers to the act of visiting a working farm
77 or any agriculture, horticulture or agribusiness operation for the
78 purpose of enjoyment, education or active involvement in the
79 activities of the farm or operation that also adds to the economic
80 viability of the state.

Commodity Promotion

456

1 We recognize the right of producers to promote increased
2 research, sales and consumption of the commodities they produce.
3 State and federal governments should not cease funding research
4 and promotion with the intent of allowing the farmer
5 checkoff-funded programs to cover such costs.

6 Commodity checkoff programs should meet the following criteria:

7 (1) Approval by producer referendum prior to implementation or
8 change of a program;

9 (2) Referendum procedures protect voting rights and the
10 confidentiality of individual producers, provide uniform voting
11 procedures and encourage maximum participation by producers. The
12 minimum voting age should be 18 years old;

13 (3) A referendum shall be held at any time upon petition of 10
14 percent comprising a representative sample of registered producers;

15 (4) Producer control of the board and the program;

16 (5) Limitations so that funds are used only for promotion, market
17 development and research. Grower educational programs should be
18 limited to project information and financial statements;

19 (6) For programs that authorize refunds of assessments, the refunds
20 should be distributed in a timely manner;

21 (7) Emphasize value-added benefits to producers and focus on
22 higher net returns for farmers;

23 (8) Checkoff-funded research grants for end user products should

24 have royalty or licensing agreements, where feasible, signed with the
25 research institution;
26 (9) USDA should provide an annual report and strengthen
27 oversight activities to assure producers that the funds are being used
28 only for their intended purposes of promotion, research and market
29 development and not diverted to help finance state or national
30 organizations whose major purpose is to provide legislative and
31 regulatory services for members;
32 (10) Producer participation in checkoff referenda should be
33 improved through all available means, including mail-in or electronic
34 ballots;
35 (11) Imported commodities should be subject to promotional
36 checkoffs on the same basis as domestic producers, including
37 producers from Puerto Rico;
38 (12) Any commission or body created under an agricultural
39 commodity promotion program should be required to provide
40 complete accountability to its producers of the expenditure of funds
41 collected from them, including funds released to any agricultural
42 organization, public agency or private firm for promotion or
43 research purposes; and
44 (13) Transparency in the checkoff program is critical to continued
45 producer confidence and program success.

Cooperative Extension Service

457

1 The Cooperative Extension Service (CES) should remain an
2 agency within USDA and a part of the land grant colleges and
3 universities with federal appropriations expended under cooperative
4 agreements between USDA and each state. Federal and state funds
5 should be used for the implementation of Extension programs as
6 established under the cooperative agreements.

7 Effectiveness of CES comes from local support in program
8 development and financing. This concept must be maintained.

9 We recommend that funding for CES be increased so that all
10 aspects of agriculture receive adequate attention.

11 We favor the basic philosophy of CES that programs, and program
12 direction, should be decided by local participants in the program. We
13 oppose dictation by the federal government through the earmarking
14 of funds for specific federally directed non-farm programs.

15 New programs providing services to non-farm people should not
16 come at the expense of programs for farm and ranch families.

17 We believe CES should devote more time to farmers' needs and to
18 the dissemination of research information to farmers. CES should
19 initiate not only the dissemination of research but also a flow of
20 possible impacts and needs from the farmer-rancher back to the
21 researcher and to the public.

22 We encourage expansion of business management and career
23 guidance programs through CES.

24 Recognizing that the ultimate beneficiary is the American
25 consumer, who has been provided a plentiful supply of food and fiber,
26 we support CES in its efforts to get adequate funding and improving
27 services. We support the streamlining and consolidation of CES while
28 maintaining support for youth.

29 We urge CES and USDA to develop and publicize a positive food
30 safety program.

31 We oppose the repeal of the Hatch Act of 1887. We oppose the
32 movement of Hatch Act funds from the current system to a
33 competitive grant system. We also oppose the repeal of the
34 Cooperative Forestry Research Act of 1962 and the movement of
35 those funds to a competitive grant system. These funds are vital to
36 maintain the infrastructure of ag research stations at land grant
37 universities.

38 We oppose assignment of university extension faculty or staff to
39 regulatory or law enforcement duties of any kind, believing such
40 duties to constitute a conflict of interest, defeating both educational
41 and regulatory purposes.

42 We oppose federal changes in funding mechanisms for nutrition
43 programs used with CES.

44 We support maintaining an agricultural focus for our 4-H
45 programs.

Farm Service Agency Committees

458

1 Farm Service Agency (FSA) committees should consist of farmers
2 who receive a major part of their income as active producers of
3 agricultural products.

4 County FSA committees should have more control over local
5 situations and programs including providing USDA payments for
6 conservation programs. County committees and the state FSA
7 committee should assist Natural Resources Conservation Service
8 (NRCS) in determining what programs are applicable and should be
9 used.

10 USDA's National Appeals Division should be required to adjudicate
11 cases using the same rules and regulations formulated by USDA which
12 the FSA county and state committees are required to follow.

13 County FSA committees should have the right of appeal for
14 determinations made at the county level that are rejected by the
15 state.

16 Each farmer or rancher affected by an FSA office closing should
17 have the right to choose to be serviced by the most convenient
18 service center.

19 We support implementation of an online reporting process by
20 FSA. Online reporting should be available to all producers regardless
21 of their operational structure.

22 We support the efficient delivery of farm programs and retention
23 of county committee structures with all counties represented, even if
24 the number of county FSA, NRCS and Rural Economic and
25 Community Development offices is reduced. Whenever counties are
26 combined, equal board member representation should be ensured.

27 We recommend that county FSA committees remain solely
28 farmer-elected.

29 We favor criminal prosecution of voting irregularities in FSA
30 committee elections.

National Weather Service

459

1 We support accurate, timely reporting of weather information and
2 the maintenance and adequate funding of current weather analysis
3 and information dissemination systems. We encourage federal, state
4 and private agencies to work to improve these systems and the

5 coordination of user support and federal funds to assure continuity
6 and improvement.
7 Legislation should be enacted to mandate that agricultural weather
8 services be re-established as a federal program within USDA. Efforts
9 to advance weather forecasting technologies should be concentrated
10 in areas which will benefit crop and cultural management practices.
11 We recommend that the National Weather Service broadcast
12 weather information over standard AM, FM and television
13 frequencies. When possible, the National Weather Service should
14 contract with private suppliers for Doppler radar service in
15 underserved areas.
16 We urge National Oceanic & Atmospheric Administration's
17 National Weather Service to increase its wattage so that outlying
18 areas may have better reception.
19 We believe the Palmer Drought Index should be improved to
20 address regional conditions.

Perishable Agricultural Commodities Act

460

1 We recommend that the Perishable Agricultural Commodities Act
2 (PACA) or PACA regulations be amended to provide growers with
3 more effective provisions for enforcing prompt pay.
4 We support PACA amendments that provide coverage of sod,
5 perishable greenhouse products, ornamental plants, cut flowers and
6 Christmas trees.

Research

461

1 For over a century the food and agriculture research, extension and
2 education system has propelled U.S. agriculture into world pre-
3 eminence. It is imperative that the system supports, builds and
4 maintains a critical mass of well-trained scientists in the public sector
5 to ensure that the U.S. remains the leader in global agricultural
6 production. The goal is an effective and efficient transfer of
7 knowledge and technology for the benefit of agriculture producers
8 and ultimately consumers worldwide.
9 We support:
10 (1) USDA research, extension and education programs that are
11 initiated by partnerships between federal, state and local
12 governments and carried out through the land grant university
13 system, other state universities and USDA's Agricultural Research
14 Service. These programs should reflect and be tailored to the unique
15 soil, environmental and socioeconomic makeup of regions, states and
16 locales. Programs should be incrementally funded above the rate of
17 inflation; and
18 (2) Federal research and extension funding that assures regional and
19 national interests are being addressed by state institutions in a
20 cooperative, coordinated, cost-effective way and helps compensate
21 individual states for the costs of programs that benefit other states,
22 the nation, and the public. These funds should be allocated on the
23 basis of scholarship and quality of science.
24 Furthermore, to assure that U.S. agriculture has the premier food
25 and agricultural research, extension and education system that
26 develops new commodities and new uses for commodities that will
27 result in increased demand for U.S. agriculture we support:

28 (1) National and regional organizations patterned after the Council
 29 on Food and Agricultural Research (C-FAR) that provide agricultural
 30 producers participation in priority setting, funding and accountability
 31 of the system;

32 (2) Managing federal and state funded research programs to
 33 support basic and applied research and technology transfer for the
 34 benefit of U.S. farmers, agribusiness and consumers;

35 (3) Public and/or private research that provide new information
 36 and technologies to meet soil, environmental and socioeconomic
 37 conditions and improves the economic viability in agriculture;

38 (4) Awarding some federal grants on a competitive basis. Criteria
 39 for awarding these grants should place priority on projects that meet
 40 objectives identified by agricultural producers. These efforts should
 41 be coordinated by federal and state institutions in cooperation with
 42 other agricultural interests;

43 (5) Increased Binational Agricultural Research and Development
 44 funding and securing other foreign investment in U.S. agriculture
 45 research to maximize cooperative research efforts by all who derive
 46 benefits from the outcome of such research;

47 (6) Maintaining the USDA's Agriculture Research Service budget at
 48 levels no lower than the 2008 budget appropriation;

49 (7) Federal investment in research that provides a mix of formula,
 50 competitive and special grants and reauthorization of the
 51 competitive research facilities program for land grant universities;

52 (8) A major capital program to provide state-of-the-art buildings,
 53 facilities and equipment for food and agriculture research, extension
 54 and education programs;

55 (9) Increased funding for the Food Genome Project;

56 (10) Maintaining viable, competitive regional agriculture research
 57 centers and efforts to reduce duplication in agriculture research
 58 activities;

59 (11) Establishing USDA research priorities using the process and
 60 results of FAIR 2002, CROPS 99 and similar efforts;

61 (12) Research that identifies the advantages and disadvantages of
 62 carbon credits as it relates to carbon sequestration;

63 (13) Funding for research and eradication measures to control the
 64 West Nile virus and related mosquito diseases; and

65 (14) Funding a producer-directed, research-oriented specialty crop
 66 block grant program and the IR4 bio-pesticide research program for
 67 minor crops.

68 We oppose efforts to reduce funding for all federal formula-fund
 69 programs within the USDA's Cooperative State Research, Education,
 70 and Extension Service which provide research and financial stability
 71 to land-grant institutions through the Hatch, Smith-Lever Act,
 72 McIntire-Stennis and animal health and disease programs.

Role of USDA

462

1 USDA should serve as:
 2 (1) A monitor of domestic and foreign agricultural affairs;
 3 (2) An accurate source of agricultural data and research;
 4 (3) An agricultural policy adviser to other departments of the
 5 federal government; and
 6 (4) An important part of the executive branch.
 7 Government programs should:

8 (1) Help farmers obtain needed crop and market information,
9 research, educational assistance and credit;
10 (2) Provide workable grades and standards and safeguard product
11 quality through inspection services;
12 (3) Help farmers eradicate or control plant and animal pests and
13 diseases;
14 (4) Encourage conservation of land and water resources by
15 maintaining land in private ownership. USDA programs should not be
16 used to facilitate the transfer of private farms and ranches to public
17 lands;
18 (5) Assure reliable, unfettered transportation for agricultural
19 commodities; and
20 (6) Strengthen farmers' power to bargain for a price.
21 We recommend that USDA continue to provide comparable
22 services to administer all commodity programs.
23 We will support the long-term funding of the USDA's Risk
24 Management Agency (RMA).
25 We support agriculture remaining the primary responsibility of
26 USDA. Food and fiber consumers will be better served by a healthy,
27 profitable production agriculture than by consumer advocacy within
28 USDA. USDA should be an advocate for agriculture with emphasis on
29 production agriculture and marketing of agricultural products and
30 promoting the use of domestically produced food and fiber by all
31 branches of the U.S. government and military services. USDA should
32 continue to be a full Cabinet-level department. We shall vigorously
33 oppose all efforts to rename it or consolidate it with any other
34 department or agency of government.
35 We believe that the various food assistance and nutrition
36 programs, both domestic and foreign, should remain as integral parts
37 of USDA. We recommend government purchases of U.S. agricultural
38 commodities for domestic food programs. We urge our tax-supported
39 programs and institutions to secure American grown products. We
40 oppose any limitations or restrictions on USDA purchases due to the
41 violation of "no-match" and/or other immigration regulations.
42 We support regulatory changes which would limit the importers
43 from purchasing products from Central or South America and other
44 foreign countries, and then reselling them under the provision of
45 Section 32. The "Buy American" provision should be extended to
46 other noncontiguous states or territories including Alaska, Hawaii,
47 Guam and Puerto Rico. We support the continuation of the Women,
48 Infants and Children's (WIC) program. We support the Farmer's
49 Market Nutrition Program and Senior Farmer's Market Nutrition
50 Program.
51 We oppose any proposal that farmers be assessed for funding of
52 WIC or other similar social programs.
53 A nationwide effort to educate the public on what percent of the
54 USDA budget farmers receive should be conducted.
55 We believe personal records shared between the farmer and USDA
56 should not be available for open review.
57 USDA should use farm numbers instead of names when financial or
58 personal information is involved, when it pertains to the Freedom of
59 Information Act.
60 We support utilizing FSA data and assistance for premise ID
61 registration.
62 We urge USDA and other governmental units to use the land grant

63 colleges for agriculture-oriented research.

64 The secretary of agriculture and the U.S. trade representative
65 should be included in the National Security Council.

66 USDA leadership should be vested in appointed people who are
67 competent, have background and experience in agriculture and have
68 evidenced a knowledge and concern for the welfare of agricultural
69 producers. We support USDA's continuing efforts to resolve
70 problems involving environmental and animal care issues.

71 We support efforts to evaluate the effectiveness and efficiency of
72 all federal agencies, not just USDA. USDA should continue to
73 maintain an efficient and cost-effective services delivery system,
74 including electronic filing.

75 The Farm Service Agency (FSA) should maintain jurisdiction over
76 the administration of the Conservation Reserve Program (CRP) and
77 cost-share programs.

78 Family members or farm partners should be allowed to assume fruit
79 and vegetable history from a retired or deceased producer without
80 penalty.

81 We support changes in FSA regulations to allow other forms of
82 verification for production evidence.

83 We oppose the USDA and FSA requiring farm trusts to provide the
84 total trust instrument which will include the individual person's last
85 will and testament which is private information.

86 If there is adequate producer input, we will support efforts to
87 further streamline USDA, including the further consolidation of
88 agencies within USDA, as long as such efforts focus on:

89 (1) Achieving savings by improving administrative efficiencies at
90 the federal, state and local levels;

91 (2) Providing high-quality, professional service to producers within
92 a reasonable distance;

93 (3) Designing computer-based service delivery systems to work
94 with the wide skill level of producers and the wide variety of
95 computer hardware, software and Internet providers available to farm
96 producers;

97 (4) Upgrading computer technology and appropriate software to
98 allow the NRCS, FSA, RMA, and National Agricultural Statistics
99 Service (NASS) to utilize and share the same farm program
100 enrollment information, provided appropriate privacy disclosures
101 and safeguards are utilized; and

102 (5) Criteria established to guide office closure decisions should be
103 followed by review committee.

104 We support the preservation and expansion of the local
105 committee system to oversee FSA and Natural Resources
106 Conservation Service (NRCS) programs. All committees should
107 consist of farmers elected by local farmers.

108 We are opposed to making FSA county executive directors and
109 program assistants employees of the federal government. We
110 support the 1935 law that makes them accountable to the county
111 committees.

112 NRCS should remain within USDA. Its role should be that of
113 providing technical assistance and education. NRCS should not
114 become a regulatory agency, serve in a policing capacity or be
115 combined through USDA reorganization with an agency that has
116 regulatory functions. NRCS also should not negotiate Memorandums
117 of Agreement or Memorandums of Understanding with federal

118 regulatory agencies that would give NRCS the power to develop,
119 implement, or police those agencies' regulations on agricultural land.
120 NRCS should act as a non-regulatory mediator of environmental
121 compliance issues with regulatory agencies, on behalf of producers.
122 Funding for conservation programs should be administered by FSA.
123 The undersecretary of natural resources and the environment should
124 be an effective advocate for agriculture on environmental issues.
125 We oppose merging the NRCS with the FSA.
126 NRCS funding should be used only for agricultural purposes.
127 We believe that NRCS, should put a high priority on continuing to
128 provide quality, technical and scientific natural resources expertise in
129 the manner of the former Soil Conservation Service. NRCS must
130 have funds adequate for technical assistance that are not tied directly
131 to conservation programs. Local farmer input and direction of
132 natural resource programs through conservation districts should be
133 maintained for the benefit of producers.
134 We support "one-stop shopping" and believe all farm program
135 agencies, where feasible, should be located in the same building.
136 No existing USDA programs should be transferred to another
137 department or agency.
138 We urge more support in the efforts of the Foreign Agriculture
139 Service.
140 No crop estimates should be made by USDA until certified acres are
141 known. At that time, actual acres will be a known factor and will
142 influence the market in a proper manner due to the actual acres and
143 known crop conditions.
144 We support having one or more farmers on any agriculturally
145 related government board.
146 We oppose elimination of USDA meat inspectors in equine
147 processing plants.
148 USDA should support small-scale meat processors and examine
149 existing requirements to alleviate the immense burdens placed on
150 small-scale meat processors.
151 The Department of Homeland Security or USDA-prescribed
152 homeland security practices should not be mandated on farms unless
153 such measures are completely funded.
154 We support requiring federal agencies to keep all documentation of
155 all historical field maps or aerial maps supporting determination and
156 supplying onsite documentation of new determination to farmers.

Rural Development

463

1 We support the important work of USDA Rural Development to
2 improve the quality of life and increase economic opportunity in
3 rural America. We encourage the long-term funding of the grant,
4 loan and loan guarantee programs administered by USDA Rural
5 Development.
6 We support:
7 (1) Legislation encouraging rural economic development,
8 particularly to foster agriculture and value-added opportunities;
9 (2) Rural Economic and Community Development community and
10 business programs and urge that these continue to be administered
11 through USDA;
12 (3) Additional USDA Rural Development funding, targeting a
13 greater portion of funds towards stimulating commerce in rural areas

145

14 and increased technical and marketing assistance to provide value-
15 added opportunities for agricultural producers;
16 (4) Allowing the USDA Business and Industry Guaranteed Loan
17 Program to make loan guarantees to farmer-owned projects sited in
18 urban or urbanizing areas, if the locations are the most economically
19 viable to return benefits to the rural owners of the project;
20 (5) Increased funding through grants and low-interest loans for
21 agricultural development equivalent to industrial development;
22 (6) Full funding for state rural development councils;
23 (7) Efforts to link retiring farmers to persons seeking
24 opportunities to enter production agriculture or to return to rural
25 communities; and
26 (8) The view that any government program taking land out of
27 agricultural production must balance the economic impact against
28 environmental benefits on surrounding communities.
29 We urge local governments, when considering offering incentives
30 for the purpose of spurring economic development to:
31 (1) Balance new-growth incentives against those available to
32 existing businesses;
33 (2) Make incentives contingent on promised performance with the
34 goal of increasing local business development; and
35 (3) Carefully examine program costs relative to the increase in
36 economic activity and tax revenue generated by the development.

Supplemental Nutrition Assistance Program

464

1 We believe that the Supplemental Nutrition Assistance Program
2 (SNAP), the U.S. "food stamp" program, should remain an integral
3 part of USDA for budgeting and nutritional reasons; however, a
4 public education effort should show the decreasing farmers' share of
5 the USDA budget by itemizing the cost of each program.
6 We support Puerto Rico being reinstated to SNAP with full
7 obligations and rights as other states and territories.
8 We urge a complete re-evaluation of SNAP by the Congress
9 including research on the feasibility of an alternate system for
10 dispensing food stamp allotments. More emphasis should be placed
11 on evaluating applicants to be certain that only those who meet
12 specific criteria qualify for the program. Public funds should not be
13 used to commercially advertise food stamps. Definite spending limits
14 should be placed on the total expenditures for SNAP. Items
15 purchased by food stamps should be limited to the five basic food
16 groups. We oppose new USDA regulations which require retailers to
17 sell minimum percentages of items from the five major food groups
18 in order to redeem food stamps. Retailers, such as butchers and
19 fruit/vegetable markets, should be exempt from this requirement.
20 We recommend accounting changes to better track losses within
21 SNAP and other federal food-dispensing programs.
22 We support the use of a bar code system to screen items which
23 may be purchased through the use of food stamps, such as
24 nutritionally acceptable foods outlined in the Women, Infants and
25 Children's Program (WIC) authorized food list. This list should also
26 include staple items which are unprocessed.
27 We recommend that USDA include potatoes in the WIC program.
28 We support legislation and programs seeking to utilize Commodity
29 Credit Corporation owned commodities for direct distribution in lieu

30 of food stamps.
31 We encourage the use of food stamps for U.S. produced agricultural
32 products when available.

SECTION 5 - NATURAL RESOURCES

ENVIRONMENTAL PROTECTION

Aboveground Fuel Storage Tanks 501

1 We support revisions to Environmental Protection Agency (EPA)
2 rules regarding aboveground fuel storage tanks to include the
3 following:

- 4 (1) No limit on the number of aboveground fuel storage tanks
5 should be allowed per farm;
- 6 (2) Double-wall tanks may be permitted in place of diking around
7 tanks;
- 8 (3) Exempt farm fuel (diesel and gasoline) tanks up to 12,000
9 gallons from EPA mandates; and
- 10 (4) All farmers regardless of their on-farm fuel storage capacity
11 should be allowed to complete and self certify a spill control plan.

12 We oppose any mandatory regulations or fees with the registration
13 or monitoring of aboveground fuel storage tanks for farm use.

14 We believe state rules for aboveground fuel storage tanks should
15 not be more restrictive than federal rules.

16 We support clearly defined requirements for on-farm, aboveground
17 fueling facilities. Farmers should be assured of regulatory certainty
18 before investing in corrective measures.

Clean Air 502

1 A balanced and science-based implementation of the Clean Air Act
2 (CAA) is of the utmost concern to farmers and ranchers. Particulate
3 matter from agricultural sources should be excluded from the
4 National Ambient Air Quality Standards (NAAQS) because there is
5 no conclusive scientific evidence indicating that particulate matter
6 from farm and ranch operations adversely affects public health.

7 We support the following principles:

- 8 (1) Sound Science - To protect public health, all CAA rules and
9 incentive-based programs must be based on peer-reviewed, science-
10 based, reliable and accurate information. We support funding for
11 agriculture air quality research to establish accurate agricultural
12 emission baselines;
- 13 (2) Transparency - The Environmental Protection Agency (EPA)
14 should establish and maintain a deliberate, consistent and transparent
15 decision-making process to inform the public, including farmers, of
16 any criteria used to regulate air emissions;
- 17 (3) Workability - The CAA must be administered in a practical and
18 realistic way to establish workable and reasonable rules and incentive-
19 based programs. EPA should always consider incentive-based
20 programs, before regulation, to achieve emission reduction.
21 Compliance costs associated with meeting any imposed standards
22 should be the responsibility of the federal government;
- 23 (4) Practicability - We will work with industry groups and the

24 appropriate agencies to ensure common sense implementation and
25 economic achievability of any new rule and incentive-based
26 programs;
27 (5) Cost Benefit Analysis - Benefits should exceed the cost of any
28 regulation or program;
29 (6) Congressional Oversight - Congress should review the effects of
30 CAA on agricultural operations and ensure workable and reasonable
31 CAA rules and programs; and
32 (7) Landowners and/or farmers should not be held responsible for
33 pollution that crosses international borders.
34 We support:
35 (1) Seeking the direction and guidance of the USDA Task Force on
36 Agricultural Air Quality and its role in reviewing and making
37 recommendations to the secretary of agriculture on issues and
38 proposed policies targeting agricultural air quality;
39 (2) Providing incentives to industries seeking to become more
40 energy efficient or to reduce emissions of identifiable atmospheric
41 pollution and the means of preventing it;
42 (3) Providing incentives to individuals seeking to reforest fragile
43 lands that are currently in agricultural production;
44 (4) Exempting air conditioned farm equipment from the 1990
45 amendments to the CAA which mandate refrigerant recycling;
46 (5) Continuing the use of prescribed or controlled burn programs;
47 and
48 (6) Agriculture's exemption regarding particulate size in EPA's
49 ambient air quality standards.
50 We oppose:
51 (1) Mandatory air quality standards for ozone and particulate
52 matter on farmers and agricultural businesses;
53 (2) Air permits for agricultural operations that are not science
54 based; and
55 (3) Any efforts by the EPA to implement permitting fees and/or
56 protocol or take regulatory action regarding greenhouse gas
57 emissions for production agriculture.

Environmental Credit Incentives

503

1 Market-based incentives, such as pollutant credit trading, are
2 preferable to government mandates.
3 We support:
4 (1) The development of a practical voluntary market-based carbon
5 credit trading system. To encourage this new market, we also support
6 a USDA pilot carbon credit trading project to develop trading
7 criteria, standards and guidelines;
8 (2) Farmers being compensated for planting crops or farming
9 practices that keep carbon in the soil;
10 (3) Seeking alternative energy sources, which will minimize
11 atmospheric pollution;
12 (4) Providing incentives to industries seeking to become more
13 energy efficient or reduce emissions of identifiable atmospheric
14 pollution and the means of preventing it;
15 (5) Providing incentives to individuals seeking to reforest fragile
16 lands that are currently in agricultural production;
17 (6) Emission offsets that sequester carbon through agricultural
18 practices should be fully recognized in any cap and trade system and

19 should not be limited to a percentage of total offsets;
20 (7) Participation in climate discussions to enhance and maximize
21 agriculture's ability to capture economic benefits from an emerging
22 carbon market; and
23 (8) Market-based solutions, rather than federal or state emission
24 limits, being used to achieve a reduction in greenhouse gas (GHG)
25 emissions from mobile sources.
26 We oppose:
27 (1) Mandatory restrictions to achieve reduced agricultural
28 greenhouse gas emissions;
29 (2) Mandates relating to GHG policies, that would adversely impact
30 agriculture;
31 (3) Any attempt to regulate methane emissions from ruminant
32 animals under the Clean Air Act or any other legislative vehicle;
33 (4) Emission control rules for farming practices, farm equipment,
34 cotton gins, grain handling facilities, etc., and urge EPA to re-
35 evaluate the imposition of standards on farm and ranch equipment
36 and other non-highway use machinery;
37 (5) Unilateral mandatory state or federal GHG emission reduction
38 requirements; and
39 (6) Including the carbon impacts resulting from indirect land use
40 changes in other countries in the carbon life cycle analysis of
41 biofuels.

Environmental Protection and Regulations

504

1 For agricultural projects we support individual(s), organizations, or
2 units of government that file a petition for an Environmental
3 Impact Statement, being responsible for additional costs incurred by
4 the process. Environmental regulations, air quality standards, water
5 standards, noise standards and visual standards should recognize the
6 essential nature of efficient utilization of organic matter, pesticides
7 and fertilizers as a basic and natural part of agricultural production.
8 Normal agricultural practices, such as ditching, tiling and controlled
9 burning should be exempt from environmental regulations.

10 We support the deletion of citizen lawsuits from environmental
11 statutes.

12 We oppose criminalization under environmental law. Any
13 government agency should be subject to the same restrictions as
14 imposed under common law, wherein a defendant can be convicted of
15 a crime only upon proof beyond a reasonable doubt that the
16 defendant acted with specific intent to violate the law.

17 Environmental cases should be tried in the area where they occur.
18 We oppose federal agencies filing for environmental assessments on
19 an individual's property without first informing the individual that it
20 is being done and for what purpose.

21 Government agencies should not have the authority to impose
22 penalties on landowners without first identifying the problem and
23 giving the landowner an opportunity to correct the problem. If there
24 is a difference of opinion concerning the extent of the problem a
25 reasonable and cost effective appeal process of the agencies decision
26 should be available to the landowner. Fines that are imposed should
27 not go into the U.S. Treasury, but be used to address problems found
28 on the site. We believe that businesses, industries and farmers who
29 have to expend sums of money to implement or prove they are

30 meeting environmental regulations should be reimbursed for their
31 expenditure.

32 Present and past landowners and operators should not be held liable
33 for the cost of clean-up or damages from dipping vat sites which
34 were established under a federally mandated program for tick
35 eradication.

36 Pollution problems, occurring where previously accepted guidelines
37 and regulations have been complied with, should be remedied at
38 public expense.

39 Neither landowners, producers nor their lenders shall be held liable
40 for the cost of environmental cleanups caused by prior actions and
41 over which the producer, landowner or lender had no management
42 oversight or control of decision-making.

43 Towns that meet the arid exemption should be exempt from
44 Environmental Protection Agency (EPA) regulations concerning pit
45 liners, leachate collection and treatment, and groundwater
46 monitoring wells in order to maintain landfills at a feasible cost.

47 We oppose insurance requirements imposed by EPA on plants
48 treating and processing agricultural, horticultural and forestry
49 products that are in excess of coverages available on the insurance
50 market at a reasonable premium.

51 We support:

52 (1) Adequate funding to aid in the construction of agricultural
53 pollution control devices and implementation of agricultural
54 practices to meet mandated standards;

55 (2) Legislation to exempt property owners from financial
56 responsibility for pollution that resulted from previously-accepted
57 farming practices;

58 (3) Amending the Superfund Amendment and Reauthorization Act
59 (SARA), Comprehensive Environmental Recovery, Compensation
60 and Liability Act (CERCLA), and Emergency Planning and
61 Community Right to Know Act (EPCRA) to exclude agricultural
62 operations. The requirements of these laws are too stringent and
63 inappropriate for farming operations;

64 (4) The removal of setbacks on chemical application in
65 conjunction with tile inlet structures unless proven by scientific data;

66 (5) Incentive-based programs that look for solutions to hazardous
67 waste and pollution problems for agriculture that will replace the
68 command-and-control regulatory programs currently in effect; and

69 (6) Regulatory standards be set at safe tolerance levels and not at
70 detection levels, which are below those that may pose a threat to
71 human health and/or environmental degradation.

72 We oppose any individual constituent of animal waste and
73 commercial fertilizer being labeled a hazardous substance.

74 We oppose EPA using consent agreements to subject producers to
75 liability for violating a retroactively applied standard.

76 We oppose EPA treating Indian tribes as states to regulate air,
77 land and water within the boundaries of Indian reservations.

78 We oppose regulations promulgated under the EPA Risk
79 Management Program that requires the development of
80 comprehensive prevention and emergency response programs for
81 propane storage. We believe that proposed regulations provide no
82 additional safeguards and that existing federal, state and local
83 regulations adequately meet public safety goals.

84 We urge the repeal of the federal law and tax on Freon R12 that

85 farmers and ranchers use in farm trucks, tractors, harvesting
86 equipment, cold storage facilities and any other farm use.
87 The use of halon in fire extinguishers should be permitted until a
88 suitable substitute becomes available.
89 We recommend that spent mushroom compost be classified by all
90 federal agencies as an agricultural waste byproduct.
91 Federal environmental regulations should be relaxed for those
92 involved in cleanup from floods and other disasters.
93 We oppose all federal ecosystem management.
94 We should pursue an agricultural exemption from regional
95 long-term bans on outdoor burning.
96 We oppose EPA as a cabinet level position.
97 We support a complete overhaul and re-examination of the rules
98 and regulations of EPA, Occupational Safety and Health Protection
99 Agency, and other protective and regulatory agencies, with the goals
100 of reducing, combining, and streamlining these agencies.
101 We encourage state and local governments affected by the EPA
102 Border 21 Program to opt out of the project.
103 We support reduced funding for EPA.
104 Prior to adopting a rule or regulation which would restrict or
105 eliminate any normally used agricultural practice, EPA should
106 identify practical, economically feasible alternative solutions to the
107 perceived problem.
108 We support legislation that halts EPA-ordered environmental river
109 dredging unless the EPA incorporates suitable protections to
110 agriculture in the environmental dredging plan.
111 Federal regulations affecting production agriculture should be based
112 on sound science and cost-benefit analysis. The EPA must have
113 sound scientific data to back up any claims or rulings the agency
114 makes.

Hazardous and Nuclear Waste Management

505

1 Federal laws require states and territories to develop statewide or
2 regional hazardous waste management programs. We recommend
3 that a hold be placed upon activities by multistate low-level nuclear
4 waste compacts until the federal government makes a final
5 determination as to the number of low-level waste sites needed
6 nationally. We should work with the appropriate state or regional
7 entities to assure agricultural interests are given adequate
8 consideration and to assist in public education activities.
9 Sufficient sites should be designated to accommodate waste.
10 We support research and development for alternate methods to
11 handle hazardous waste.
12 We recommend that producers of hazardous waste be responsible
13 for its safe transport and disposal within the limits governed by
14 county, state and federal regulations.
15 We urge the Department of Energy to follow the procedures of the
16 1982 Nuclear Waste Repository Act based on scientific fact.
17 We favor legislation that would prevent nuclear and toxic waste
18 dumps from being placed on or beneath productive agricultural land
19 and in areas with large underground water reservoirs and ocean and
20 coastal waters. Any entity operating a facility that processes,
21 manufactures, stores, or disposes of hazardous, toxic, nuclear, or any
22 other material that may pose an adverse impact on the economic

23 well-being of agriculture, should be required to compensate for any
24 losses that may occur. We oppose issuing permits to chemical waste
25 companies in floodplain areas.

26 We urge further scientific, economic, environmental and
27 agricultural market impact studies of a high-level nuclear waste
28 repository.

29 We oppose the use of recycled nuclear below regulatory concern
30 waste products in any materials not reused by the nuclear industry
31 itself.

32 We oppose the processing, reprocessing, and the production of
33 mixed-oxide nuclear fuel in areas where there is a risk of pollution
34 and contamination of agricultural lands, air and groundwater.

Waste Disposal and Recycling

506

1 We recommend per capita generation of garbage be reduced and a
2 combination of source reduction, source separation, recycling,
3 resource recovery, composting and incineration be instituted,
4 together with financial incentives, for preferred long-term disposal
5 methods.

6 We support establishing reasonable standards for emissions by
7 incinerators burning nontoxic municipal waste. Current stringent
8 requirements are making incineration cost-prohibitive, resulting in
9 more landfills being located on prime agricultural land. Current
10 Environmental Protection Agency (EPA) regulations place
11 unrealistic guidelines on landfill use. They give no regard to
12 feasibility or to providing any remedy for meeting the actual needs
13 of waste disposal. We propose a moratorium on the new landfill
14 regulations until a workable waste disposal plan is developed and
15 adequate funding is made available. Agricultural operations who have
16 legally disposed of materials should be exempted from liability
17 provisions of the Comprehensive Environmental Regulatory Cleanup
18 and Liability Act (CERCLA).

19 Government agencies responsible for approving land application
20 systems should allow private agriculture to utilize municipal waste
21 water and sludge.

22 We recommend that EPA and USDA's Natural Resources
23 Conservation Service utilize proven scientific practices when
24 developing policies concerning waste management.

25 We believe contracts governing the use of farmland for disposal of
26 such wastes should:

27 (1) Permit voluntary participation by agriculture in a private
28 enterprise system;

29 (2) Provide flexibility in amount and timing of application of the
30 wastes according to agricultural needs;

31 (3) Provide indemnity payments for unsalable crops due to Food
32 and Drug Administration regulations or crop losses caused by
33 components in the wastes;

34 (4) Provide indemnity for land should it be contaminated because
35 of components in the wastes;

36 (5) Provide economic incentives for new or improved techniques
37 for handling waste water and sludge; and

38 (6) Provide farmers with an analysis of nutrients, heavy metals and
39 trace elements of biosolids applied to fields.

40 Government agencies must utilize proven current scientific

41 information when developing policies concerning application of
42 sludge. The responsibility of this must rest with the waste handling
43 authorities.

44 Each state shall have the right to require that all municipal biosolid
45 applications be tracked using Global Positioning System (GPS)
46 technology and reported electronically. Pathogen certification for
47 sludge imported from out of state shall be supplemented with
48 periodic in-state lab tests, with results transmitted simultaneously to
49 the applicator, the farmer and the government.

50 Any beverage sold and not required to be consumed on the
51 premises where sold should be in degradable or recyclable containers
52 or in containers for which a substantial refund is offered for return.

53 We support:

54 (1) Efforts by individual states to provide incentives for recycling
55 of beverage containers and existing laws pertaining to littering should
56 be enforced with greater vigor;

57 (2) Recycling where economically feasible and efforts to expand
58 the market for recycled products;

59 (3) Increasing the biodegradable standard for containers; and

60 (4) Wider use of biodegradable bags and packaging to reduce litter
61 and landfill volume.

LAND

Federal Lands

515

1 *General Policies*

2 Approximately one-third of all land in the United States is owned
3 by the federal government. The federal land states are, in effect,
4 owned in part by the federal government. A true multiple-use
5 concept of management must be reintroduced into federal lands
6 policy. Only lands which do not, or have not, had roads should be
7 considered roadless by public land management agencies. Roadless
8 areas should not be managed as wilderness areas nor receive back
9 country designation. Access for land management should continue to
10 be allowed even in roadless areas. With regard to general
11 management policies, we support:

12 (1) The multiple-use concept of federal lands, recognizing that
13 definable land areas have dominant-use capability, which should be
14 recognized within the concept of multiple use without the total
15 exclusion of other uses;

16 (2) Requiring multiple-use language that includes and protects
17 historical use and resource harvesting practices in all federal and state
18 land use plans, roadless area documents and statutes;

19 (3) A multiple-use definition that includes and protects historical
20 use and resource-harvesting practices;

21 (4) The development of mineral and energy resources on federal
22 lands by private enterprises;

23 (5) Federal agencies utilizing natural resources (such as timber)
24 prior to any prescribed burning;

25 (6) Sound management and harvesting of mature to over mature
26 timber, dead timber, and thinning, including prescribed burning, for
27 wildfire hazard reduction and renewable wood products;

28 (7) Livestock grazing as a viable tool to improve resource

153

29 conditions and reduce wildfire hazards;

30 (8) On state and federal government grazing permits and/or lease
31 rules, the word "grazing" needs to be further defined as livestock
32 consumption of forage and brush for livestock production with
33 benefits of weed and fire control;

34 (9) Wildfire reduction;

35 (10) Grazing contracts on non-grazed public lands to reduce excess
36 fuel that contributes to range or forest fires;

37 (11) Legitimate recreational multiple use including water sports,
38 hunting, hiking, motorized sports, enjoying aesthetic values, wildlife
39 watching, etc.;

40 (12) Good watershed development for the benefit of mankind
41 including increasing the quantity and quality flows;

42 (13) Well-managed lands that have adequate access with roads to
43 address fire control, disease and insect control, pest and predator
44 control, and other activities;

45 (14) True management decisions that work to develop and keep
46 healthy populations of representative timber species. Managing for
47 only old growth is an expensive, uncontrollable, catastrophic disaster
48 waiting to happen. We support management practices that prevent
49 the following:

50 (a) giant sterile clear cuts;

51 (b) the loss of multiple uses;

52 (c) the loss of quantity and quality watersheds, mudslides, and
53 erosion;

54 (d) the introduction of undesirable weeds;

55 (e) the tremendous losses of timber due to fire, diseases and
56 insects (as well as other pests); and

57 (f) the tremendous losses of private property and possible loss of
58 life; and

59 (15) Equality of statehood for the federal land states;

60 (16) A general policy that would minimize agency regulations and
61 maximize management accountability for all users of federal lands;

62 (17) Retention and strengthening of the principles of the Desert
63 Entry Act and the Carey Act to provide for the disposal of federal
64 lands;

65 (18) The development of mineral and energy resources on federal
66 lands by private enterprise;

67 (19) Agricultural input in land management initiatives such as
68 Coordinated Resource Management;

69 (20) Legislation to require the federal government to manage its
70 lands so that no harm is done to adjoining lands, crops and animals;

71 (21) Legislation to force federal land management agencies to be
72 more responsive to neighboring landowners with regard to road
73 rights-of-way, easements, property lines, road closures, fires, wildlife
74 and environmental issues;

75 (22) The disposal of deer and elk, due to chronic wasting disease on
76 federal land, be the responsibility of the U.S. Fish & Wildlife Service
77 (FWS);

78 (23) Expediting and streamlining environmental considerations of
79 proposals to remove dead, burned or mature timber;

80 (24) Livestock grazing as a viable fire suppression tool to reduce
81 burnable fuels on federal, state, county and private lands;

82 (25) The federal government funding and acting in cooperation
83 with state and local governments to control fire, noxious weeds,

84 pests and predators on federal lands, including wilderness areas,
85 according to individual state guidelines;

86 (26) Payments in lieu of taxes should be equal to 100 percent of
87 the administration of local government;

88 (27) A requirement that the federal government pay annually into
89 each county or local treasury an amount of money that fully
90 compensates local government for the economic activities and
91 property taxes lost because the land is in federal ownership. The first
92 revenue source used for payment of these "in lieu" taxes should be
93 from the money received by the federal land management agency
94 from the uses and/or sales of products from these lands;

95 (28) Legislation to require that each state receive 90 percent of
96 the mineral royalties from federal lands within the state and
97 adjoining federal tidelands or as covered by the Land Conservation
98 Act;

99 (29) Retaining the Alaska Lands Act and not allowing these lands
100 to become sovereign lands;

101 (30) The combining of isolated tracts of U.S. Forest Service
102 (USFS) and Bureau of Land Management (BLM) lands and
103 appropriate offices where feasible to eliminate duplicate
104 management and to reduce costs;

105 (31) The protection and enhancement of all federal land resources
106 as a sound management goal, until such lands are transferred to the
107 states or into private ownership;

108 (32) The use of motorized vehicles, including snowmobiles and
109 four-wheelers, in emergency search and rescue operations;

110 (33) Efforts to educate the public about the importance of multiple
111 use activities on federal lands;

112 (34) Amending federal firefighting policies to allow local
113 firefighters to contribute to firefighting efforts based on their local
114 knowledge and proximity to fires. Good Samaritan laws applicable to
115 other human health and property emergencies should apply to local
116 firefighting efforts;

117 (35) Changing fire control policy to put any fire out upon arrival
118 or as soon as safely possible. Local landowners must be allowed to
119 protect private property. Local entities (such as counties and fire
120 districts) and private landowners and individuals need to be allowed to
121 act as first responders. We support changing state and federal wildfire
122 policy to require that state and federal fire managers and incident
123 commanders coordinate with county and local fire departments and
124 landowners. We support a provision that state and federal agencies
125 maintain a fire break strategically located to protect private
126 property and to control large wild fires;

127 (36) The repeal of the Land and Water Conservation Act
128 (LWCA). In the interim, we believe the funds allocated by the
129 LWCA should be used to better manage existing federal lands; and

130 (37) Legislation and rulings that preserve and facilitate the
131 continued use and access of pack and saddle stock animals on public
132 lands, including wilderness areas, national monuments, and other
133 specifically designated areas.

134 When federal lands have a history of being accessed for public use
135 and access through private property is closed, the agency responsible
136 for those federal lands shall acquire and maintain access to that
137 property across federal land where possible.

138 We oppose:

139 (1) The practice of removing recently acquired tribal trust land
140 from the property tax rolls. If it is to be removed, we request the
141 federal government compensate the local units of government for
142 the tax loss;

143 (2) Federal agencies requiring a complete archeological and
144 paleontological survey to be made before any activity, regardless of
145 size;

146 (3) Restricting access to logging roads by four wheelers (OHV) in
147 recreational areas in national park lands and national forest lands;

148 (4) The USFS and the BLM restricting the use of proven beneficial
149 non-native grass, forb and browse species in the re-vegetation,
150 restoration and rehabilitation of these lands. Species both native and
151 non-native, used for these purposes should be those that will be the
152 most effective and be readily available; and

153 (5) Wildland Fire Use (WFU) on or adjacent to government
154 agency grazing allotments prior to or during active grazing seasons.

155 ***Transfer of Federal Lands***

156 We are committed to disposition into private ownership of federal
157 lands, including subsurface rights, at fair market value.

158 We support the following guidelines:

159 (1) Due regard must be given to traditional rights of use;

160 (2) Dominant economic users should have right of first refusal;

161 (3) After a refusal, the land under permit, as well as non-permitted
162 federal lands, should be sold to the highest bidder, or disposed into
163 private ownership by an alternate method;

164 (4) Where permitted grazing lands contain commercial timber,
165 timber will be sold to permittee at fair market value;

166 (5) The capitalization into private base property values of
167 attached grazing right values must be fairly and equitably recognized
168 as prior partial payment of the permitted land;

169 (6) Agricultural lands acquired through foreclosure by government
170 lenders should not be transferred to other government agencies. All
171 rights associated with these lands shall be conveyed to the purchaser
172 and none retained by the seller;

173 (7) The funds received from the disposition of federal lands should
174 be dedicated to retirement of the national debt;

175 (8) The USFS and BLM should trade or sell land with the current
176 lessee when so requested. This should be done to block up land where
177 current lessee has a checkerboard pattern of deeded land. Land trades
178 should not erode the county tax base;

179 (9) The policy of federal and state government agencies
180 purchasing land from nonprofit organizations at a profit should cease
181 immediately. Land which these groups purchase with tax-exempt
182 dollars should only be transferred to a governmental body by
183 donation. If these groups continue to sell land at a profit and/or
184 retain mineral rights, they should lose their tax-exempt status and
185 pay taxes at the appropriate rate; and

186 (10) In order to maintain a suitable tax base, government agencies
187 should lease development rights surrounding military facilities rather
188 than purchase the land.

189 Lands that should be exempt from sale are those:

190 (1) Within the National Park System (NPS);

191 (2) Within the National Wildlife Refuge System;

192 (3) Indian trusts;

193 (4) Wilderness areas;

- 194 (5) Wild and scenic rivers;
195 (6) National or historic trails;
196 (7) National conservation areas;
197 (8) Other congressionally designated areas; and
198 (9) That contain lakes, which are environmentally or
199 economically important to a state.

200 ***Federal Lands Management***

201 We support the following management principles for federal lands:

- 202 (1) All federal land managers make every effort to utilize all
203 grazing allotments and keep them open to livestock grazing;
204 (2) Scientific range management methods which would consider
205 weather trends (long and short-term), livestock distribution patterns,
206 plant frequency, species composition, range condition and trend, and
207 annual monitoring data. Any management standards and guidelines
208 should be approved by the county commissioners after consensus has
209 been reached by local RAC's;
210 (3) A permittee's right to water developed by the lessee on federal
211 lands in accordance with state water law;
212 (4) The continuation and expansion of the Experimental
213 Stewardship Program with the establishment of at least one
214 stewardship ranch on each national forest and on each grazing
215 district;
216 (5) The use of monies received from BLM grazing fees for
217 rangeland improvement projects as specified by the Taylor Grazing
218 Act and Federal Land Policy Management Act. Use of grazing fee
219 funds for fire rehabilitation projects should be restricted to those
220 lands that have been and will continue to be grazed by domestic
221 livestock;
222 (6) Participation of federal agencies with private landowners in
223 building and maintaining line fences between federal land and
224 adjacent land. Federal land management agencies should also
225 conform to state fencing laws;
226 (7) Compensation for livestock owners for losses which result
227 from livestock entering restricted areas on federal lands;
228 (8) Compensation for permittees on federal lands for economic
229 losses experienced when grazing rights are reduced, due to drought,
230 wildlife conflict, or fire damage, or terminated to allow the lands
231 involved to be used for another public purpose or when the reduction
232 or termination is due to no mismanagement by the permittee, where
233 feasible the federal agency should offer an allotment in another area
234 to the affected permittee;
235 (9) Holders of grazing permits and/or leases not being penalized or
236 removed from allotments due to errors or omissions of the land
237 managing agency;
238 (10) Allowing supplemental feeding on federal rangelands, utilizing
239 weed free forage;
240 (11) The permanent restoration of grazing advisory boards and
241 their procedures revised to provide effective input from livestock
242 grazing permittees. Members should be five-year permanent residents
243 of the area in which the board will have jurisdiction, and be
244 appointed from nominees elected by permittees in the area of
245 jurisdiction;
246 (12) Streamlining of the allotment management planning process
247 to ensure that a fair settlement can be achieved in a timely manner
248 through agreement with all interested parties;

249 (13) The development of a strategy by the agencies in cooperation
250 with permittees to allow grazing to continue on expiring permits
251 until the necessary documentation required for renewal by the
252 agencies can be completed;

253 (14) Federal land agencies making available to the public a map of
254 specific roads for recreational use;

255 (15) Releasing to the open market wild horses and burros that have
256 been held in government captivity for over a year are deemed
257 unsuitable for adoption and utilizing the sale revenues for rangeland
258 improvements;

259 (16) The BLM in its attempts to transfer title of its wild horses
260 immediately upon adoption. We also support humane euthanasia of
261 unadoptable wild horses and burros;

262 (17) Control of wildlife populations to prevent overgrazing and
263 damage to rangelands by wild horses, burros or game animals.
264 Domestic livestock grazing rights should not be reduced or eliminated
265 as a result of misuse of federal lands by wild horses, burros or game
266 animals. If it becomes necessary to reduce livestock numbers on
267 federal ranges because of drought, big game, wild horse and burro
268 numbers should be proportionately reduced to protect the range from
269 long-term damage. We support the testing of wild horses for diseases;

270 (18) The repeal of the Wild Free Roaming Horses and Burros Act.
271 Until the objective of repeal has been accomplished, the Wild Free-
272 Roaming Horses and Burros Act should be adhered to by federal
273 management agencies. We urge that a full investigation of money
274 spent in violation of the Wild Free-Roaming Horses and Burros Act
275 be carried out by the General Accounting Office;

276 (19) The arbitration by an independent panel to determine the
277 costs of Federal lands that are needed for private and/or public rights
278 of way or easements;

279 (20) Legislation to permit prescribed and controlled burning,
280 livestock grazing and other means of vegetative control on federal
281 lands including wilderness areas;

282 (21) Permittees on federal lands being encouraged to improve
283 range conditions through cooperative contracts with the appropriate
284 agencies, with adequate federal funding;

285 (22) Local management of federal lands where this management
286 will enhance cultural, agricultural, economic and environmental
287 concerns at the county level;

288 (23) Enablement of private entities to maintain and repair existing
289 facilities on national or government owned property by the most
290 economical method;

291 (24) A definition of federal land rights-of-way as "any road, trail,
292 access or way upon which construction has been carried out to the
293 standard in which public rights-of-way were built within historical
294 context;

295 (25) All roads on federal or state lands being open to public travel
296 unless receiving a public hearing for closure. Public lands agencies
297 should not utilize a "closed unless posted open" policy when
298 proposing forest management plans, range management plans,
299 environmental impact statements or environmental assessments;

300 (26) Access to federal lands using RS2477 roads. We support
301 allowing county commissioners the ability to determine the validity
302 of a RS2477 claim, the right to move a RS2477 when it occurs on
303 private land and the ability to temporarily close a RS2477 for

304 resource reasons. Counties should be allowed to maintain RS2477
305 roads on federal lands within their county boundaries;
306 (27) The retention and maintenance of existing roads and new
307 road construction as needed to implement the Healthy Forest
308 Initiative;
309 (28) The hiring of additional personnel in land management
310 agencies charged with implementing multiple use goals. Any
311 personnel, new or transferred from another department, division, or
312 agency in federal land agency, charged with multiple use goals should
313 have training and education in range management, mining or forest
314 management to carry out this multiple use mission; and
315 (29) Rehabilitation through reforestation on state and federal
316 forest lands following wildfire damage or natural disaster.
317 We oppose:
318 (1) BLM and USFS fencing standards that are impractical for
319 stockmen;
320 (2) The provision of the Federal Land Policy and Management
321 Act of 1976 which granted police powers to the BLM, and any BLM
322 attempt to exercise such powers;
323 (3) Further introduction of buffalo onto federal land. Federal land
324 management agencies should acknowledge the adjudication of
325 available feed and consider range conditions in granting permission
326 to state and federal departments of wildlife for introductions or
327 augmentations of wildlife species on federal lands;
328 (4) Any buy-out or permanent retirement of BLM and USFS
329 grazing permits, whether initiated by the federal government or
330 other organizations;
331 (5) Designating large tracts of land as Areas of Critical
332 Environmental Concern (ACEC). ACECs should be small in size,
333 allow for continued grazing and consistent with the county master
334 plan;
335 (6) The purchase of grazing permits by groups who qualify under
336 the Taylor Grazing Act if those groups intend to relinquish the
337 permits to the public land agency;
338 (7) Public agencies retiring permits which have been purchased or
339 are in paid nonuse by non-livestock users unless the National
340 Environmental Policy Act (NEPA) process demonstrates grazing is
341 no longer a suitable use of the resource;
342 (8) Public lands agencies requiring relinquishment of existing water
343 rights as a condition of access for maintenance and repair of water
344 works; and
345 (9) Provisions in current law that authorize the secretary of
346 agriculture and the secretary of the interior to enter into agreements
347 or contracts with tribes, which would allow tribes to manage federal
348 forest or rangelands.
349 ***Grazing Principles***
350 Farmers and ranchers are responsible stewards of lands entrusted to
351 them. Public benefits provided by science-based grazing management
352 include thriving, sustainable rangelands; quality watersheds;
353 productive wildlife habitat; viable rural economies; and tax base
354 support for critical public services. In order to ensure the
355 continuation of these public benefits, farmers and ranchers require
356 opportunity for profit, growth, security of tenure and the ability to
357 market and apply their resource management expertise. Congress
358 should establish certain principles for the grazing of federal lands.

359 We oppose the USFS ruling which will prevent grazing permits for
360 twenty-five head or less to be transferred.

361 We support that federal agencies being required, when making
362 decisions regarding the administration of grazing permits to:

363 (1) Cooperate in a timely manner with permittees;
364 (2) Use proven and accepted scientific analysis methods;
365 (3) Use prior and concurrent consultations with credible third
366 parties;
367 (4) Evaluate and make decisions on an allotment by allotment
368 basis;
369 (5) Make specific resource driven recommendations to the
370 Department of Interior and/or Department of Agriculture regarding
371 game management; and
372 (6) Authorize the continued use of off-highway vehicle travel by
373 federal land grazers as necessary to comply with the terms and
374 conditions of their permits.

375 Any legislation should necessarily include:

376 (1) The legislatively created and judicially determined "grazing
377 preference" instead of the more uncertain "permitted use" concept;
378 (2) The range improvements paid for by the permittee become the
379 property of the permittee;
380 (3) Applicants must own livestock in order to be able to obtain
381 federal grazing permits;
382 (4) An equitable grazing fee which:
383 (a) recognizes the added costs associated with grazing on federal
384 lands and reconciles the costs between federal and private grazing
385 fees;
386 (b) is based on good scientific data;
387 (c) provides for the economic and social stability of the industry
388 and western rural communities; and
389 (d) is based on the economics of the industry; and
390 (5) Protection of water rights established under state water
391 appropriation laws;
392 (6) Development of a local appeals process;
393 (7) A definition that confines "affected interest" to persons
394 directly affected either economically or personally to the federal
395 land of a specific area;
396 (8) Alteration of NEPA to make compliance cost-effective,
397 recognizing the appropriate role of the permittee in the public
398 involvement process and creating standards that are attainable;
399 (9) Provisions allowing the permittee an opportunity for active and
400 continued involvement throughout the NEPA decision making
401 process; and
402 (10) Ensuring that private property owners maintain all rights of
403 private property including the right to determine who shall and shall
404 not have access across private property and that federal agencies
405 shall be prohibited from diminishing these rights as a condition of
406 using the federal lands.

407 Federal Grazing policy should also include:

408 (1) Preference rights on federal land which tie the permit to
409 ownership of the base property;
410 (2) Long-term contracts stipulating terms and conditions of
411 grazing use;
412 (3) Adequate incentives for optimum investment in private and
413 federal lands range improvement;

414 (4) Conditions relative to multiple use;
415 (5) Severance damages;
416 (6) Trespass regulations;
417 (7) A requirement that the permittee be granted the increased
418 grazing capacity which accrues from improved range management.
419 Range condition terminology should be consistent with current range
420 potential;
421 (8) Recognition that grazing rights defined by animal unit months
422 (AUM) are bought and sold as personal property and, therefore,
423 should be considered as such by all government agencies;
424 (9) Credits for nonfee costs incurred for rangeland improvements
425 and wildlife enhancement practices adopted and implemented by the
426 permittee;
427 (10) A broad-based public relations effort to improve the federal
428 image of public land grazing; and
429 (11) Line item budget funding to require the USFS and BLM
430 conduct long-term monitoring within the following guidelines:
431 (a) to assist in managing federal rangelands to support its
432 continued use for economically viable livestock grazing while
433 maintaining other multiple uses;
434 (b) the monitoring of range condition and trend shall be
435 performed only by qualified persons trained in the proper use of
436 applicable monitoring criteria and protocols; and
437 (c) such monitoring protocols shall be site-specific, scientifically
438 valid and subject to peer review. Monitoring data, including field
439 notes, should be available for review by permittees and the
440 general public and should be periodically verified.
441 We should work diligently to change these federal agency rules and
442 regulations to allow the flexibility required by the livestock operator
443 in making his livestock management decisions.
444 ***Riparian Area Management***
445 We support:
446 (1) Expanding the Coordinated Resource Management approach to
447 consider all existing uses in the development of riparian area
448 management plans;
449 (2) The uniform definition of "riparian area" to mean an area of
450 land directly influenced by permanent water that has visible
451 vegetation or physical characteristics reflective of permanent water
452 influence;
453 (3) Cooperation with federal land management agencies and
454 researchers by offering demonstration plots to help establish
455 dependable scientific data for riparian area management;
456 (4) Adequate training in plant physiology and animal husbandry for
457 land management personnel working on riparian area management
458 plans;
459 (5) Greater consideration to livestock grazing needs in the
460 development of grazing management policies on riparian areas;
461 (6) Grazing associations and/or individual permittees having
462 opportunities to participate and monitor use of riparian areas in a
463 practical manner;
464 (7) Protection of private property rights in any riparian area
465 management activities;
466 (8) Management of riparian areas based on positive cost/benefit
467 ratios;
468 (9) Preparation of plans on a site-specific basis;

469 (10) Basing allowable use on a percentage of the overall allotment
470 rather than dictated by what use is occurring on specific riparian
471 areas within allotments; and

472 (11) We favor riparian pastures rather than exclusion corridors,
473 consistent with appropriate streambank protection.

474 We oppose:

475 (1) Federal land agencies fencing off riparian areas within grazing
476 allotments. In those rare instances where fencing may be necessary,
477 we favor fencing only the affected areas allowing lanes to the stream
478 for livestock watering, or cost-share assistance for off-site watering;

479 (2) Moving too quickly in the planning process on riparian areas
480 before good scientific information through monitoring of
481 demonstration plots identifies the real potential for improvement of
482 the various types of riparian areas and impacts such management
483 would have on traditional uses; and

484 (3) Private land riparian inholdings being considered as sources of
485 data for management decisions or as strategy points to dictate action
486 on an entire allotment.

487 ***National Forest Management***

488 With regard to management of national forest lands, we support:

489 (1) Revision of USFS standards and guidelines for the West and
490 Great Plains geographic areas by adopting livestock grazing, timber
491 production and mineral development as a primary key value, with
492 wildlife and recreation as secondary key values, so that year-round
493 residents' economic opportunities will be expanded and adequate
494 recreational opportunities will be provided at the same time;

495 (2) Modifying the base property transfer policy to allow for the
496 transfer of grazing rights without transferring base property or
497 livestock, provided the purchaser has adequate livestock and base
498 property to service the new permit;

499 (3) A study of all viable forest consolidation alternatives including
500 those that cross regional boundaries;

501 (4) Legislation to guarantee owners of patented property lying
502 within USFS boundaries access to existing roads without requiring
503 special use permits;

504 (5) The USFS paying its fair share for maintenance of local roads
505 and fire protection that pass or go through its boundaries;

506 (6) A timber sales program that does not reduce the allowable cut
507 of timber, but continues to provide an adequate source of raw
508 material for timber-dependent communities and industry and to
509 support each state's timber economy;

510 (7) Offering sufficient timber for sale to give the small operator
511 (small enough to be below bonding limits) an opportunity to bid on
512 the timber;

513 (8) The sale of marketable saw timber from FS land only on a
514 competitive bid basis with right of refusal if bids are below
515 competitive prices;

516 (9) Clear-cutting as a forestry management practice where this
517 practice is consistent with sound silvicultural practices;

518 (10) The rebuilding of the salvage sale program on dead, dying and
519 down timber. Each ranger district should be allowed 10 sales per year
520 of 100,000 board feet each or less that would be exempt from
521 National Environmental Policy Act (NEPA) requirements and
522 appeals;

523 (11) Legislation requiring those filing appeals on timber sales be

524 required to reimburse the government equal to all costs incurred by
525 the appeal if the reasons in the appeal were found to be frivolous in
526 nature and were overridden by USFS or a court of law; and

527 (12) Legislation which will exempt from permits and fees all
528 irrigation ditches constructed before 1976.

529 Lawsuits that abuse the appeals process should have penalties in
530 place to assess the losing appellant for economic losses resulting
531 from the time elapsed.

532 We oppose:

533 (1) Allowing the appeals process to halt timber harvest from
534 federal lands once a forest management plan is adopted;

535 (2) Further right of way acquisitions until:

536 (a) Complete studies have been made of environmental impact,
537 the effect on the private land area and ranching operations
538 involved, and the effect on people living in the area; and

539 (b) USFS has negotiated with each individual landowner where
540 right-of-way acquisition is desired to determine what
541 requirements the landowner wishes, and has satisfied these
542 requirements in a just and equitable manner; and

543 (3) The consolidation of USFS and BLM under one department
544 either Agriculture or Interior.

545 ***National Parks Management***

546 We support:

547 (1) Legislation to allow agricultural activities to be conducted
548 within national parks when there is an historical basis for such a use;

549 (2) Improved access roads through national parks to allow
550 motorized access to these natural resource areas;

551 (3) Management of wildlife numbers within national park
552 boundaries and wildlife management areas consistent with range-
553 carrying capacity as developed using standard range management
554 techniques, including control of wandering wildlife onto private lands
555 and a program of wildlife disease control within the park system;

556 (4) Legislation that would allow hunting and trapping in national
557 parks to control the overpopulation of wildlife; and

558 (5) Retaining the present names of national monuments and parks.

559 We oppose:

560 (1) The taking of privately owned land for the development of
561 national parks or park "buffer zones;"

562 (2) The development of a comprehensive plan for the
563 management and use of nonfederally owned lands and waters by any
564 federally created commission or agency;

565 (3) Efforts to condemn privately owned farmland and ranch land
566 within the boundaries of national parks;

567 (4) The designation of national parks as wilderness areas;

568 (5) The establishment of integral vistas surrounding state and
569 national parks;

570 (6) Actions or recommendations by the Natural Heritage
571 Committee of the United Nations if they establish a buffer zone
572 around national sites which affect the use of lands, waters or natural
573 resources, outside the boundaries of those sites; and

574 (7) Removing the National Park Service (NPS) from the
575 Department of the Interior (DOI).

576 ***Wilderness Areas***

577 Areas designated as wilderness cannot properly be classified as a
578 component of multiple use because these areas receive no

579 management. Established wilderness criteria further threaten such
580 areas by prohibiting the employment of power tools and vehicles in
581 watershed management, trail maintenance, soil treatment, noxious
582 weed control, waste management and fire protection.

583 We support:

584 (1) Releasing non-wilderness areas for multiple uses;

585 (2) Requiring wilderness study areas that have been listed by
586 government agencies for more than five years and fail to reach
587 wilderness status be de-listed;

588 (3) Requesting the USDA and the DOI to redefine their
589 interpretation of "roads" as any roads which are maintained for
590 vehicular traffic rather than the definition which considers only
591 constructed, regularly maintained roads as legal roads in determining
592 roadless areas;

593 (4) Allowing permittees operating within designated wilderness
594 areas to care for their livestock, range improvements, and control
595 predators in the traditional manner;

596 (5) Opening the Alaska Arctic National Wildlife Refuge Coastal
597 Plain to environmentally responsible oil and gas exploration,
598 development and production;

599 (6) Salvaging timber damaged by natural causes;

600 (7) Reopening any designated wilderness area (including roads and
601 trails) which has been closed to the public and to multiple use on the
602 petition of a majority of local citizens and/or any local, county or
603 state government; and

604 (8) Amending the Wilderness Act of 1964 to satisfy local
605 residents' concerns including economics, property rights and water
606 rights. County governments should have the right to ratify or reject
607 any proposed wilderness area.

608 We oppose:

609 (1) Expansion of wilderness areas. However, if wilderness
610 legislation becomes imminent, we should work to protect private
611 property rights and the traditional multiple-use practices on federal
612 land;

613 (2) Either an express or implied reservation of water or water
614 rights for wilderness or special management areas. We believe any
615 water rights claimed for any federal lands should be subject to
616 acquisition only under state water rights law;

617 (3) The Environmental Protection Agency (EPA) becoming
618 involved in any wilderness studies;

619 (4) Including buffer zones in any future wilderness proposals; and

620 (5) Any more private property being acquired by state or federal
621 governments for wilderness, national preserve or any other
622 nonproductive, non-economical use without first conducting a
623 binding referendum of property owners in the county or counties
624 directly affected.

625 ***National Trails and Landmarks***

626 We support:

627 (1) Requiring the government agency involved in cases where
628 federal and private lands are included in a national historic trail, to
629 define the boundaries between these lands;

630 (2) Stringent enforcement of "trespass laws" along all national
631 historical trails;

632 (3) The inclusion of a requirement in any legislation for the study
633 or designation of greenbelt corridors for the notification of all

634 owners of private property that adjoins a proposed greenbelt before a
635 study commences; and
636 (4) Congressional approval of all national monument designations
637 or other federal land withdrawals, except where they are for national
638 defense purposes. Any proposal to create or expand a monument
639 should first be approved by Congress, landowners and local
640 governments affected by this decision.
641 We oppose:
642 (1) The exclusion of park lands that have received funds through
643 the LWCA from consideration for siting power line routes and waste
644 disposal facilities or other public entities; and
645 (2) The establishment of national landmarks on private lands
646 without landowner consent.

Land Ownership

516

1 Experience has shown that an improving environment is
2 dependent upon economic productivity, and that economic
3 productivity is dependent upon private ownership of the means of
4 production. Because we view land as a means of production, we are
5 troubled that over one-third of the land in this nation is owned by
6 the federal government.
7 Increasing federal land acquisitions and federal land use regulations
8 are detrimental to economic productivity and resultant
9 environmental improvements. We oppose further expansion of
10 federal land ownership, and we support a national policy of no net
11 loss of private lands. We also support the concept of transferring
12 federal lands into private ownership. However, not all
13 unappropriated public lands should be transferred to private
14 ownership.
15 Tax exempt environmental organizations should not have access
16 to public money for funding land acquisitions. In addition, we oppose
17 the transfer of land owned by these groups to any federal agency.
18 We support:
19 (1) The right of a producer to use conservation easements, but
20 oppose the use of a mandated perpetuity time frame;
21 (2) State and local input in the establishment of any federal
22 heritage area or corridor; and
23 (3) Private property rights, and a means for a private property
24 owner, a county, or other municipal authority to opt out of a
25 proposed or established heritage area or corridor.
26 Research, documentation, and designation of natural, historical,
27 scenic or exceptional sites or waters shall not occur without:
28 (1) Prior written notification to the owner and local elected
29 officials of complete purpose and scope of the study or designation;
30 (2) Owners' consent in writing; and
31 (3) All records of the above being made open and available to the
32 public.
33 We support congressional oversight of federal agency actions
34 involving World Heritage areas and Biosphere Reserves by requiring
35 public input and compelling Congress to protect the sovereignty of
36 the United States, individual rights, private property rights, and state
37 rights.
38 When the federal government devalues any real property
39 belonging to any local government or any of its political subdivisions

40 through rules, regulations, mandates, or restrictions, it must
41 compensate the local government or its political subdivisions in the
42 amount that the real property was devalued or funds in lieu of taxes
43 reduced.

44 We support all nonreservation property, purchased, acquired or
45 given to Native American nations and put into trust, continue to be
46 subject to all taxes and laws. As a result of treaty disputes, if Indian
47 tribes commence legal proceedings against the property of individual
48 landowners, the federal government should pay all defendant
49 attorneys' fees, disbursements, court fees and costs, as well as any
50 money damages awarded to Native Americans. Native Americans
51 should not be able to purchase new land and qualify it as tribal for
52 construction of casinos and other such activities.

53 We support repeal of Section 2 of the Crow Act of 1920 (acreage
54 ownership limitation).

55 We oppose the taking of privately owned land in settling Indian
56 land claims.

57 We oppose the taking by the federal government of private land
58 into trust for the development of off-reservation business
59 enterprises.

Land Use Planning

517

1 Those who own land have the major responsibility for its
2 development. The right to sell land must remain in the hands of the
3 landowners.

4 We believe that land use planning can best be accomplished at the
5 county or comparable level of government and by private
6 landowners. All lands, including state and federal lands, should be
7 subject to all provisions of local land use planning ordinances that do
8 not adversely affect private property rights or the selective restraint
9 of commerce. All levels of government should respect local land use
10 plans. We support legislation that would prevent an agency from
11 controlling the use of lands by proclamation.

12 We oppose federal assistance to states for land use planning.
13 However, we support the use of incentives to encourage commercial
14 reuse or redevelopment of existing business or industrial sites rather
15 than new undeveloped sites. We oppose federal legislation and
16 agency policy which would impose land use regulations as a
17 qualification for federal grants and loans.

18 Any land use plan should contain these safeguards:

19 (1) Representation of agricultural producers on all planning and
20 control boards;

21 (2) The right of appeal by an individual landowner at all levels,
22 especially the local level;

23 (3) Protection for private ownership rights;

24 (4) Full indemnification of property owners and leaseholders for
25 any restrictions brought about by the plan. In awarding land damages,
26 consideration should be given to reasonable access to all property and
27 water supplies or to adequately compensate for the same, and also to
28 provide for a reasonable time for the removal of timber, pulp, gravel
29 and soil. Payment should be made for any decrease in the value of
30 property as a result of government action; and

31 (5) Payment by state and federal governments of a proportionate
32 share of the costs of the plan based on the relative amounts of

33 federal and state lands involved.
 34 Adequate returns on investment from agricultural land and tax
 35 incentives for production agriculture are the most effective methods
 36 of preserving production of food and fiber.
 37 We oppose:
 38 (1) The continued encroachment of federal and state agencies and
 39 local governments on agricultural and forest lands;
 40 (2) Any effort to establish buffer areas without just compensation
 41 around parks, preserves or other areas being protected for their
 42 environmental or ecological value;
 43 (3) Continued funding of the Forest Legacy Act;
 44 (4) The Northern Forest Stewardship Act, the Wildlands Project
 45 and/or other similar acts/projects; and
 46 (5) The formation or expansion of any state or federal wildlife
 47 refuges, recreational, conservation or wilderness areas which result in
 48 a net loss of private lands. Any such areas which are formed or
 49 expanded without a net loss of private lands must have clearly
 50 defined boundaries. Proper notification and compensation must be to
 51 all landowners affected by such formation or expansion. State or
 52 national wildlife refuges, recreational or conservation areas must not
 53 impede the existing natural and artificial drainage systems of
 54 landowners in the watershed.
 55 We support the principle that any land designation by the United
 56 Nations or other non-U.S. entity must first be approved by Congress.
 57 We will support the voluntary transfer of development rights to
 58 limit farmland conversion.
 59 A conservation plan should not be required to participate in any
 60 farmland protection program.
 61 We oppose arbitrary limitations in the federal Farmland
 62 Protection Program that may discourage participation or impair
 63 state or local initiatives.
 64 We support preserving multiple use existing trails on federal lands.
 65

Natural Resources Research

518

1 We favor continued research on reuse of water; conversion of
 2 saline waters; air and water pollution; water and soil conservation;
 3 recharging of groundwater basins; drainage; forestry management and
 4 utilization; restoration of strip-mined areas; weather forecasting and
 5 modification; treatment of domestic, industrial and animal wastes;
 6 coal desulfurization; and other natural resource problems within the
 7 framework of federal-state-private cooperation.
 8 We urge more effective coordination among the agencies engaged
 9 in natural resources research to provide maximum coverage of the
 10 subject and to eliminate duplication and waste.

Private Forestry

519

1 Our forests constitute one of our most valuable renewable
 2 resources. We favor a privately owned, sustained-yield forest industry
 3 assisted by essential public services such as research, fire protection
 4 and pest control. Forestry should continue to be recognized as an
 5 environmentally beneficial agricultural enterprise.
 6 We believe that clear-cutting and prescribed burning are beneficial

7 tools in forest, wildlife and environmental management.
8 We support the Forest Land Enhancement Program and
9 recommend full funding to meet the priorities set forth in the farm
10 bill.
11 We support the development and use of voluntary certification
12 programs as a means of supporting sustainable forestry practices,
13 while allowing forest landowners to be recognized and rewarded for
14 their conservation practices.
15 We urge the cooperation of all government agencies in efforts to
16 improve the management of private forests. We urge research to
17 improve the quality and productivity of private, non-industrial forest
18 lands and favor cost-effective technical assistance, production and
19 incentive programs. We support the use of tax incentives for
20 improving forest land management practices.
21 We support the U.S. Forest Service (USFS) providing regular
22 updates to its inventory of forest growth and condition on public and
23 private timberlands. The inventory should not be used to identify
24 endangered or threatened species or their habitat.
25 Under the forestry title of any farm law, the program should be
26 administered in the state as follows:
27 (1) The governor, with our input, should appoint a committee
28 made up of a majority of private timberland interests; and
29 (2) The state committee should not allow permanent transfer of
30 property rights allowing public access to private lands.
31 We urge the use of renewable and environmentally friendly
32 resources such as wood and agricultural products for the construction
33 of pallets and containers for use in shipping.
34 We encourage the design of timberland riparian zone management
35 specifications to accommodate stream sizes and classification,
36 stream bank conditions, and timber management as determined by a
37 professional forester.
38 We support requiring governmental agencies to pay the private
39 landowner the difference in the value between the most profitable
40 way to manage timberland and the value left in those instances when
41 governmental regulations require the involuntary taking of the
42 landowner's property rights.
43 We support the development of a Federal Kudzu Cost Sharing
44 Eradication Program administered through the USFS.
45 We urge the development of federal legislation to address
46 interstate theft of timber based on point of harvest and on point of
47 first delivery.
48 Governmental agencies should accept financial responsibility when
49 participants follow specific tree transplant program guidelines and
50 seedlings are damaged or destroyed.
51 We oppose restrictions on the process or use of chemically treated
52 lumber products without adequate research.
53 We urge the USFS to resume the orderly cutting of timber.
54 We support:
55 (1) The re-classification of Christmas trees from a forestry
56 product to an agricultural product; and
57 (2) A hardwood timber reforestation program.

Protection of Archaeological Sites

520

1 We support streamlining statutory and regulatory requirements

2 that protect archaeological (cultural) resources.

Sodbuster and Swampbuster

521

1 The regulatory provisions under the sodbuster and swampbuster
2 subtitle should be directed to the original conservation goals of not
3 plowing out fragile grasslands and wetlands. Unless the regulations
4 can be revised to be consistent with these goals, we support
5 legislation to repeal the current sodbuster and swampbuster
6 regulations. Implementation of sodbuster regulations should not
7 differentiate between persons holding or not holding conservation
8 reserve program contracts.

9 We support allowing the secretary to waive penalties if converted
10 wetlands would have a minimal effect on the biological and
11 hydrological value of a wetland. Local Farm Service Agency (FSA)
12 committees should be involved in determining the reasonable
13 minimum size.

14 We oppose farm program incentives that encourage producers to
15 bring fragile lands under cultivation. Fragile lands are defined as those
16 lands that the Natural Resources Conservation Service (NRCS) deems
17 to be subject to excessive rates of wind and water erosion.

18 Vegetative crops grown as rotation crops, including hay should be
19 exempt from the sodbuster provisions.

20 Farmers should not be penalized for maintaining and improving
21 existing drainage systems. FSA should only withhold payments on
22 disputed converted acres and not the entire farm. Farms not enrolled
23 in federal FSA programs should not be required to meet swampbuster
24 and sodbuster requirements.

25 Drainage districts that have maintained drainage structures should
26 be allowed to upgrade those structures, especially those at or near the
27 end of their life expectancy, without subjecting landowners to
28 wetland violations or any additional federal permits.

Sovereign Nations

522

1 We oppose identification of Native American Tribes as "Sovereign
2 Nations."

3 We oppose federal legislation that would create sovereign states of
4 Indian reservations.

PROPERTY RIGHTS

Eminent Domain

535

1 The taking of property or easements should be permitted only
2 when there is a clear-cut public project and the completion of the
3 project is guaranteed. We oppose the use of eminent domain for
4 recreational purposes, open space, private economic development or
5 expansion of the land holdings of wildlife agencies. Eminent domain
6 shall not be used to condemn or transfer property from one private
7 entity to another private entity for economic development or any
8 other private use.

9 Any condemning entity must negotiate in good faith to acquire
10 property before initiating condemnation. The entity should be

11 penalized if it did not negotiate in good faith. When private
12 property is taken, we support prompt, just and adequate
13 compensation, including legal costs, expert witness fees, associated
14 costs, relocation costs, appraisals including highest and best use,
15 replacement costs and participation fees. In cases of partial takings
16 of real property, loss in the value of any remaining real property
17 should be recognized and compensation should be paid for any
18 damages. Adequate time should be given to allow for satisfactory
19 relocation.

20 All utility lines, cables and pipelines should be properly installed
21 according to appropriate specifications. Such installations should be
22 adequately marked. A landowner or tenant shall not be held liable for
23 any accidental or inadvertent breakage or disruption of service on
24 any lines, cables or pipelines.

25 We believe a landowner in eminent domain cases should have five
26 years from the time of the original settlement in which to negotiate
27 claims for damages that may not have been confirmed at the time of
28 the initial settlement.

29 We will seek legislation to require public bodies proposing
30 acquisition of property for public purposes to send a written notice at
31 least 60 days prior to any formal public hearing and to hold such
32 hearing before any land is optioned or purchased. Local communities
33 and states should be required to be given prior knowledge of a
34 pending utility permit before a proposed utility right of way is
35 granted by the federal government. Property owners should have the
36 right to judicial review of the need and location of the proposed
37 taking.

38 We oppose legislation which grants the right of federal eminent
39 domain to any additional entities. We oppose the ability of
40 non-elected boards, agencies and commissions, public or private, to
41 utilize the eminent domain process.

42 Property should not be condemned in fee title if a lesser interest
43 will suffice.

44 We oppose the use of eminent domain to acquire properties
45 intended for future sale. Any lands taken for public purposes and not
46 promptly used for that purpose (i.e., within a maximum period of
47 five years) must be offered immediately to the prior owners or their
48 heirs at a price no higher than the original purchase price. We
49 believe that entities having the power of eminent domain when
50 acquiring land for right of way, either by condemnation, threat of
51 condemnation, or easement should be required to maintain natural
52 drainage and should be held liable for damage to landowners.

53 An environmental impact statement should be prepared as a
54 prerequisite for any eminent domain proceeding.

55 We oppose the practice of acquiring new rights of way through
56 farmland when existing public corridors exist, such as railways,
57 highways, power lines, pipelines, etc. In numerous situations,
58 especially when nonthreatening entities such as, but not limited to,
59 fiber optic cables are run, legislation should require using these
60 existing corridors so additional farmland is not hindered by restrictive
61 easement. Government-owned lands and wetlands should be utilized
62 prior to the consideration of any privately owned land.

63 We support changes in legislation regarding eminent domain cases
64 that would strengthen the rights of landowners and would allow them
65 greater latitude to present evidence in court proceedings.

1 We believe in the American capitalistic, private, competitive
2 enterprise system in which property is privately owned, privately
3 managed and operated for profit and individual satisfaction. The
4 principle of private property rights is being eroded. Any erosion of
5 that right weakens all other rights guaranteed to individuals by the
6 Constitution. All levels of government shall abide by the Fifth
7 Amendment of the Constitution: "No person shall be deprived of
8 life, liberty or property without due process of law; nor shall private
9 property be taken for public use without just compensation."
10 The transfer of lands and/or regulatory jurisdictions between state,
11 federal and/or local agencies for development should have an open
12 public process and consideration of the impact on surrounding land
13 issues, including agriculture.
14 We oppose any legislation or application of the Public Trust
15 Doctrine that would allow public access to or through private
16 property without permission of the property owner or authorized
17 agent. We support legislation that requires federal officials to notify
18 property owners and obtain permission before going onto private
19 property.
20 We support regulation that would prevent the publication of maps
21 produced by Global Positioning System (GPS) data without marking
22 private roads as not available for public use. We support regulation
23 that would prevent internet routing through private roads except for
24 delivery to a specific home or business located on the private road.
25 We oppose the gathering of data from private property when that
26 data may be used to facilitate federal land use planning.
27 We oppose action by federal agencies, acting individually or
28 collectively, which would result in:
29 (1) An involuntary net loss of private land in any state; and
30 (2) Action that would increase the amount of land which is exempt
31 from state and local laws and property taxes.
32 We call for review of all federal regulations that encroach on the
33 rights of property owners. We urge amendment or deletion of
34 statutes or regulations that allow federal agencies, either on their
35 own determination or in collusion with other federal agencies, to
36 establish rules of control which interfere with individual property
37 rights. Members or employees of federal agencies acting outside the
38 scope of their authority or in violation of the Constitution should be
39 held personally liable, either civilly or criminally, for any damages
40 that might occur.
41 We should continue our effort to protect private property rights
42 and the rights of those who graze livestock on private property and
43 public lands. Private property should be defined to include all land,
44 timber, water rights or other valuable considerations associated with
45 land ownership.
46 The U.S. government is taking private property without paying
47 for it through the Memorandum of Understanding between the
48 Resolution Trust Corporation and Fish and Wildlife Service (FWS).
49 We should demand that FWS prepare a Takings Implications
50 Assessment as required by Executive Order 12630.
51 We believe that presidential Executive Order 12630 regarding the
52 protection of private property rights should be made law.

53 We believe that any action by government that diminishes an
54 owner's right to use his property constitutes a taking of that owner's
55 property. Therefore, government should provide due process and
56 compensation to the exact degree that an owner's right to use his
57 property has been diminished by government action.

58 Compensation will be paid from the budget of the specific agency
59 responsible for the restriction on the right of an owner to use his
60 property. We recommend legislation which provides maximum
61 protection through compensation when government projects devalue
62 adjoining private property. Furthermore, we believe that the just
63 basis for compensation in such cases is fair market value or the
64 economic loss to the landowner.

65 Any buffer around the perimeter of military bases designed to keep
66 land in production agriculture should be clearly focused on that
67 purpose alone.

68 We oppose any governmental action that will abridge people's
69 right to use their property for legitimate purposes unless there is full
70 and equitable compensation for the reduction in the use of the
71 property. Partial taking of the property shall be prohibited unless
72 compensation is made for reduction in the value of the total
73 property.

74 We believe business owners should have the exclusive right to
75 prohibit tobacco use in their private business. We are opposed to any
76 level of government or agency mandating that businesses prohibit
77 tobacco use.

78 We oppose the taking of property for hike and bike trails through
79 the power of eminent domain. Property shall be acquired for such
80 purposes through mutual agreement between the property owner and
81 the governmental entity and other organizations.

82 If a governmental agency or other organization establishes a hike
83 and bike trail, it shall ensure protection of adjoining landowners by
84 providing adequate fencing and protection from liability issues
85 related to the use of such facilities.

86 We believe that businesses, industries and farmers who have to
87 expend sums of money to prove they are meeting environmental
88 regulations should be reimbursed their expenditures if they show they
89 were meeting the requirements before the government agency
90 questioned their performance.

91 When regulations or legislation regarding rare, threatened or
92 endangered species, or environmental restrictions alter agricultural
93 practices, agricultural producers should be compensated for the cost
94 of these altered agricultural practices.

95 We support legislation that allows any U.S. citizen, regardless of
96 race, color, creed or national origin, to own reindeer.

97 We support legislation that would protect innocent private
98 property owners from property confiscation in the event that illegal
99 substances are found, stored or growing on private property without
100 the landowner's knowledge or consent.

101 We believe that all information from private farms and farm
102 production is private property and is to be made available and/or
103 controlled by the farm owner and operator.

104 We support continued public availability of Differential Global
105 Positioning System signals.

106 We are opposed to sovereign nations existing within the
107 boundaries of the United States.

108 We further support the repeal of those provisions of scenic byway
109 legislation that would result in the loss of private property rights.
110 We believe all applications for scenic byway designations must be
111 subjected to thorough public review and comment and should not be
112 made without the approval of affected landowners.
113 We oppose any agency designating a citizen's land as a historical
114 site without the owner's approval.

Right-of-way Easement

537

1 Easement rights of way obtained by public or private sectors shall
2 not be committed to any new or additional purpose either during
3 their original usage or after abandonment without consent of the
4 owner of the land underlying the easement. We promote the
5 philosophy that if rights of way are developed for recreational
6 purposes, lands should be purchased from willing sellers. We oppose
7 federal legislation that would deny or postpone the reversionary
8 property rights or interests of underlying or adjacent property
9 owners to railroad, utility or road rights of way that are no longer
10 being used for the purpose for which the rights of way were granted.
11 We oppose permitting utility rights of way, including railroad
12 rights of way, to be used for other purposes without permission of
13 adjoining landowners and the holder of the underlying property
14 interest. We oppose the use of National Interest Energy
15 Transmission Corridor designations to facilitate condemnation of
16 agricultural land, open space, and conservation or preservation
17 easements. Historic livestock driveways should be kept open for use
18 on federal and state lands. When a railroad is abandoned, the rights
19 of way should be returned by the railroad to the adjacent and/or
20 underlying property owners. Where the railroad owns the right of
21 way, in fee simple, the property should first be offered for sale to
22 adjacent landowners with right of first refusal upon discontinuance of
23 rail service.
24 We support repeal of the National Trails System Act (NTSA)
25 unless it is amended to protect the rights of property owners in the
26 following manner:
27 (1) Permit railbanking without interim trail use, and permit
28 landowners to retain abandoned railroad corridors for non-trail uses
29 that will preserve the opportunity for restored rail use in the future;
30 (2) Require railroads to provide timely personal notice to each
31 landowner before each proposed abandonment;
32 (3) Require railroads to reveal to each landowner before
33 abandonment the full and complete legal basis on which the railroad
34 has claimed its right to occupy the corridor. If the railroad's right is
35 less than fee simple ownership, the railroad should be required to
36 disclose to each landowner that its occupancy right will be
37 extinguished upon abandonment;
38 (4) Permit and encourage every landowner to participate in the
39 abandonment proceeding and to offer reasons for or against
40 railbanking or trail use;
41 (5) Create a predictable, objective, bright-line standard that
42 abandonment is deemed to be consummated no later than nine
43 months after issuance of authority to abandon by the Surface
44 Transportation Board (STB);
45 (6) Require STB to supervise, monitor and enforce its orders and

46 conditions on railbanked land, or to empower state and local
47 governments to do so, without pre-emption by federal authorities;
48 (7) Create a procedure for reinstatement of rail service on
49 railbanked corridors;
50 (8) Provide a clear and simple procedure to compensate
51 landowners for their interest in land that is taken as a result of a
52 railbanking order;
53 (9) Require a public comment period or hearing, prior to issuance
54 of any authorization for interim use, where contiguous landowners
55 and other citizens have the opportunity for input into the
56 railbanking process;
57 (10) Require that STB evaluate and make specific findings
58 regarding the appropriateness of a proposed railbanking, consider
59 comments from adjacent landowners, consider the effects of any
60 proposed interim trail use on the safety, health, security, privacy and
61 economic interests of the adjacent landowners, and determine if the
62 right-of-way is suitable for interim trail use prior to issuing a
63 Certificate of Interim Trail Use or Notice of Interim Trail Use;
64 (11) Establish procedures granting STB authority to accept or
65 reject any railbanking agreements entered into between the railroad
66 and a trail sponsor;
67 (12) Require the trail sponsor be responsible for liability, right-of-
68 way fencing, taxes, control of noxious weeds, maintenance of the
69 rights of way and other costs which were required of the railroad, and
70 compensate the owners of rights of way for use of the property
71 easement;
72 (13) Require local governing body approval of the recreational
73 trail project before STB can accept the railbanking agreement
74 between the railroad and the trail sponsor;
75 (14) Following a public comment period, allow only those railroad
76 rights of way which have a realistic probability of being used again
77 for a railroad to be approved for railbanking for a maximum of 10
78 years; and
79 (15) Request state and local authorities to supervise, monitor and
80 enforce safety, health, land use and other conditions on railbanked
81 land without pre-emption by federal authorities.

Right-to-farm

538

1 We support responsible actions designed to allow and protect the
2 privilege and the rights of farmers, ranchers and commercial
3 fishermen to produce and market without undue or unreasonable
4 restrictions, regulations or harassment from the public or private
5 sectors. We support actions to ensure that farmers be protected from
6 undue liability and nuisance suits when carrying out normal
7 production practices.

8 We support basic right-to-farm, right-to-harvest, right-to-access
9 roads and highways policies designed to secure legislation defending
10 100 percent of the owner's interest in agricultural development of
11 rural land.

12 If for any reason a government or other public entity takes action
13 which results in the decrease of value of property, the entity or
14 agency causing the loss shall be required to compensate the owner of
15 the damaged property an amount at least equal to the value that
16 would have been realized from routine harvest had the land use

17 remained as the owner planned.
18 The federal government should not classify agricultural operations
19 as industrial or commercial enterprises simply because they do not fit
20 traditional perceptions of agriculture. Agricultural activities take on
21 many forms and change over time.

WATER

Floodplain Management

545

1 The National Flood Insurance Program (NFIP) should be designed
2 to provide insurance, not regulate land use. It should not be designed
3 to revert the floodplain to its (historic, former) undeveloped state.
4 Furthermore, rules and regulations regarding floodplain management
5 should not supersede private property rights.

6 We believe that property owners should be notified and a public
7 hearing held before floodplain designation changes are made.

8 Agriculture in a floodplain should be given recognition as providing
9 positive benefits to the environment and the public good. These
10 benefits should receive the same consideration in cost/benefit
11 analysis as do other environmental benefits.

12 A one-size-fits-all approach to floodplain regulations does not
13 accommodate the unique physical differences among floodplains.
14 Regulations, including NFIP, should recognize those differences,
15 which range from the expansive floodplains of major rivers to
16 narrow riverines to non-riverine depressions.

17 We will seek revisions in Federal Emergency Management Agency
18 (FEMA) regulations to:

19 (1) Allow the limited issuance of certain construction permits by
20 units of local government where the applicant has assumed all risk
21 for flood damage to the structure without jeopardizing the receipt of
22 NFIP funds and other federal monies for those who wish to
23 participate in federal insurance, disaster, and loan programs;

24 (2) Provide NFIP and disaster payment eligibility for agricultural
25 property including but not limited to protection from less than 100-
26 year floods. The insurance offered for such property should be at a
27 rate which reflects the degree of protection provided;

28 (3) Allow structures located in a floodplain that are "substantially
29 damaged" by means other than a flood to be rebuilt without regard to
30 NFIP regulations and to maintain flood insurance eligibility; and

31 (4) Update all floodplain maps every 10 years to accurately reflect
32 existing topography.

33 We support:

34 (1) Streamlining the cooperation and coordination between FEMA
35 and government agencies both within and between states;

36 (2) FEMA interim guidelines for wet flood-proofing of agricultural
37 structures and efforts to make them permanent;

38 (3) Allowing the replacement construction costs of a structure to
39 be used instead of market value to measure the damage to a structure
40 for purposes of determining whether "substantial damage" has been
41 done; and

42 (4) Revising NFIP regulations to allow counties and municipalities,
43 at the local unit's discretion, to sell to private owners those
44 properties bought out by FEMA. In such cases, the property should

45 include an easement restricting surface development rights but
46 allowing normal agricultural practices.
47 If a levee's flood level protection certification would be lowered
48 due to a revised flow frequency study, structures that existed behind
49 the levee prior to the re-certification should be grandfathered and
50 managed under the NFIP as though the higher flood protection
51 certification still applies. Structures built after the levee's
52 recertification should be managed under the rules that apply with the
53 then current certified flood protection level.
54 We support full federal funding for improvement to levees to
55 maintain the existing level of flood frequency protection when
56 induced increases in floodwaters occur due to the adoption of a
57 Comprehensive Plan for Flood Control.

U.S. Army Corps of Engineers' Authority

546

1 We support legislation to amend Section 404 of the Clean Water
2 Act (CWA) to restrict the U.S. Army Corps of Engineers' (Corps)
3 authority to waterways used for transporting interstate and foreign
4 commerce, or which can be made navigable for these purposes with
5 reasonable effort. We urge that legislation be enacted to clarify and
6 restrict the Corps' responsibilities to those which it exercised prior to
7 1972.

8 We favor legislation restricting the Corps' authority to navigable
9 streams and flowing waterways that have continuous flow 365 days a
10 year. The jurisdiction of the Corps should be constrained to navigable
11 waterways.

12 We urge the Corps to adopt flood control, electric generation,
13 navigation and agriculture as their top priorities.

14 We support dredging navigable waters to maintain the
15 transportation infrastructure vital for agriculture.

16 We are opposed to dredge-and-fill regulations being applied to
17 agricultural land.

18 We support legislation to enable farmers and ranchers to protect
19 their property from streambank erosion.

20 The Corps should allow all structures that are washed out or
21 damaged in floods to be rebuilt or repaired in the original channel to
22 the extent possible.

23 We support legislation that provides the Corps the authority and
24 funding to develop and construct streambank and shoreline
25 protection projects to prevent erosion damages to infrastructure.

26 We oppose the use of federal tax dollars appropriated for erosion
27 control by the Corps being diverted to buy land or easements.

28 The Corps should pay damages to farmers for lands lost to erosion
29 or flooding on rivers or resulting from new navigation locks and dam
30 of Corps managed projects. We urge the Corps to enhance the
31 present reservoir system with added emphasis on flood control and
32 water supply development.

33 We oppose the Corps charging fees to water utilities for water
34 storage, for water withdrawal based on Corps' loss of revenue, for
35 annual operation and maintenance costs, and for percentage of any
36 major dam repairs.

37 The Corps should be granted bond authority to expedite lock and
38 dam improvement projects with the result of a reduction in project
39 cost and saving of taxpayer dollars.

40 The release of water from Corps' lakes should be handled in a
41 manner to prevent flooding of low-lying downstream lands.
42 Removal of log jams and impediments caused by them should be a
43 part of routine maintenance programs on these outlet streams.
44 We support the Corps and Environmental Protection Agency
45 (EPA) regulations that exclude converted cropland from the
46 definition of waters of the United States.
47 We oppose any attempt by the Corps to increase fees for their
48 services.
49 The Corps should carry out its obligations to maintain stream flow
50 and drainage in public waterways.
51 The Corps should protect agricultural land use, flood control,
52 power generation and navigation when making decisions about
53 rivers.
54 We urge completion of all Yazoo Basin flood control projects,
55 including the Yazoo Valley Backwater Project, and the installation
56 of pumping stations to relieve the backwater flooding problems.
57 We support requiring a cost-benefit analysis of the effects of
58 changing the hours of operations of any lock and dam. This analysis
59 should look at the effect on the Corps, local communities and
60 businesses that use or are affected by the lock and dam. Public input
61 should be sought.
62 We believe the Corps should maintain the current Master Water
63 Control Manual as is, and should not deviate from the standards set
64 forth therein.
65 We are opposed to the Corps requiring a spring rise of the waters
66 under the jurisdiction of the Corps of Engineers.
67 We will support efforts to establish uniform flood control
68 standards between states.
69 The jurisdiction of the CWA should be limited to waters that are,
70 have been or could be made navigable.
71 We support the expansion of existing levee districts, or the
72 creation of new levee districts, with the proper funding mechanisms
73 to meet the new Federal Energy Management Agency/Corp of
74 Engineers levee standards.
75 We support the concept of using the Risk Informed Decision
76 Framework that would address four evaluation areas: national
77 economic development, environmental quality, regional economic
78 development and other social effects.

Water Quality

547

1 *Clean Water Act Framework and Agricultural Water Quality* **2 *Programs***

3 The Clean Water Act (CWA) regulates the "discharge of
4 pollutants." Federal CWA jurisdiction should be limited to navigable
5 streams and flowing waterways that have continuous flow 365 days a
6 year. The Act's framework should:
7 (1) Maintain state primacy over local land and water decisions;
8 (2) Maintain state authority to allocate quantities of water within
9 its jurisdiction and groundwater;
10 (3) Promote a clear distinction between which waters are subject to
11 federal jurisdiction and which waters are subject to state jurisdiction;
12 and
13 (4) Maintain existing statutory and regulatory exemptions for

177

14 prior converted croplands and waste treatment systems.

15 We support the concept of cleaning up our nation's water;
16 however, the goal of zero water pollution should be substantially
17 modified. The current focus of the Clean Water Act should remain
18 that of achieving fishable and swimmable standards. CWA and
19 Coastal Zone Management Act (CZMA) regulations should not
20 infringe on property rights, should not result in unfunded mandates
21 for state and local governments and should be subject to cost/benefit
22 and risk assessment analysis.

23 Reauthorization of the federal CWA and CZMA should not alter
24 federal or state water rights and water allocation systems and should
25 encourage state control over these programs.

26 We should pursue and assist in the development of amendments to
27 existing statutes to establish, in rules, a definition and threshold for
28 the level of scientifically valid data necessary to accurately assign a
29 water body's classification, and to determine a water body's quality as
30 it relates to its ability to meet its assigned beneficial uses.

31 Such definition should, at a minimum, include the following:

32 (1) Environmental Protection Agency (EPA) standards based on
33 sound science and native baseline levels;

34 (2) Data that includes, but is not limited to, the historical,
35 geological and hydrological capability of a water body to meet
36 beneficial uses; and

37 (3) The chemical, physical and biological data collected under an
38 approved sampling and analysis plan. This plan should, at a
39 minimum, specify monitoring location, dates and quality
40 control/quality assurance.

41 We believe the CWA and the CZMA should allow state flexibility
42 to develop programs to protect water quality as long as they are no
43 more restrictive than federal mandates. The authority for
44 determining impaired waters, establishing standards and criteria, and
45 developing and implementing appropriate response programs and
46 plans should remain with the states with input from farmer
47 representation. Funding should be expanded for research in new
48 technologies and methods that will enable producers to achieve
49 effective environmental stewardship.

50 The pursuit of pollution abatement should be only one of the
51 many factors considered in the development of national water
52 policies. Other factors, including the cost of pollution abatement, the
53 needs of agriculture, the needs for growth and the presence of
54 naturally occurring pollutants, must also be considered.

55 The federal government and its agencies should not require a
56 National Pollution Discharge Elimination System (NPDES) permit
57 for interbasin water transfers or require water treatment on interbasin
58 transfers.

59 We recommend that baseline determinations of pollution be taken
60 into account when nonpoint source pollution studies and policies are
61 formulated.

62 We maintain that CWA does not stand alone in protecting
63 America's waters from pollution. Other ongoing programs at the
64 federal, state, and local level combine to provide an effective
65 foundation for water quality protection and must be funded fully,
66 coordinated with and not superseded by the federal government.

67 We support the monitoring and standards of water quality being
68 administered on a state level.

69 We support adequate federal funding for United States Geological
70 Survey (USGS) stream gauging program.

71 The EPA should not grant authority to tribes to regulate water
72 quality standards.

73 The CWA should require EPA to conduct a federally funded
74 cost/benefit analysis and risk assessment before imposing any
75 additional regulatory proposal. The CWA should not expand water
76 quality standards to include the broad category of biological diversity.

77 The attainment of water quality standards established by federal
78 action under the CWA should take into consideration the particular
79 and difficult problems caused by naturally occurring pollutants.
80 Solving these difficult problems should not come at the expense of
81 the established users of water. We support amendments to the federal
82 CWA and CZMA to provide that nonpoint sources be dealt with
83 using voluntary best management practices (BMPs) or accepted
84 agricultural practices, based on technically and economically feasible
85 control measures.

86 We oppose EPA efforts to gain greater regulatory authority by
87 including nonpoint source pollution controls under the federal storm
88 water discharge permit program. We believe managing runoff from
89 agricultural nonpoint source related activities is a state, not federal
90 responsibility. The EPA should recognize states with comprehensive
91 livestock waste management programs as "functionally equivalent"
92 to the federal program under the CWA.

93 Tax credits, low-interest loans, grants and preferential tax
94 treatment should be made available to aid and encourage farmers to
95 implement BMPs or accepted agricultural practices. The use of
96 BMPs or accepted agricultural practices by the farmer or rancher
97 should be conclusive proof of compliance and prevent prosecution
98 under the CWA.

99 Surface and groundwater quality problems, originating at facilities
100 owned, controlled or operated by the federal government, have often
101 deteriorated to the point that positive action must be taken to
102 remediate the problem. To protect our health, land, water and
103 natural resources, federal facilities that have contaminated water
104 affecting private landowners must take the following steps:

105 (1) Whenever deemed necessary, a professional mediator, with no
106 vested interest, should be engaged to facilitate interactions among
107 the landowners, contractors and responsible federal government
108 agency. The mediator must have access to technical and legal
109 consultants to assist with decision making. The main objective of the
110 mediator is to bring accountability to the remediation process;

111 (2) Allow only the most affected parties to determine which
112 agency would facilitate the process; and

113 (3) Cost of the mediation would be the responsibility of the federal
114 agency responsible for the contaminating facility.

115 ***Nonpoint Source Management***

116 Locally administered programs are better able to achieve the goals
117 of the CWA. The CWA does not give EPA authority over nonpoint
118 source pollution controls. This authority lies with individual states.
119 We oppose any attempts by EPA to dictate specific practices and
120 regulations to control nonpoint source pollution.

121 We recommend:

122 (1) Nonpoint source programs should emphasize a voluntary,
123 incentive-based approach;

124 (2) Efforts to address nonpoint runoff and improving water quality
125 should target impaired watersheds using a "worst case first" approach;
126 (3) Federal funding must be adequate to develop site-specific
127 information, technical assistance, cost-sharing for local programs,
128 and upgrading septic systems;
129 (4) Limits on agricultural cost programs should be removed;
130 (5) BMPs or accepted agricultural practices should be developed
131 locally with producer involvement and must be financially practical
132 for landowners to voluntarily apply;
133 (6) Farmers and ranchers who implement approved nutrient
134 management plans should not be required to alter such plans once
135 initiated as a result of new regulations or laws until the renewal of
136 such plans. However, farmers and ranchers should still retain the
137 right to modify their plans at any time based on changes in their
138 farming/ranching operations;
139 (7) We support research efforts to clarify the cause or causes of
140 pfiesteria;
141 (8) States have the right to review 208 Plans (drainage districts)
142 which are voluntary in their applications;
143 (9) The promotion of management practices to improve water
144 quality should depend on what is challenging the integrity of the
145 water body. Specific management practices should not be promoted
146 over others as a guaranteed solution;
147 (10) Any enforceable mechanisms to address nonpoint source
148 pollution should be solely developed and implemented by the states;
149 (11) A program providing increased grants and loans with reduced
150 interest rates for nutrient management storage systems and related
151 equipment; and
152 (12) Efforts to control the phosphorous content of runoff water
153 should be applied to all contributors.
154 We oppose:
155 (1) Using regulations to address agricultural, nonpoint source issues
156 related to total maximum daily loads (TMDLs) of pollutants in
157 streams;
158 (2) Mandatory requirements to carry out the nonpoint source
159 management programs;
160 (3) Mandated fencing of streams and riparian areas;
161 (4) EPA's efforts to revoke the administrative exemption for
162 silviculture from the NPDES permitting process;
163 (5) Mandatory financial assurance (bonding) for nutrient
164 management facilities associated with animal feeding operations
165 (AFOs) or concentrated animal feeding operations (CAFOs); and
166 (6) Designating water flow from farm fields as a point source of
167 pollution under the CWA.
168 We endorse BMPs or accepted agricultural practices as an
169 alternative to numerical standards to more effectively address the
170 point and nonpoint sources of pollution that greatly vary in a
171 regional watershed.
172 We believe that pollution permit trading should be included in the
173 reauthorization of the CWA as one approach to implement the act's
174 requirements. We believe the CWA should outline the general
175 guidelines of pollution permit trading but allow local entities to
176 determine the management system which best fits its needs. These
177 general guidelines should:
178 (1) Have a goal of water quality improvement;

179 (2) Set environmental goals and constraints that cannot be
180 changed arbitrarily by any member of the system;

181 (3) Identify and establish a credible monitoring system which:
182 (a) maintains a set of baseline data obtained on a case-by-case
183 basis;
184 (b) manages transactions;
185 (c) monitors environmental conditions and activities across
186 permit traders; and

187 (4) Allow farmers who achieve reductions beyond the permit's
188 requirements to "bank" their reductions for future trading.

189 ***Agricultural Point Sources/Concentrated Animal Feeding Operations***

190 Any new rules, regulations or enforcement of the CWA as applied
191 to concentrated animal feeding operations must:

192 (1) Take into consideration the unique climate and topography of
193 each state;

194 (2) Preserve the 25-year 24-hour storm permit exemption;

195 (3) Not extend point source regulations to nonpoint sources such
196 as farm and ranch fields and pastures;

197 (4) Clarify the definition of process wastewater to exclude water
198 mixed with minute amounts of feedstuffs or dust around animal
199 buildings;

200 (5) Allow individual states to retain control of implementation of
201 clean water act regulations and compliance monitoring; and

202 (6) Trigger enforcement only by an actual illegal discharge into the
203 waters of the United States.

204 We oppose:

205 (1) Reducing the present federal guidelines for CAFOs to less than
206 1,000 animal units;

207 (2) Co-permitting for livestock operations; and

208 (3) Requiring AFOs with fewer than 1,000 animal units to develop
209 an environmental management system (EMS) as a condition to avoid
210 an NPDES permit.

211 We support:

212 (1) Use of voluntary best management practices be included in
213 CAFO nutrient management plans; and

214 (2) Development and use of alternative technology for livestock
215 feeding operations including vegetative treatment areas.

216 Manure that has been spread by tank truck, irrigation or spreader
217 at normal agronomic rates should not be considered point source
218 pollution under the provisions of the CWA. The accidental or
219 unintentional discharge of manure should not be considered point-
220 source pollution under the provisions of the CWA.

221 The number of animal units kept in confinement should not be the
222 sole determining factor in defining a concentrated animal feeding
223 operation. We recommend that regardless of size, any AFO that
224 creates no waste water discharge be exempt from classification as a
225 point source. We oppose mandatory NPDES permits on farms and
226 animal operations that do not discharge. We oppose any effort to
227 classify a dry litter AFO as subject to CAFO regulations.

228 Any mechanized system constructed or conveyance system used to
229 distribute water, and organic or inorganic compounds to agricultural
230 land be exempt from CWA designation as point-source or nonpoint
231 source of pollution.

232 We maintain that EPA must amend the regulations pertaining to
233 the designation of CAFOs under the case-by-case approach. We

234 believe that the current qualitative guidance is insufficient to assure
235 that EPA decisions regarding permitting will be fairly and evenly
236 applied and urge EPA to adopt more narrowly focused regulatory
237 criteria.

238 We support cost-share programs to offset the cost of building and
239 maintaining lagoons and other waste management systems when
240 farmers are required to build such systems by state and federal
241 regulations.

242 Livestock producers should not be held responsible for pollution
243 derived from animal nutrients after ownership of the manure has
244 been transferred to another party and removed from the producer's
245 control.

246 We support laws or regulations absolving farmers from liability
247 claims of environmental pollution when building, managing or
248 operating livestock facilities according to the federal CAFO rules.

249 We support allowing agriculture producers to use herbicides
250 according to label instructions for moss and plant control in canals
251 and ditches without having to obtain a permit.

252 *Ground Water/Drinking Water*

253 We support the use of maximum contaminant levels (MCLs) in
254 establishing drinking water standards for pesticides and urge that EPA
255 expedite the standard setting process. We further recommend that
256 any EPA action be based on statistically significant trends that will
257 serve as a warning that the MCL is being approached and that action
258 should be taken to prevent reaching the MCL.

259 We oppose the EPA arbitrarily lowering maximum arsenic levels
260 in rural water systems because a lower level will substantially increase
261 the costs to rural water users.

262 We recommend EPA work with appropriate federal and state
263 agencies and institutions to best determine environmentally
264 vulnerable areas when considering pesticide registration amendments
265 and use prohibitions.

266 We believe USDA should be the primary federal agency in the
267 development and implementation of any federal groundwater policy
268 or program affecting agriculture. Groundwater policy should be based
269 on adequate scientific research.

270 We support national legislation to ban Methyl Tertiary Butyl
271 Ether (MTBE) because of water quality concerns raised in scientific
272 studies.

273 We recommend that state governments be given primary authority
274 and responsibility to respond to agriculturally contaminated
275 groundwater with site specific recommendations to the producer to
276 mitigate contamination. Such a response should involve coordinating
277 all appropriate and necessary resources available to the state to make
278 the determination. The state agriculture departments, where possible,
279 should serve as a lead agency. We urge that regulations adopted to
280 prevent pesticide contamination take into account the geological
281 differences of our nation as well as regional agricultural practices,
282 thus allowing the most economical and practical method of
283 contamination prevention.

284 We support EPA and state government authority to require
285 chemical registrants to conduct groundwater monitoring programs in
286 support of their products and as a condition for registration or
287 reregistration. Monitoring must be tied to the development of
288 groundwater standards.

289 We recommend that emphasis be placed on the protection of
290 current and potential potable groundwater. Recognition should be
291 that all groundwater cannot be expected to be potable and should not
292 be subject to the same degree of protection.

293 In order to reduce damage to roadways and bridges, protect from
294 salt pollution, we support the replacement of salt as a deicer on
295 roads, bridges and highways with the alternative products calcium
296 magnesium acetate (CMA) and other agriculturally based products.

297 We encourage the inclusion of environmental concerns as well as
298 damage to road surfaces, bridges and vehicles as a part of overall cost
299 considerations when comparing salt to CMA as a deicing agent.

300 We support increased research by USDA, in the use of computer
301 modeling, to predict pesticide migration. Cooperative Extension
302 Service offices and Natural Resources Conservation Service (NRCS)
303 District offices should develop capability to assist agricultural
304 producers in making site specific use decisions.

305 We oppose legislation that would regulate the sale and use of
306 nitrogen fertilizers.

307 We recommend that liability for groundwater contamination
308 caused by pesticides be based on levels supported by competent,
309 scientific evidence that show actual harm to human health.

310 Lacking complete protection from liability of groundwater
311 contamination, we urge that the federal government underwrite
312 groundwater liability insurance much in the same manner that it
313 currently underwrites floodplain insurance.

314 We oppose the enactment of federal legislation that would place
315 either civil or criminal liability on farmers and ranchers for following
316 generally accepted agricultural practices, including label instructions.

317 We oppose linking farm program benefits with well testing and
318 groundwater contamination concerns.

319 We oppose state or federal legislation that would place a
320 presumption of liability upon farmers or ranchers for pollution of
321 public or private water supplies near agricultural operations.

322 We support re-evaluation of P.L. 83-566 (NRCS small watershed
323 program) and its emphasis on flood control projects and
324 consideration of its use in the water quality of watersheds and public
325 water supplies.

326 ***Perchlorate***

327 We support funding for research into the health risks and strategies
328 for mitigating risks associated with perchlorate in water and food.

329 We support using the best available science and appropriate risk
330 assessment for the establishment of health goals or regulatory
331 standards.

332 Landowners, producers or their lenders shall not be held liable for
333 the cost of perchlorate cleanups caused by actions over which the
334 producer, landowner or lender had no management oversight or
335 control of decision-making.

336 We oppose any legislation or administrative decision that releases
337 the federal government (i.e. the Department of Defense) and their
338 contractors and subcontractors from liability associated with
339 pollution of their land, crops or products by perchlorate.

340 ***Gulf of Mexico Program***

341 We support the right of states to develop a volunteer plan of
342 action to address the agricultural nonpoint source portion of the
343 EPA's Gulf of Mexico program. We believe the program's goals and

344 objectives can best be administered at the local level through soil and
345 water conservation organizations and farm groups.
346 Any policies made regarding the Gulf of Mexico hypoxia area must
347 be backed by sound scientific research and give proper consideration
348 to impacts on agriculture production.

Water Use

548

1 Water Planning

2 The use of water should be planned on a multiple purpose
3 watershed basis, including multipurpose small hydroelectric dam
4 projects when feasible. We favor interstate compacts as the most
5 desirable means of accomplishing this objective on interstate
6 streams. If federal-state river commissions are to be created for this
7 purpose, the states should designate a majority of the members and
8 each state representative should be a resident of the basin. All
9 projects fully within a member state should require approval by
10 appropriate authority within the state before final approval by the
11 commission.

12 Revenues from related projects should go into a "basin account" to
13 finance further development of the area, but uneconomic projects
14 should be avoided.

15 We recommend that the General Accounting Office be required to
16 audit all "benefit-cost" reports required by Congress as a condition
17 for approval of federal projects and all affected property owners
18 have an opportunity to submit appropriate data for consideration.

19 Future water planning and development, including high-rise dams
20 and water conservation programs, should take into account broad
21 geographic areas and needs, including equitable valuation of
22 intangible benefits in "benefit-cost" analyses.

23 Water Resource Development

24 We support federal funding of producer incentives for water
25 conservation, including construction, repair, and maintenance of
26 impoundments, farm ponds, streams, waterways and drought
27 mitigation measures.

28 Procedures should be developed at the state and federal levels to
29 encourage increased utilization of surface water for irrigation
30 purposes. Consideration should be given to encourage the
31 construction and usage of irrigation reservoir systems.

32 Water is one of our most vital resources. We support the
33 construction of water storage, funding of water conservation and
34 efficiency programs, the streamlining of permitting of storage
35 projects and state and federal cooperation in building multi-use water
36 systems anywhere feasible consistent with state water laws. We
37 oppose the abandonment of cost-effective water projects that have
38 been approved for years by Congress and previous administrations.

39 We recommend that when the federal government refuses to build
40 authorized state water projects, states should be entitled to the shares
41 of the revenue funds from power systems that were originally
42 intended to pay for authorized projects.

43 We support desalination of brackish, saline and seawater to
44 increase the supply of fresh water.

45 We should seek to ensure that water for agricultural or other
46 cultural practices continue to be available on a basis at least equal to
47 the historical use.

48 We urge that more realistic values for public benefits and
49 recreation be applied to water projects.

50 Public hearings in the vicinity of any proposed reservoir, dam or
51 other water storage project must be held prior to any land acquisition
52 or development of such project.

53 Federal participation in water development projects should be in
54 cooperation with individual, local and state interests.

55 Nonfederal projects should be compensated for the benefits that
56 are nonreimbursable in federal projects.

57 We support efforts to obtain funds to develop power generation
58 from geothermal resources and to encourage private industry to
59 develop and operate water and energy recovery facilities. We also
60 support reasonable conservation practices that would enhance the
61 quality and quantity of our water resources.

62 We recommend appropriate agencies cooperate in keeping rivers
63 and reservoirs at levels that will not cause serious seep water damage.
64 Landowners should not be required to bear the added cost of seepage
65 where it occurs from higher levels. We support the continuation of
66 federal agency efforts to make the stream channel improvements
67 essential to critical water conservation in the arid Southwest.

68 We recommend the federal government provide for control of
69 erosion problems created by dams and locks.

70 The U.S. Army Corps of Engineers (Corps) should assume
71 responsibility for protection of affected farmland on all flood
72 control and navigation projects and for major capital items to repair
73 levees and associated systems on major rivers.

74 We urge those in supervisory positions of the U.S. Bureau of
75 Reclamation (BOR) and the Corps require field personnel to treat all
76 property owners fairly in the acquisition of property and make
77 settlements promptly for the property acquired and the severance
78 damages incurred.

79 ***Man-Made Lakes and Reservoirs***

80 We oppose any plan to drain or change the designation or scope of
81 man-made lakes or reservoirs that provide much needed electricity,
82 irrigation, navigation and municipal water. We oppose releases of
83 water that are not in accord with agricultural water demands,
84 hydroelectric power generation and/or flood control criteria.

85 ***Water Rights***

86 The right to use water is a property right that should not be taken
87 from an owner without due process of law and just compensation. We
88 support the present system of appropriation of water rights through
89 state law and oppose any federal domination or pre-emption of state
90 water law or resource distribution formulas.

91 We support voluntary conservation of water use by updating
92 irrigation systems. Increases in irrigated acres (water spread acres)
93 due to redesigning or remodeling irrigation systems or development
94 of areas within a recorded water right, should not be excluded from
95 irrigation.

96 We urge Congress to pass laws to correct the injustice of breaking
97 legal agreements and decrees made to farmers, such as water rights in
98 the name of protected endangered species and other resources.

99 We believe that privately held consumptive water rights should
100 take precedence over low instream flows. We are opposed to any use
101 of the Public Trust Doctrine as a legal basis for deciding water rights
102 issues.

103 We, in cooperation with other groups, should continue efforts to
104 obtain adequate state laws on the acquisition, protection and
105 administration of rights to use water.

106 We believe the U.S. government has discriminated against the
107 non-Indian farmer by continually funding the efforts of other parties
108 to encroach on basic rights to use water. We believe equal funding
109 should be provided to defend water rights against parties funded by
110 the government.

111 We further recommend legislation to:

112 (1) Compensate any landowner whose water rights, established
113 prior to the 1963 California-Arizona decision, suffered damage;

114 (2) Require all federal agencies or commissions to comply with
115 applicable state laws and prohibit the requirement of permits on
116 existing ditches on federal lands;

117 (3) Provide just compensation if a federal project adversely affects
118 a private right established under state law;

119 (4) Provide that the federal government can be enjoined in court
120 suits pertaining to the adjudication of water;

121 (5) Make federal administrative decisions subject to review by the
122 courts;

123 (6) Provide just compensation to individuals for water taken by the
124 state and federal governments through eminent domain;

125 (7) Prohibit the BOR, or any other local, state or federal,
126 governmental agency or Nongovernmental Organizations from
127 securing water rights for fish and wildlife projects, or transportation
128 by the eminent domain process;

129 (8) Prevent water contracts from being unilaterally altered prior to
130 their expiration;

131 (9) Elimination of the acreage limitation set by the U.S.
132 government for irrigation projects;

133 (10) Provide a reasonable period of negotiations for the contract
134 renewal process; and

135 (11) Provide just compensation to individuals for the loss of water
136 rights and productive private lands to state and federal governments
137 under provisions of the Endangered Species Act (ESA).

138 Congress should develop a system for reparations, in consideration
139 of past errors or omissions that relate to waters being given to the
140 states, to individuals, state governments and to other parties.

141 Water should not be considered an article in commerce, and
142 Congress should exempt water from any interstate commerce
143 regulations or laws. Congress should act to affirm each state's
144 dominion over the waters within its boundaries.

145 We support resolving Indian water claims through negotiated water
146 settlements. Indian water settlements should have the participation
147 of all parties with interests in the affected water. In case of potential
148 conflicting claims, a state's surface water general adjudication process
149 should be allowed to settle those conflicts.

150 Claims should not be settled with groundwater, and any surface
151 water should be acquired from willing sellers with the federal
152 government bearing all costs. The settlements shall consider historic
153 water-use decrees. The settlements must contain language to protect
154 the water rights of the communities affected. The federal
155 government should bear all the monetary costs of both parties of any
156 settlement and/or litigation.

157 A study should be requested by local government before the

158 Environmental Protection Agency (EPA) instigates action on sole
159 source aquifers.
160 We cannot accept any instream-flow legislation unless it is based
161 strictly on additional upstream storage.
162 **Water Diversion**
163 We favor a state being allowed to divert from rivers and streams
164 that amount of water said state is entitled to pursuant to rights,
165 compacts or decrees. We favor multistate compacts to provide for
166 the use of water between states.
167 We oppose any move to break the Colorado River Compact or
168 any other river compact.
169 We oppose the diversion or sale of water from the Great Lakes
170 Basin.
171 We support international surface water transfer programs that
172 would ensure the interests of American agriculture.
173 **Recreational In-Channel Diversions**
174 We oppose recreational in-channel diversions if they:
175 (1) Do not promote multiple uses of water;
176 (2) Are used as growth and development controls which lowers
177 property values in non-growth areas;
178 (3) Restrict flood control projects and promote stream bank
179 erosion by excessive amounts of water flowing for longer periods of
180 time; and
181 (4) Erode the value of water for water rights owners by restricting
182 where and how much of their water can be diverted from streams.
183 If such a diversion is going to be granted, it should be limited to:
184 (1) The minimum amount needed for a limited amount of time for
185 the specific purpose for which the application is being made; and
186 (2) Only the amount of water under control of the applicant and
187 limited to the place where control structures exist.
188 If recreational in-channel diversion or instream flows are granted,
189 they should not supercede agricultural, municipal, or industrial use.
190 **Watershed Programs**
191 The potentially detrimental effect of any high rise dam on the
192 local community and county must be considered when such a dam is
193 proposed by the Corps.
194 Any program to minimize flood damage must include both
195 upstream flood prevention treatment and downstream protective
196 measures.
197 We support the Watershed Protection and Flood Prevention Act,
198 as amended. Federal funds for small watershed planning should be
199 maintained at feasible levels. We recommend the approval and
200 processing of small watershed work plans at the federal level as
201 expeditiously as possible.
202 We should support state participation in the watershed program to
203 make it more effectively serve the interests of farmers and ranchers.
204 We support provisions of the act designed to further local
205 responsibility and control with state participation.
206 We favor positive action by the secretary of agriculture to review
207 criteria now used for economic evaluation in determining the
208 feasibility of small watershed structures. More attention should be
209 given to the intangible, long-term effects, such as the advantage of
210 building structures of sufficient strength to take care of likely future
211 agricultural water needs. We support reasonable state participation in
212 funding watershed protection and flood control.

213 Stream channel improvement, an appropriate part of many
214 watershed programs, must not be stopped by unrealistic demands by
215 recreation, fish and wildlife interests.

216 We urge that sponsors of watershed projects be diligent in
217 promoting full understanding, within the project area, of all physical,
218 technical and financial aspects of the proposed project.

219 We oppose federal regulation or control of runoff water into
220 nonnavigable streams.

221 We recommend that federal funds be appropriated under the P.L.
222 83-566 program to fund one-half the cost of providing water for any
223 requirements for low-flow augmentation in small watershed
224 impoundment structures.

225 We support federal funding for upgrading and maintaining existing
226 pilot and PL566 structures.

227 We support reducing matching fund levels, and allowing for in-kind
228 contributions from local entities, to maintain state and federal dams.

229 Water project authorizations no longer needed because of the
230 development of watershed programs should be rescinded.

231 In Natural Valley Storage Projects developed by the Corps, the
232 language used in flowage easements should be modified to clearly
233 provide for farming and the construction of agriculturally required
234 facilities within the easement area.

235 ***Reserved Water Doctrine***

236 The importance of the present and future water yield from public
237 lands to the economy of all states is clear.

238 Legislation is needed to dispel uncertainty that the implied
239 reservation doctrine produced. This legislation should require federal
240 agencies to:

241 (1) Comply with state laws relating to the use of water and to
242 respect private rights to use water established under state law;

243 (2) Provide that water flowing from reserved lands and other
244 federal lands shall be subject to state authority; and

245 (3) File with the appropriate state agency their present use of
246 water in the state and provide access to the courts for landowners to
247 determine if federal claims are reasonable.

248 We believe that because of the demands of the federal government
249 on water rights in wilderness areas, reserved water rights on federal
250 lands should not exist except through filing with the state for a right
251 just as every other appropriator is required to do.

252 ***Reclamation Projects***

253 Supplemental water supplies are needed to stabilize agriculture in
254 many areas. Where ample water supplies are available, we believe
255 that farmers should be allowed to irrigate land already in production
256 out of the present and future federal projects.

257 The technology of modern agriculture has made limitations on
258 amounts of water made available through federal projects both
259 impractical and uneconomical.

260 We urge enabling legislation authorizing navigation projects that
261 include the use of water for agricultural irrigation and other purposes.

262 Users of water from new developments should pay their fair share
263 of the development cost of the facilities that make the water
264 available. Appropriate values should be placed on flood control,
265 conservation, power, recreational and environmental benefits.
266 Infrastructure costs and repayment should reflect share of benefits
267 received.

268 Before a reclamation project is constructed, provisions should be
269 made, wherever feasible, for an irrigation district, or other
270 instrumentality to assume repayment and administrative
271 responsibility for all or portions of the project. Project plans should
272 include provision for drainage facilities.

273 Where satisfactory arrangements can be worked out, we support
274 the transfer of ownership and administrative responsibility for
275 reclamation and other projects from the federal government to a
276 local, state or interstate agency upon its assumption of repayment
277 obligations. The cost of assuring safety for federal dams should be
278 borne by the federal government.

279 The BOR was brought into existence by the 1902 Reclamation Act
280 for the purpose of developing and managing western water resources
281 for agriculture and other productive purposes. As the BOR is no
282 longer a viable entity for development and/or management of
283 western water resources, we urge legislation to eliminate the Bureau
284 and transfer custody of western water and power projects to the
285 appropriate project users and water master responsibilities to the
286 states. We oppose the change of focus of the BOR from
287 development of water resources to regulation enforcement and
288 recreation enhancement. Hydroelectric dams should be used to their
289 full potential to produce power rather than limiting their use to
290 regulate the downstream flow for environmental or recreational
291 purposes.

292 We oppose the renaming of water storage projects by the BOR and
293 Corps with the intent to weaken the importance of "lakes" behind
294 federally-regulated dams by calling them "reservoirs" and therefore
295 opening the way to completely drain the lakes. To protect economic
296 viability, we are opposed to the destruction of federally regulated
297 dams for purported environmental reasons.

298 Future contracts should be of sufficient duration to allow farmers
299 to secure long-term capital or financing. Any percentage reduction in
300 water supply must be accompanied by a commensurate reduction in
301 capital repayment obligations on present or future contracts.

302 We support a plan that would allow water districts that receive
303 their water through the BOR to "bank" their unused water.

304 ***Underground Water***

305 There is a trend toward government claim of ownership, regulation
306 and reallocation of underground water. We oppose federal
307 intervention and controls in underground water matters.
308 State laws should strive for the protection, development and
309 administration of groundwater that will protect the rights of
310 overlying landowners.

311 The federal government should prohibit nuclear waste repositories
312 that endanger underground water aquifers.

313 Underground water in the form of hot water and steam should not
314 be taken from overlying owners by classifying water as a mineral.

315 We recommend continuing research on groundwater recharge and
316 on making more efficient use of our water resources. Such research
317 should be designed to develop a conservation program with emphasis
318 on individual, local and state participation.

319 All reasonable management efforts should be made to prevent
320 contaminants from entering the groundwater.

321 ***Interstate Groundwater Withdrawal and Transfer***

322 Subject to state water law, artificial withdrawal or transport of

323 groundwater from one state to another should be subject to the veto
324 of the state whose groundwater is diminished. No groundwater
325 project should be allowed if it affects another state's water unless up-
326 to-date empirical studies, not just a review of past information,
327 clearly show that water can be withdrawn and exported without
328 adverse effects on said state's agriculture and sovereign lands.

329 ***Coal Slurry Pipelines***

330 Federal legislation dealing with coal slurry pipelines should:

331 (1) Respect state water laws and protect such laws from threats of
332 nationalization under the Interstate Commerce Clause of the U.S.
333 Constitution;

334 (2) Respect state laws concerning property rights and eminent
335 domain procedures;

336 (3) Require payments to owners for damages to their property; and

337 (4) Provide that a state that has a water compact with another
338 state shall receive credit for the amount of water that is transported
339 to the other state in a coal slurry pipeline and ensure:

340 (a) that the use and appropriation of water for all interstate coal
341 slurry pipelines, not just those that use the right of federal
342 eminent domain, be made pursuant to the law of the state where
343 the diversion takes place;

344 (b) that if a state denies a water permit or exercises conditions
345 on such a permit or authorization, up to and including
346 termination, this exercise will not be prohibited as an
347 unreasonable burden on interstate commerce;

348 (c) that federal reserved water can only be used in a coal slurry
349 pipeline if state law is fully complied with; and

350 (d) that nothing in the law shall alter in any way any provision
351 of state law or interstate compact.

352 We oppose legislation that grants the right of federal eminent
353 domain to any additional entity except in crossing property
354 controlled by another carrier that already has federal eminent
355 domain authority.

356 ***International Water Agreements***

357 The United States should seek reasonable agreements and cost
358 participation with Mexico and Canada on mutual water management
359 and quality concerns.

360 We support the efforts of Texas and the United States government
361 in upholding and enforcing the 1944 water treaty between the U.S.
362 and Mexico. We support efforts to ensure that water delivery to the
363 Rio Grande River and allocations are strictly honored by the U.S. and
364 Mexico as stipulated by the 1944 treaty. We support federal and
365 state programs designed to alleviate hardships to Texas agribusiness
366 as a result of Mexico's treaty non-compliance, including actual
367 production history crop insurance. We support financing of
368 improvements to water delivery systems along the Rio Grande River.

369 We oppose any efforts to amend reclamation laws that would
370 negatively affect the priority of water allocation for agricultural use.

371 ***Rural Water Systems***

372 We support the concept of rural water systems organized and
373 operated in accordance with accepted principles and practices.

374 We believe that these associations are vital if we are to maintain a
375 clean and safe water supply for our rural population. We support
376 steps by the Environmental Protection Agency (EPA) in
377 cooperation with our state agencies to safeguard water quality, while

378 at the same time, encourage EPA not to initiate costly and
379 unnecessary regulations, which could only drive up the cost of rural
380 water.

381 We support funding the allocated grant monies for rural water and
382 sewer through the rural development program of USDA.

Waterways

549

1 Public policy should encourage expansion of inland water
2 transportation since it represents the most energy-efficient mode.

3 Such public policy should include encouragement of a high degree
4 of cooperation among all modes of transportation to provide the
5 adaptability of equipment that will allow rapid and inexpensive
6 exchange from one mode to the other. This must also include
7 encouragement of multimodal rates and elimination of any
8 discriminatory rate-making.

9 We oppose any plans by the U.S. Army Corps of Engineers
10 (Corps) or any federal or state agencies that would alter the flow
11 levels of the Missouri or any river and would adversely affect
12 domestic water supplies, drainage, irrigation and transportation, that
13 would cause traffic bottlenecks on the Missouri or any navigable river
14 and take private property without compensation.

15 We strongly oppose the dumping or designed erosion of soil into
16 waterways.

17 We support a mutually acceptable revision to the Missouri River
18 Master Water Control Manual that protects against proposals that
19 would regulate the river's flow to the detriment of waterway
20 navigation and/or its flood control system.

21 We support requiring government agencies to send notification
22 about new streambank initiatives to landowners whose property is
23 adjacent to and may be impacted by those initiatives.

24 We believe the Corps or any federal or state agencies should pursue
25 alternative means to address endangered species concerns such as
26 establishment of voluntary critical habitats and land acquisition from
27 willing sellers.

28 To ensure year-round and timely shipping on the lower Columbia
29 River from the port of Portland to the Pacific Ocean, we support
30 and request additional dredging to deepen the existing channel to a
31 depth of 45 feet. This would allow the new Panamax class of ships to
32 call on all ports on the lower Columbia.

33 We urge a Midwestern, multistate effort to review results of
34 existing river and related studies and identify impacts of associated
35 state and federal regulations. Based on that review, we will support a
36 comprehensive plan for the Upper Mississippi River and its navigable
37 tributaries that serves agriculture, industry, transportation,
38 recreation, and the environment developed by the Corps using the
39 risk-informed decision framework in the analysis of the benefit cost
40 ratio.

41 We support education to the general public in regards to the
42 economic importance of the Mississippi River and other waterways
43 used in transporting agricultural commodities and farm inputs.

44 We support the reauthorization of the Inland Waterway Trust
45 Fund.

46 We support the Corps' efforts in updating locks and dams and
47 cleaning of channels in the Mississippi River system to accommodate

48 new, larger barges. We support user fees and fuel taxes received from
49 barge operators on the Mississippi River being used only for repair,
50 upkeep and improvements to the Mississippi lock and dam system.

51 We support efforts to increase the operation and maintenance
52 budget to maintain navigation, recreation and flood control.

53 We support lengthening to 1200 feet the locks on the Mississippi
54 River at least below Keokuk and below Peoria on the Illinois River.

55 We will promote efforts to remove silt from rivers and to allow
56 the use of that material behind the levee for strengthening the levee
57 system.

58 We will support efforts to change state and federal regulations so
59 that drainage and levee districts may restore a levee to its highest
60 approved flood frequency design and/or profile without being limited
61 by water level mitigation requirements.

62 We will encourage the Mississippi River Commission to use its
63 authority to promote improvements to navigation, economic
64 development, flood control, recreation, and environment within the
65 upper and lower Mississippi River basin.

66 We will encourage members of Congress to become actively
67 involved in the Mississippi River Congressional Caucus.

68 We seek legislation to permit utilization of water from river
69 navigation projects for agricultural purposes.

70 We support efforts to secure federal and state funds for major
71 capital items to repair levees and associated systems on major rivers.
72 Money appropriated for projects should be used by that project.
73 Routine maintenance and capital items should continue to be the
74 responsibility of the local districts.

75 Well-maintained levees are essential not only because they allow
76 some of our most productive land to be utilized in farm production,
77 but also to prevent the ravages of flooding from destroying roads,
78 bridges, railroads, homes and businesses. When levees are destroyed
79 by extraordinary rainfall, it can cause severe economic hardship to
80 farmers, rural businesses and entire rural communities.

81 We believe federal and state government agencies should be
82 committed to assisting with the timely repair and maintenance of
83 levees on the main rivers and their tributaries.

84 We recommend the following actions to ease the flood burden:

85 (1) Nonfederal, nonqualifying levees should be allowed the
86 opportunity to enter into the Corps' cost-share program;

87 (2) Adequate funds should be made available to the Corps and
88 Natural Resources Conservation Service to assist in the repair of
89 levees on the main rivers and their tributaries;

90 (3) Wetlands, endangered species and other environmental
91 restrictions should be modified to allow a common sense approach to
92 the removal of trees and brush, the use of river dredges and location
93 of borrow areas to repair damaged levees;

94 (4) Adequate funds should be provided to assist in sand and debris
95 removal and to provide voluntary nonlevee alternatives such as
96 emergency wetlands reserve programs;

97 (5) The federal government and the Corps should repair, maintain
98 and upgrade the upper levee systems to the same standards as the
99 lower Mississippi flood control district to guarantee the continuation
100 of commerce on the navigable waters of rivers affected by flood
101 damage and the continued protection of personal property by the
102 levee system;

103 (6) The cleaning of all floodways by the International Boundary
104 and Water Commission, to include those inside the wildlife corridor,
105 to permit maximum movement of flood water in the Rio Grande
106 Valley of Texas, Colorado and New Mexico; and
107 (7) Landowners should be compensated for all lost property value
108 if damaged levees along any navigable waterway under the
109 jurisdiction of the Corps are not repaired.
110 Landowners should have the opportunity to bid their land into the
111 Emergency Wetlands Reserve Program or use private funds to repair
112 their levees.
113 We are concerned about the Corps' proposal to release large
114 amounts of water from the Gavins Point Dam.
115 If the federal government's river management results in flooding,
116 the Corps should be financially responsible for damages resulting
117 from Corps managed projects.
118 Tennessee Valley Authority (TVA) should return to its original
119 goals of flood control, electric production and navigation. TVA
120 should give its highest priority to agricultural operations within a
121 floodplain when establishing water level fluctuation plans.

Wetlands

550

1 We believe wetland protection programs should emphasize
2 economic incentives. We support cooperative efforts on wetland and
3 related lands issues and will work with water, wildlife and other
4 agricultural groups to achieve acceptable solutions and mutual
5 benefits. All efforts and programs must rely upon voluntary and
6 willing participants.
7 We oppose a national goal of no-net-loss of wetlands.
8 We support:
9 (1) Farmer and rancher representation on any appointed wetland
10 study commission;
11 (2) A workable nationwide permit program that does not restrict
12 or burden agricultural operations and practices;
13 (3) A general or nationwide permit for the construction of
14 agricultural, forestry and wildlife ponds in non-tidal wetlands;
15 (4) All future easements being limited to no more than 50 years
16 and contain frontloaded buy-out options if so desired by the
17 landowner; and
18 (5) Requiring mosquito abatement and management plans on
19 government owned lands used for wetlands or riparian areas.

Definition

20 Wetlands should be defined as a naturally occurring area of
21 predominantly hydric soils that presently support hydrophytic
22 vegetation because of existing wetland hydrology. Supporting
23 definitions should be:
24 definitions should be:
25 (1) A hydric soil is a soil that in its natural state is saturated,
26 flooded or ponded long enough during the active growing season to
27 have predominant anaerobic conditions at the surface;
28 (2) Hydrophytic vegetation means a predominance of obligate
29 wetland plants and facultative wetland plants; and
30 (3) Predominance is defined as at least 66.67 percent of the land
31 having those characteristics.

Regulation

32 All wetlands are not equal in value. Wetlands need to be classified
33

34 as to their importance. Those lands that have little or no significant
35 environmental value should not have the same restrictions for
36 development activities as true wetlands.

37 Isolated wetlands (vernal pools, etc.) not connected to navigable
38 waterways should not be subject to regulation under the Clean Water
39 Act (CWA).

40 Landowners should be allowed to use scientific data provided by
41 independent consultants and/or a governmental agency to prove that
42 their land should not be designated a wetland.

43 Non-tidal wetland regulations should focus on protecting true
44 marshes, bogs and swamps. Prior-converted lands and wetlands
45 created incidentally by wildlife or any man-made structures, facilities,
46 irrigation or drainage activities and the production of
47 wetland-dependent commodities should not be subject to regulation.
48 Land with a cropping history of six out of 10 years should be exempt
49 from wetland regulation. We support farmers with farmed wetlands,
50 with ditches or tile running through them, having the option to
51 improve their drainage.

52 We will oppose the delineation of these areas as linear wetlands:

53 (1) Man-made drainage ditches;

54 (2) Fence lines; and

55 (3) Either existing waterways or land previously used for natural
56 drainage.

57 We recommend the enactment of legislation to address the
58 following wetland concerns that include but are not limited to the
59 following:

60 (1) All prior-converted cropland and farmed wetlands should be
61 excluded permanently from jurisdiction;

62 (2) Wetlands determinations and delineations should be made on
63 site whenever requested by the landowners;

64 (3) Abandonment when an error has been made in the original
65 determination of a wetland because of a lack of knowledge based on
66 the scope and ability of the existing drainage system;

67 (4) Sunsetting of wetlands determinations and delineations should
68 be discontinued and reclassification should only occur at the
69 landowner's request;

70 (5) The growing season for wetlands by definition should not be
71 lengthened. A new definition of growing season for wetlands should
72 be adopted for arid states. Currently, the growing season in many
73 states is the entire year; and

74 (6) County conservation districts should be the sole agencies to
75 regulate the building of ponds.

76 We recommend that a public comment period be provided when
77 any changes are proposed in the guidelines and definitions for
78 delineating wetlands.

79 We support a mapping program—as a prerequisite to
80 regulation—which accurately identifies land which has a
81 predominance of hydric soils, hydrophytic vegetation and standing
82 water; has been subject to the review of locally affected landowners
83 and operators; and has a standard interpretation from the state
84 Natural Resources Conservation (NRCS) office that insures equality
85 across county lines.

86 The definition of cropland for wetland determinations and
87 delineations should include permanent pasture and hay fields. They
88 should not have to be in rotation.

89 **Legislation**

90 We are specifically opposed to inclusion of the term wetlands in
91 the definition of Navigable Waters of the United States, and we
92 further oppose giving the Environmental Protection Agency (EPA)
93 final authority in matters of wetlands determination.

94 We recommend amendments to federal wetland legislation to
95 narrow the currently broad scope of wetlands protected.

96 We support keeping private farm ponds from coming under federal
97 regulation under the CWA.

98 We recommend that the scope of wetlands regulation be limited to
99 wetland areas that are 10 or more acres in size.

100 We urge Congress to review the scope and intent of wetlands
101 protection programs and their impact on normal farming and
102 ranching practices.

103 We believe all land farmed and/or where conversion was
104 commenced prior to December 23, 1985 should be considered
105 prior-converted and exempted from further regulation. No agency
106 should recapture these lands as wetlands if they are fallowed for a
107 period of five or more years.

108 We urge more local control for wetland identification and
109 management. We oppose NRCS personnel having to report, for
110 prosecution, any potential violation of wetland regulations on
111 agricultural land. Landowners should not be required to accept
112 off-site delineations by any government agency. We believe the
113 burden of proof that a wetland exists rest with the government
114 agency making the determination.

115 Continuation of the normal farming and silviculture exemption in
116 Section 404 of the CWA should be a condition for state assumption
117 of 404 enforcement responsibilities.

118 We recommend exemption from the regulations affecting drainage
119 for normal repair and maintenance of agricultural waterways,
120 drainage structures and tile lines and protection of private land
121 against erosion.

122 A general permit should be developed under Section 404 for
123 agricultural land-clearing activities.

124 For those instances when agreement cannot be reached on the
125 Section 404 permit requirements, an appeals process should be
126 established to expedite a solution.

127 We support legislation to remove normal farming operations,
128 including aquaculture activities on prior-converted and farmed
129 wetlands, from the jurisdiction of the regulations based on Section
130 404 of the CWA. A realistic definition of normal farming operations
131 and wetlands should be established for use in administering the
132 provisions of this act.

133 We urge federal legislation that would exempt agricultural
134 irrigation reservoir construction, on privately owned wetlands, from
135 wetlands regulation and mitigation, provided it would reduce demand
136 on, and preserve and protect the quantity, and quality of underground
137 water supplies.

138 The wetlands of the Prairie Pothole region of the country should
139 be regulated on an equal basis with all other wetlands. All regions of
140 the country should use the same wetland hydrology criteria.

141 **Property Rights and Compensation**

142 We encourage the adoption of a satisfactory delineation of
143 wetlands which identifies both values and functions and which also

144 recognizes private property rights. All information gathered in a
145 producer's wetland determination and delineation should be kept
146 confidential and not subject to the Freedom of Information Act.

147 We support the identification, protection and enhancement of
148 quality wetlands and encourage voluntary efforts to achieve wetlands
149 restoration if private property rights are protected and economic
150 growth is enhanced.

151 Federal policy should require that the owners and operators of land
152 being considered for wetland designation be notified and consulted
153 with before any classification determination.

154 Federal jurisdictional control should not be imposed on farmers
155 without just compensation for loss of productive development or sale
156 potential, as provided in the Fifth Amendment to the U.S.
157 Constitution. Compensation for the lost use of privately owned land
158 due to wetlands delineation is a top priority.

159 Compensation to landowners for reduction in property values
160 should be itemized and taken from the budget of the respective
161 federal agency.

162 A system of checks and balances needs to be established to ensure
163 reasonable and consistent interpretations of the laws concerning
164 wetlands. Establish a timely and inexpensive appeals process for
165 landowners to appeal wetlands delineations and permit denials. The
166 appeals process should also allow for judicial review.

167 To protect private property rights, government agencies'
168 authority in designating wetlands and requiring mitigation for altered
169 wetlands should be sharply curtailed. The denial of a wetland
170 dredge-and-fill permit constitutes a taking of property for which just
171 compensation to the landowner shall be provided.

172 No mitigation should be required for the construction of artificial
173 wetlands or water impoundments.

174 ***Mitigation and Easements***

175 Fish and Wildlife Service (FWS) should reduce the purchase of
176 wetlands and should be prohibited from purchasing drained farmland.
177 FWS should be required to pay for future irrigation and drainage
178 district assessments if it acquires land within such districts. Any land
179 acquired by the FWS and converted to a wetland within these districts
180 should not interfere with their normal operations.

181 If mitigation is required, no more than one acre should be required
182 to be mitigated per acre converted. Landowners should be given the
183 opportunity to mitigate wetland conversions on the basis of the
184 functional value of the wetlands converted if such mitigation is more
185 practical or economical than acre-for-acre mitigation.

186 We oppose the transfer of any interest in property by the Farm
187 Service Agency to FWS or any other agency.

188 We favor the concept of a voluntary wetland banking program
189 with priority being given to lands currently enrolled in the Wetland
190 Reserve Program, rather than removing additional farmland from
191 production.

192 We support education programs which seek to inform landowners
193 of the benefits of wetlands and to urge voluntary conservation of
194 wetland areas.

Wild and Scenic Rivers

551

1 We are opposed to proposals which would prevent the economic

2 development of a stretch of river which has potential resource value;
3 necessitate the taking of scenic easements or fee title to privately
4 owned land by eminent domain; or unnecessarily involve federal
5 responsibility for a river which is being adequately managed by a
6 state. We oppose adding more rivers and adjoining land to the
7 National Wild and Scenic Rivers System and urge re-evaluation of all
8 existing wild and scenic rivers. We believe that land acquired by the
9 federal government to preserve scenic riverways should be returned
10 to the original owners.

11 Wild and scenic river advisory committees should be organized in
12 each scenic river area, and a majority of the committee should be
13 made up of local adjoining landowners. Such a committee should be
14 sought for advice in management of the river.

15 Any land designated for wild rivers should be subject to local zoning
16 ordinances.

17 Before a river is designated as a wild or scenic river, a
18 comprehensive study, as mandated by law, should be completed on
19 the exact segment of river that has been proposed.

20 Effective control of noxious or invasive alien species in
21 compliance with state and county laws must be a part of every plan
22 for management of wild and scenic rivers. No legal weed control
23 practice may be excluded for such environmental protection.

WILDLIFE / ENDANGERED SPECIES

Endangered and Threatened Species

565

1 The U.S. Fish and Wildlife Service (FWS) should not designate
2 endangered species if the state already has a program in place to
3 protect that species.

4 The keystone of good environmental stewardship lies in a healthy
5 resource base. Endangered and threatened species, as well as all plant
6 and animal life forms, depend on the intricate balance of stable
7 ecologic, economic, and social functions of the immediate local
8 community.

9 The Endangered Species Act (ESA) should not be reauthorized in
10 its current form. The current federal ESA must be amended and
11 updated to accommodate the needs of both endangered and
12 threatened species and humans with complete respect for private
13 property rights within the framework of the United States
14 Constitution. The ESA should not disrupt historical uses of the land
15 and it should respect a county's land use plan.

16 We favor amending the ESA so as to eliminate eligibility of any
17 species to be declared at risk or endangered on private land where the
18 population of the species has been controlled by any governmental
19 agency.

20 We support civil and criminal penalties for the unauthorized
21 introduction of threatened, endangered or other species of interest to
22 thwart farming, development or recreational land uses with
23 purposeful and harmful intent.

24 We believe that modern society cannot continue to operate on the
25 basis that all species must be preserved at any cost. All state and
26 federal actions designed to protect alleged threatened and/or assumed
27 endangered and threatened species pursuant to the ESA must

28 demonstrate that the benefits to humans exceeds the cost to humans.
29 A single agency should be authorized with implementing and
30 enforcing the various provisions and regulations of ESA. Before the
31 ESA may be used as a basis for an injunction that would adversely
32 affect private property interests or activities, the party seeking the
33 injunction must post a bond with the court equal to three times the
34 damages that may result from the issuance of such injunction.

35 Hatchery fish and wild fish of the same species should be treated
36 the same under the ESA. Hatchery fish should be counted toward
37 recovery of the species. We support eliminating the marking of
38 hatchery fish.

39 We support the regional actions to support sustainable fish stocks.
40 Recovery plans must have verifiable, biological, scientific and
41 economic principles. Management practices initiated in agricultural
42 irrigation to protect fish habitat should be included in all planning.

43 We support ditching and dredging be allowed when fish of
44 economic importance or listed under the ESA are not present.
45 Cost-effectiveness in implementation is essential to obtain
46 long-range positive results. Local input to any plan is essential.

47 We believe that endangered and threatened species protection can
48 be more effectively achieved by providing incentives to private
49 landowners and public land users rather than by imposing land use
50 restrictions and penalties. Conservation agreements should be
51 considered in lieu of listings provided they are consistent with the
52 following policy on Habitat Conservation Plans (HCPs). We support
53 research and development of commercial propagation and
54 dissemination of nonpredatory, innocuous endangered and threatened
55 species, pursuant to delisting such species.

56 HCPs should be voluntary, incentive-based measures. Private
57 property must not be included in an HCP reserve area without the
58 written permission of the affected landowners. Biological surveys
59 should not be conducted on private lands without written permission
60 from the landowner.

61 We oppose authorization of funds to conduct a national biological
62 survey.

63 HCP preserves should be self-contained with no exterior buffers
64 and indemnification provisions for adjacent landowners if listed
65 species migrate onto their properties.

66 Government agencies should meet strict deadlines in the
67 development of recovery plans, HCPs and the designation of critical
68 habitat. Throughout this process, affected farmers and ranchers
69 should be consulted. If additional species are listed or an HCP fails,
70 the participants should not be subject to additional requirements.

71 When government lands are used for HCP purposes, the goals of
72 the HCP should be consistent with traditional multiple use activities.

73 The development and implementation of HCPs must not interfere
74 with the protection of private property, public health or safety.

75 When a landowner is operating under an HCP or otherwise
76 provides habitat for threatened or endangered species, the landowner
77 should have assurance that they will not be found in violation of the
78 ESA or other federal environmental laws.

79 An economic impact study should be made and its results
80 considered before declaring a species endangered or threatened. If
81 owners' use of private property is adversely affected by the
82 implementation of any provision of the ESA, those owners should be

83 compensated for the loss of the use of their property.
84 We recommend the development and implementation of
85 exemptions or waivers to ESA requirements for privately owned or
86 leased agricultural land.
87 We recommend the development and implementation of
88 exemptions or waivers to ESA requirements for development of
89 critical water supply resources.
90 The ESA should be amended to include language that will prohibit
91 the protection of hybrid species.
92 Endangered and threatened species protection should be pursued
93 through a voluntary program administered by the Department of
94 Interior. Under the program, the Interior Department would enter
95 into contracts with private landowners and operators, to maximize
96 and enhance habitat quality for duration of a contract period. The
97 secretary would provide technical assistance and administration
98 through the FWS and annual payments, to owners and/or operators
99 for protection and management of habitat. Contracts should run five
100 years, provided continuing need exists.
101 We oppose efforts to use the ESA as a means to implement
102 climate change policies.
103 We oppose the listing of additional endangered and threatened
104 species or the designation of additional critical habitat until the ESA
105 is amended to provide that:
106 (1) Listing a species as endangered or threatened shall be upon that
107 basis alone and not on the basis of rarity;
108 (2) The law should not encroach upon economic, agricultural,
109 aquacultural or silvicultural practices, and assure that private
110 property rights are protected;
111 (3) Proof of a species being endangered or threatened shall be on
112 the petitioner or the Department of the Interior and not on the
113 general public;
114 (4) Scientific data be peer-reviewed by independent scientific
115 panels;
116 (5) A person proposing an animal or plant be designated as an
117 endangered and threatened species be required to post a bond for
118 damages incurred if the species are subsequently not found to be
119 endangered or threatened;
120 (6) The federal government is strictly liable for any and all injuries
121 or damages to persons or property caused by or in any way arising
122 out of the relocation or re-establishment of endangered and
123 threatened species, especially carnivora such as wolves and bears;
124 (7) Scientific data supporting the inclusion of a species shall
125 receive wide dissemination to landowners and private organizations
126 representing the rights of these landowners;
127 (8) The grizzly bear and wolf be removed from the Federal
128 Endangered Species list and that management of the grizzly bear and
129 wolf be under the supervision of the state where they exist. We
130 support allowing livestock owners and herders responsible for
131 livestock to control wolves and other predators on land occupied by
132 livestock;
133 (9) Human need for food, fiber, shelter and energy shall have
134 priority over the protection of endangered and threatened species;
135 (10) Endangered and threatened species shall be taken or removed
136 from private lands if causing damage to private property or if
137 payment of compensation by the federal government is not allowed;

138 (11) If endangered or threatened species are transplanted into
139 other areas by any person or agency, that the act does not provide
140 endangered and threatened species protection or prohibit insect
141 control in the area of transplanting;

142 (12) If a species is introduced into a range in the United States, its
143 management shall be placed under the direct control of that state's
144 wildlife management department if the state consents to such
145 management, with federal government funding provided to meet the
146 state's requirement;

147 (13) In an area where an endangered or threatened species has not
148 been sighted for two years, the area should be withdrawn as a
149 designated habitat;

150 (14) The ESA be amended to require an economic impact study of
151 all actions taken under the act that would perpetuate the existence of
152 an endangered or threatened species;

153 (15) The FWS and NOAA Fisheries shall give equal consideration
154 to petitions for delisting and listing;

155 (16) We believe that the National Marine Fisheries Services'
156 (NMFS) authority should be limited to the oceans;

157 (17) The ESA be amended so that when a species is listed, the total
158 cost of recovery shall be determined in advance. The economic
159 analysis shall include costs to the government, business and the
160 consumer;

161 (18) All listings under the ESA which otherwise meet the
162 provisions of this policy must provide a recovery plan. A census of
163 existing endangered or threatened species must be completed and a
164 qualified objective for delisting must be established prior to and
165 requisite to any listing;

166 (19) Listed species be automatically de-listed after five years when
167 no recovery efforts have been initiated by the listing agency.
168 When an animal or plant is proposed for listing on the endangered
169 species list, all funding for work and study groups should come from
170 the individuals or groups petitioning for the listing;

171 (20) Public hearings should be held before the listing of a species as
172 endangered or threatened. At least nine months notice of such
173 hearings should be required;

174 (21) Only current scientifically sound data should be used for
175 endangered and threatened species listing determinations;

176 (22) We support the right of any state to reject any proposed or
177 existing critical habitat designation or recovery plan;

178 (23) Recovery efforts to re-establish an endangered or threatened
179 species and its habitat must first implement all alternative habitat
180 adjustments, including engineered alterations or improvements,
181 before recovery actions are taken which adversely impact private
182 property or individuals;

183 (24) We support Congress extending judicial review to "warranted"
184 90-day petition findings under the ESA;

185 (25) Affected landowners must be involved in any decision that is
186 made on any proposal to list a species found on their land prior to
187 listing;

188 (26) The recognition of species that are considered threatened
189 versus endangered to be a factor in determining the feasibility of
190 development projects both public and private;

191 (27) The recognition of a potential habitat, without the current
192 presence of an endangered species, as a reason for halting or delaying

193 public and private development; and
194 (28) Actual damage to a verifiable species must be proven before
195 that species can be afforded protective measures under this act.
196 All populations, whether naturally occurring or artificially
197 introduced, should be included when considering a species for the
198 threatened or endangered species list.
199 A species that is thriving in another country should not be listed in
200 the United States.
201 Any agency, organization or person requesting a rare and
202 endangered classification to be placed on any species or requesting
203 critical habitat designation should be required to:
204 (1) Provide and fund an environmental impact report with
205 emphasis on the economic impact of the action;
206 (2) Conduct DNA analysis on the proposed species to be
207 introduced to ensure it is qualified as a unique, genetically pure
208 species; and
209 (3) Prove, at their cost, and using the best available peer reviewed
210 science, that the species in question is not only warranted for listing,
211 but is actually present before any critical habitat designation will be
212 allowed.
213 We oppose label restrictions on essential agricultural pesticides for
214 the protection of endangered and threatened species when such
215 restrictions will jeopardize agricultural production.
216 Label restrictions should not be imposed until appropriate
217 economic and environmental studies are completed on the impact on
218 U.S. agriculture, until the Environmental Protection Agency (EPA)
219 and FWS have documented the presence of endangered and
220 threatened species and narrowly defined the scope of their habitat,
221 and until effective, economically affordable alternative chemicals or
222 methods of control are approved and available for use.
223 Furthermore, no pesticides shall be restricted until there is actual
224 scientific evidence that the pesticide exists at toxic levels in that
225 particular habitat.
226 All FWS biological opinions promulgated under the ESA should be
227 made available for public comment and review.
228 We oppose the introduction or reintroduction of endangered or
229 threatened species on public or private lands. We support that if any
230 species is introduced, it shall be listed as "experimental/nonessential."
231 We recommend that commercially propagated plant materials be
232 exempt from endangered or threatened species rules cited in the
233 Convention of International Treaty of Endangered Species.
234 We support the right of landowners to protect themselves, their
235 families, livestock and properties from all predators including grizzly
236 bears, mountain lions and wolves, and those listed in the ESA.
237 There should be no interruption of federal permits due to Section 7
238 consultation. Permittees shall have full rights of participation in
239 both formal and informal Section 7 consultation affecting their
240 permits, leases or applications. We support immediate action to
241 enforce the promises of the federal government to notify local
242 ranchers when a wolf or wolves move near private property.
243 The land management agency should make the final decision
244 regarding terms and conditions of permitted uses while achieving
245 compatibility between the permitted use and the management of
246 species.
247 The first step of protecting any seagoing threatened or endangered

248 species is to enforce a 200-mile limit on any foreign fishing.
249 We oppose the National Marine Fisheries Service sinking rope rule
250 for Maine lobstermen for the Right Whale protection for the area
251 eastward of Stonington, Maine.
252 Successful plaintiffs who file suits on behalf of endangered or
253 threatened species should not be allowed to recover court costs and
254 attorney fees.
255 We support the removal of the Canadian wolves and their
256 offspring and their return to their original habitat in Canada.

Salmon Recovery

566

1 The federal government must recognize the profound impact
2 ocean conditions have on the species and address these impacts.
3 Additional research must be undertaken to create a better
4 understanding of what happens to the species once it leaves its inland
5 habitat and lives in the ocean. Before any new regulations are
6 proposed, the federal government should assess all of the existing
7 protection already in place and ensure that these regulations are
8 being fully implemented. Voluntary public and private conservation
9 measures should be utilized.
10 We support the following salmon recovery alternatives:
11 (1) Physically modify the dams, if found necessary, rather than
12 tearing them down or lowering water levels;
13 (2) Improve barging such as net barge transportation;
14 (3) Privatize salmon fisheries for stronger fish;
15 (4) Control predators of salmon like squaw fish, seals, etc;
16 (5) Utilize a new fish-friendly turbine developed by the Idaho
17 National Engineering and Environmental Laboratories having three
18 goals:
19 (a) increase power production;
20 (b) reduce hazards to fish during passage through turbines to
21 reduce fish kill;
22 (c) provide economic operation; and
23 (6) Operating the Brannen bypass system as an option to facilitate
24 salmon recovery and support continued study of the kevlar tube and
25 other bypass systems; and
26 (7) Regulate harvest of offshore and instream fish.
27 We oppose removal of any publicly owned dam.

Wildlife Management

567

1 In most states wildlife utilizes private lands for habitat and
2 landowners should be compensated for damage. We favor
3 quantification of game animals as an essential step in determining
4 the contribution private landowners are making to the public
5 recreation. In addition, there is an increased need to safeguard
6 farmers and ranchers from crop and livestock damage caused by
7 game animals, migratory fowl, certain species of birds and predatory
8 animals. The spread of noxious weeds from game preserves is a
9 problem in some areas.
10 Many species of wildlife and migratory birds feed on private
11 property with no recourse available to the property owner. We are
12 opposed to the Fish and Wildlife Service (FWS) releasing wildlife
13 onto private property without permission of the landowner. If

14 released, surrounding landowners should be notified. We question the
15 legality of this exemption from the normal legal process which
16 represents a taking of private property rights without due process.
17 We favor a court challenge to this concept and reimbursement to the
18 farmer for losses. We also urge that the order requiring openings in
19 net wire fences for game animal access be rescinded. Farmers should
20 have the right to protect their crops and livestock from destruction
21 by wildlife and migratory birds. When wildlife and migratory birds
22 enter private land to graze, consume or transverse crops, the
23 landowner should neither be held liable nor restricted from applying
24 approved pesticides.

25 We favor the retention of wild game ownership by the various
26 states. However, the present policy of allowing wildlife to graze,
27 without charge, on federal lands threatens state ownership and
28 control of wildlife herds. This federal policy of not assessing a
29 grazing fee is discriminatory to other grazing users who pay for
30 forage on an animal-unit-month basis. As an effort to ensure equity
31 in the use of our federal lands, we favor a policy which would treat
32 wildlife on an equal basis with other grazing privileges.

33 We support the privileges of citizens to continue to hunt, trap and
34 fish in accordance with state game management regulations.

35 We oppose any legislation to ban the use of leg-hold traps. We
36 support legislation banning harassment of legally licensed hunters by
37 animal rights activists groups and individuals.

38 We encourage FWS to allow the sale of wildlife proven to be taken
39 under crop damage permits, including but not limited to snow geese,
40 deer and Canada geese. We recommend the hunting season be
41 adjusted in certain areas to help control damage caused by wildlife
42 and migratory birds.

43 We support the establishment of a USDA regional wildlife services
44 unit in the Northeast. This would expand the services and expertise
45 of this agency to farmers in this region of the country for the first
46 time, many of whom incur substantial losses from deer, migratory
47 waterfowl and other wild animals. We support a formula for Wildlife
48 Habitat Incentive Program (WHIP) funding that recognizes game
49 damage which may occur on agricultural lands as a result of increased
50 wildlife populations on non-WHIP agricultural lands.

51 We recommend that the crop and livestock damage permit process
52 for migratory birds be placed under the control of the state
53 government rather than the FWS. The process should be made easier
54 for farmers trying to obtain permits.

55 We recommend that bag limits for geese be increased and there be
56 no closed season for resident geese. We recommend nuisance goose
57 permits be issued in sufficient quantities to control the rising number
58 of geese.

59 We urge FWS to remove resident geese from eligibility for
60 protection under the Migratory Bird Treaty Act of 1916.

61 We recommend that the hunting season for all migratory birds
62 begin on a Saturday or other first holiday morning and end on a
63 Sunday or other last holiday evening.

64 We request that FWS be required to plant acreage in all national
65 wildlife refuges to crops suitable for feed for wildlife and pay damages
66 to landowners in adjacent areas.

67 We recommend that the FWS use funds for wildlife management
68 not land acquisition.

69 We oppose imposing a surtax on hiking, biking and camping
70 equipment to finance a wildlife diversity fund.

71 We recommend that the federal government be required to pay
72 compensation for wildlife damage to crops, forage and livestock on
73 private farms when wildlife are harbored within posted property
74 owned by the federal government.

75 Effective control of noxious or invasive alien species in
76 compliance with state and county laws must be a part of every plan
77 for management of public wildlife on public property.

78 We recommend that the state and federal government obtain
79 approval of the governing body of any county before they release
80 any species into the environment.

81 We believe the National Wildlife Refuge Administration Act and
82 the ESA should be amended to require the FWS to implement a
83 policy that does not inhibit the normal development of public works
84 projects (such as road construction).

85 We believe that essential services to local landowners and the
86 general public should be more important than the protection of
87 wildlife as the FWS develops stipulations to a public works project
88 through its management plan.

89 FWS should follow applicable federal laws and presidential orders
90 that support local government and citizen involvement in
91 management planning and/or the execution of management plans.

92 The black vulture should be removed from protected status and
93 permit fees should be eliminated.

94 We encourage the issuance of depredation orders to wildlife
95 officers.

96 We oppose the formation of Wildlife Corridors.

97 We oppose importing non-native wildlife for release in
98 noncontainment situations.

99 We support wildlife management programs that control nuisance
100 wildlife, exclusive of the introduction of predator animals.

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