



September 13, 2016

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Livestock, Poultry, and Seed Program
Agricultural Marketing Service, USDA
Room 2608-S, STOP 0249
1400 Independence Avenue SW.,
Washington, DC 20250-0249

Reference: Docket No. AMS-LPS-13-0083- Soybean Promotion, Research, and Consumer Information; Beef Promotion and Research; Amendments To Allow Redirection of State Assessments to the National Program; Technical Amendments

To Whom It May Concern,

The United States Cattlemen's Association (USCA), on behalf of our nationwide membership of cow-calf producers, backgrounders and feedlot operators, submits the following comments on the Federal Register Notice Docket No. AMS-LPS-13-0083 *Soybean Promotion, Research, and Consumer Information; Beef Promotion and Research; Amendments To Allow Redirection of State Assessments to the National Program; Technical Amendments*. USCA's comments focus specifically on the redirection of beef checkoff assessments.

Currently, a patchwork of state regulations direct the mandatory \$1.00-per-head assessment required by the Beef Promotion and Research Act of 1985 (Beef Act) and Beef Promotion and Research Order (Beef Order). Given the state-by-state approach, there are inconsistencies within each program and set of regulations, including the fact that some states do not explicitly provide for refunds or redirection of beef checkoff assessments.

This state-by-state approach is one of our main concerns, and cause for opposition, within the proposed rule. In states where there is not a statute in place that clearly outlines the producer's ability to request redirection, this proposed rule would automatically opt-in all producers into a program where they would be required to contribute to their local beef councils. A producer would have to explicitly request to opt out of the program if they did not wish to contribute to their state beef councils. Additionally, when a producer is automatically opted-in to the program, they are unable to elect how much of the \$0.50 is allocated to their state beef council. The proposed rule would essentially rewrite a voluntary program into a mandatory program.

USCA is also concerned with the proposed deadline for submitting redirection requests. The proposed rule allows for redirect requests up until the 15th of each month following the month after cattle are sold. This is simply too little time for a producer to file the required paperwork after a sale.

Additionally, the proposed rule does not allow for state beef councils to retroactively redirect funds to the national beef board. This stipulation, coupled with the stated deadline, could result

in the producer's intent to redirect the assessment to the national beef council being overridden by an arbitrary deadline. USCA recommends a form be created that would allow producers to submit on an annual basis, detailing their intent to credit up to \$0.50 to their respective state beef councils. An annual submission would reduce administrative overhead for all involved parties, while allowing producers sufficient time to file the necessary paperwork.

USCA welcomes your feedback and comments to the concerns listed above. Please contact the USCA office at [202-546-4064](tel:202-546-4064) for further information or clarification regarding any of the above stated concerns.

Sincerely,

A handwritten signature in blue ink that reads "Danni Beer". The signature is written in a cursive, flowing style.

Danni Beer
President
U.S. Cattlemen's Association