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## **POLICY BOOK**

Updated December 2014

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### **AMERICAN ANTIQUITIES ACT of 1906 – February 2011 & 2012 & 2014**

WHEREAS the intent of the America Antiquities Act of 1906 was to protect “historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest” in an area “confined to the smallest area compatible with proper care and management of the object to be protected.”

THEREFORE BE IT RESOLVED USCA opposes presidential use of the America Antiquities Act of 1906 that deviates from the original intent of the Act.

### **ANIMAL HEALTH AND WELFARE - 2007 & 2009 & December 2011 & 2013**

#### **Resolution #1:**

WHEREAS brucellosis is endemic to Yellowstone Park bison and elk herds; and

WHEREAS bison numbers within the park exceed forage production causing over-grazing and migration of infected bison and elk from park boundaries; and

WHEREAS cattle producers have eradicated brucellosis from their cow herds but are exposed to risk of infection from wild game;

BE IT RESOLVED USCA calls upon the Department of the Interior and USDA to reduce bison and elk numbers consistent with forage availability within park boundaries and to undertake an aggressive long-term brucellosis eradication program; and

BE IT FURTHER RESOLVED USCA urges the Department of the Interior and USDA to invest in more research to find an effective preventative vaccine for bison and cattle; and

BE IT FURTHER RESOLVED the Department of the Interior and USDA indemnify cattle producers for losses suffered as a result of herds being infected by wild game, i.e., elk, bison, and moose.

#### **Resolution #2:**

BE IT RESOLVED USCA opposes any efforts to restrict horse slaughter and/or transportation of horses.

### **ANIMAL HEALTH AND WELFARE – 2008 & February 2011 & 2012 & 2014**

#### **Resolution #1-FOOT AND MOUTH DISEASE** Amended October 2014

WHEREAS, Foot and Mouth Disease is considered by the American Veterinary Medical Association to be the most economically devastating of all livestock diseases; and

WHEREAS, an outbreak of Foot and Mouth Disease in the United States could leave independent cattle producers in financial ruins as entire herds would need to be culled and international markets would be closed indefinitely; and

WHEREAS, APHIS/USDA has proposed to allow beef and cattle imports from regions of Argentina and Brazil despite their documented Foot and Mouth Disease problems; and

WHEREAS, Argentina and Brazil cannot be trusted to keep infected beef from entering the United States and Argentina has shown little concern for rural America by defaulting on loans made by U.S. companies and by

opposing U.S. farmers in international trade cases; and

WHEREAS, the U.S. Cattlemen's Association passed a resolution in July 2007 opposing the APHIS/USDA plan because it is unworkable and could create gateways for diseased Brazilian and Argentine beef; and

WHEREAS, APHIS/USDA has yet to rule out regionalized beef trade from Argentina and Brazil despite an outcry of opposition from America's ranchers;

BE IT RESOLVED, the U.S. Cattlemen's Association calls on APHIS/USDA to immediately reject the pending regionalized beef trade plan and reaffirm its commitment to protect the domestic herd from Foot and Mouth Disease.

BE IT FURTHER RESOLVED, the U.S. Cattlemen's Association request a delay in implementation of the recent USDA Brazil and Argentina regionalization rule due to numerous reoccurrences globally of FMD such as in South Korea and Japan. USCA asks the United States Congress to take whatever steps necessary to delay the USDA implementation of such regionalization in any other country known to have had a problem with FMD.

### **Resolution #2—PLUM ISLAND FACILITY RELOCATION**

WHEREAS, zoonotic diseases are a threat to both animal and human health; and

WHEREAS, the Animal Disease Center currently located on Plum Island is important for research in zoonotic diseases; and

WHEREAS, the current location of the facility is ideal for isolation and containment of any disease releases/outbreaks;

BE IT RESOLVED, based on the National Research Council's official report that we request a new risk and economic analysis before any relocation; and

THEREFORE BE IT RESOLVED, the United States Cattlemen's Association opposes relocating the Animal Disease Center from Plum Island.

## **ANIMAL HEALTH AND WELFARE – 2009 & December 2011 & 2013**

### **Resolution #1:**

BE IT RESOLVED, USCA opposes legislation that would restrict antibiotics for veterinary and farm use.

**Resolution #2:** Dropped December 2011 as no longer applicable.

**Resolution #3:** Amended December 2013

WHEREAS, USCA supports continued research on Brucella abortus;

THEREFORE BE IT RESOLVED, USCA supports the United States Animal Health Association's (USAHA) Resolution #36 for removal of or exemption for research of Brucella abortus from the Toxic Substances and Disease Control and Prevention Select Agent List.

## **ANIMAL HEALTH AND WELFARE – February 2011 & December 2012 & 2014**

WHEREAS, the gray wolf management under the Endangered Species Act has proven to be detrimental to livestock producers, and

WHEREAS, the gray wolf population has exceeded predetermined levels;

BE IT RESOLVED USCA supports efforts to fully remove the Gray Wolf from consideration under the Endangered Species Act (ESA).

## **ANIMAL HEALTH AND WELFARE –December 2013**

Adopted December 2013

### **Federal Regulation of Conditions of Animal Care:**

The United State Constitution specifically delegates the regulation of interstate commerce and the conduct of international trade to the Federal government. Therefore, the USCA support efforts of the Federal government to secure the proper care of animals while in interstate or international commerce.

With the same respect for the Constitution, the USCA supports the intent of the Tenth Amendment to leave local matters such as animal ownership and care to the people and to the states.

The care needs of the many different species and breeds of animals are best regulated on a state by state basis taking into account the widely differing conditions of climate, geography, and topography across the country. The owners of animals have responsibilities that will vary according to the climate and conditions where they keep their animals. Increasing the Federal bureaucracy will not provide better care for animals nor will it help the owners as they hold the responsibility of caring for their animals higher than anyone else.

Therefore, the USCA does not support any effort by the Federal government to increase its role in the regulation of animal care.

## **ANIMAL IDENTIFICATION - 2007 & 2009 & December 2011 & 2013**

**Resolution #1:** Dropped December 2011 as no longer applicable.

**Resolution #2:** Dropped December 2011 as no longer applicable.

**Resolution #3:** Dropped December 2013 as no longer applicable.

## **ANIMAL IDENTIFICATION - December 2011 & 2013**

### **Resolution #1:**

WHEREAS, Under the USDA's proposed Animal Disease Traceability rule, Phase 2 requires the identification of all cattle moving interstate would be initiated by a notice published in the Federal Register upon completion of the Phase 1 assessment and a determination that the ADT program can be successfully implemented in all cattle.

THEREFORE BE IT RESOLVED, USCA supports a separate rulemaking for Phase 2

THEREFORE BE IT FURTHER RESOLVED, USCA strongly opposes the implementation of the ADT requirements for "all cattle" in Phase 2 by Federal Register notice rather than through separate rulemaking

## **BEEF CHECKOFF - 2007 & 2009 & December 2011 & 2013 & 2014**

**Resolution #1:** Amended December 2013.

WHEREAS USCA believes a producer-driven, beef promotion program is vital to the future of the cattle industry; and

WHEREAS this program must be focused on promoting the products of the stakeholders, not just those of the beef-production sector; and

WHEREAS the majority of dollars collected by the Beef Checkoff come directly from U.S. cattle producers; and  
WHEREAS the recent 8000 producer survey conducted by the USDA showed strong support for changes to the program;

THEREFORE BE IT RESOLVED USCA finds the following to be vital and necessary amendments to the Beef Promotion and Research Act of 1985:

1. Sec. 2904, paragraph (6) be modified to eliminate the requirement that the Operating Committee contract only with “established, national nonprofit industry-governed organizations.” This would allow the Committee to contract directly with vendors and avoid possible conflicts of interest generated by the policy positions of any national organization.
2. Provide for a periodic referendum.
3. Direct that Beef Checkoff dollars collected from U. S. cattle producers, be used to promote products derived from cattle that are specifically born, raised and processed in the United States.
4. Enhance the current Beef Checkoff program through the commodity Promotion Act of 1996.

**Resolution #2:**

WHEREAS USCA seeks to provide the motivation, information and support necessary to our members so they can become more involved in influencing decisions regarding the Beef Checkoff;

THEREFORE BE IT RESOLVED USCA recommends the following:

1. All USCA affiliate organizations seek approval as qualified organizations or associations in their respective states, nominate from within their membership and actively promote those nominees for appointments to the Cattlemen’s Beef Board (CBB).
2. Those affiliate organizations also work diligently to obtain seats on their respective state beef councils by providing candidates for appointment or election.

**Resolution #3:** Amended October 2014

WHEREAS USCA feels that the present National Beef Checkoff mechanism has created a framework that is far too complicated and excludes a large portion of U. S. beef producers; and

WHEREAS two segments – the Cattlemen’s Beef Board (CBB) and the Federation of State Beef Councils (Federation) – are mandated by the Beef Promotion Act and Order, and the third segment – the National Cattlemen’s Beef Association (NCBA) – is a policy-driven organization that also is the main contractor for the Beef Checkoff;

THEREFORE BE IT RESOLVED USCA recommends that the NCBA, the CBB and the Federation each become individually independent and autonomous in order to alleviate the impression that they are operating as one entity.

BE IT FURTHER RESOLVED USCA recommends that the 5% cap on CBB administrative overhead costs be increased to 10%. This is in order to greater enhancing CBB’s ability to act with more independence and autonomy.

**Resolution #4:**

WHEREAS certain entities within the beef industry are proposing an increase in the per head assessment on cattle sold; and

WHEREAS USCA policies outline a number of other needed producer-driven changes to the Beef Checkoff Act and Order including, but not limited to, promoting U.S. labeled beef, periodic referendums, and major changes to the organization and structural relationships between the Cattlemen's Beef Board, Federation of State Beef Councils, and their contractors, including the National Cattlemen’s Beef Association;

THEREFORE BE IT RESOLVED USCA supports the current One Dollar per head assessment and will not support any increase until our policy recommendations have been implemented.

## **BEEF CHECKOFF – 2008 & February 2011 & 2012 & 2014**

### **Resolution #1—STATE BEEF COUNCIL FUND ALLOCATION**

WHEREAS, qualified State Beef Councils may direct that a portion of their funds be forwarded for use in national Checkoff programs; and

WHEREAS, the Cattlemen's Beef Board (CBB) is presently authorized to receive such funds from State Beef Councils; and

WHEREAS, the CBB provides oversight and recommendations for distribution of all national Checkoff funds and is the mandated funding conduit for national Checkoff dollars; and

WHEREAS, the Beef Checkoff Operating Committee, which is composed of both CBB and Federation of State Beef Council members, is charged with considering budget recommendations proposed by the CBB and with the awarding of national Checkoff contracts funded by national Checkoff dollars;

THEREFORE BE IT RESOLVED, the U.S. Cattlemen's Association urges that all State Beef Council funds forwarded for use by the national Checkoff program should be forwarded to the CBB and awarded by the Beef Checkoff Operating Committee, in a like manner as the national Checkoff monies expended by the Cattlemen's Beef Board.

BE IT FURTHER RESOLVED, State Beef Councils at their direction be allowed to earmark such funds to certain specific programs.

### **Resolution #2—BEEF CHECKOFF**

WHEREAS, USCA is a strong supporter of the Beef Checkoff; and

WHEREAS, the Beef Industry Long-Range Plan for 2011-2013 endorses improving industry trust, openness and relationships; and

WHEREAS, we recognize the need to rebuild trust in and support for the Beef Checkoff,

THEREFORE BE IT RESOLVED, in order to strengthen the firewall between NCBA and the Federation of State Beef Councils, USCA supports a complete separation of NCBA and the Federation of State Beef Councils or the removal of the Federation of State Beef Councils from the Beef Promotion Operating Committee.

## **BEEF CHECKOFF – 2009 & December 2011 & 2013**

BE IT RESOLVED, USCA supports assessment exemption on animals that are sold for less than \$50;

BE IT FURTHER RESOLVED, USCA supports the opportunity for a periodic referendum to allow changes in the Checkoff, with the first referendum being held within one year of the amendment of the current marketing order;

BE IT FURTHER RESOLVED, USCA supports CBB officer terms be extended if the officer term goes beyond the member's second consecutive term.

## **BEEF CHECKOFF – February 2011 & 2012 & 2014**

WHEREAS, a long range task force developed a Beef Industry Long-Range Plan for 2011-2013; and

WHEREAS USCA supports a Vision of “An industry united around a common goal of being the world’s most trusted and preferred source of beef and beef products”; and

WHEREAS USCA supports a Mission “To provide the safest, highest-quality, most consumer-friendly beef and beef products in an environmentally and economically sustainable manner”; and

WHEREAS USCA supports a Strategic Intent Statement that “By 2014, our industry will achieve a Wholesale Beef Demand Index of 105 by capitalizing on the quality, safety and taste of U.S. beef while communicating the health, nutrition and convenience benefits of beef and beef products to targeted domestic and international markets”; and

WHEREAS USCA supports the Core Strategies: to “Improve domestic consumer preference for beef”, “Capitalize on global growth opportunities”, “Strengthen the image of beef and the beef industry”, “Improve industry trust, openness and relationships”, and

WHEREAS USCA supports the Strategic Initiatives developed for the Core Strategies;

BE IT RESOLVED USCA supports in part the 2011-2013 Beef Industry Long-Range Plan for Vision, Mission, Strategic Intent Statement, Core Strategies, and Strategic Initiatives.

## **BEEF CHECKOFF –2012**

**Resolution:** Incorporated into other policy October 2014.

## **CAPITAL GAINS TAX –2012 & 2014**

WHEREAS, the influx of beginning farmers and ranchers continues to decline and land prices continue to escalate;

WHEREAS, a Reduction in the capital gains tax for any individual selling land to beginning young farmer or rancher may provide longevity in the agriculture sector;

WHEREAS, in an effort to keep young producers in the agriculture sector, a competitive marketplace must be achieved

WHEREAS, Agriculture land is increasingly being bought up by individuals from urban areas in attempts to lower their personal tax rates in a given year

THEREFORE BE IT RESOLVED the U.S. Cattlemen's Association resolves to work with policymakers and agency officials toward to the goal of:

1. Inform policymakers on the need to address the issue of reforming capital gain rates and Investment Tax Credit when relating to a purchase of land by a beginning/young farmer or rancher;

2. Work with Congressional Finance Committees and the U.S. Department of Agriculture to draft language that will apply this change
3. When working with lawmakers, ensure that loopholes for potential abuse are closed.

### **COUNTRY-OF-ORIGIN LABELING - 2007 & 2009 & December 2011 & 2013**

Amended December 2013

WHEREAS the amount of food and commodities the United States imports are increasing from sources other than the United States; and

WHEREAS United States citizens have the right to know where their beef and other food comes from;

BE IT RESOLVED that United States Cattlemen's Association supports Country-of-Origin Labeling information to the final consumer; and

BE IT FURTHER RESOLVED that the United States Cattlemen's Association supports mandatory Country-of-Origin-Labeling language as modified through the USDA's final rule as published on May 23, 2013 and implemented on November 23, 2013.

### **EQUAL ACCESS TO JUSTICE ACT – 2009 & December 2011 & 2013**

WHEREAS, the Equal Access to Justice Act passed in 1980 was enacted to restrain overzealous regulators and reimburse parties subjected to unreasonable government action by providing equal access to court; and

WHEREAS, the statute was designed to reimburse attorney's fees so that a party that otherwise would not be able to afford litigation against the government could have an opportunity to justify its position in court and recover attorneys fees afterward; and

WHEREAS, environmental groups have greatly abused the original intent of this Act so that they are able to find procedural flaws in agency actions, sue the government, and receive millions of federal taxpayer dollars in attorney fees for settling or winning these cases which in turn, allows them to continue litigating the government; and

WHEREAS, ranchers must pay their own attorneys' fees in order to attempt to participate in the litigation as interveners,

THEREFORE BE IT RESOLVED, the U.S. Cattlemen's Association shall support efforts to bring substantive reform to the Equal Access to Justice Act; and

THEREFORE BE IT FURTHER RESOLVED, the U.S. Cattlemen's Association will seek for the following changes to EAJA and its implementation:

1. There should be better oversight in how EAJA fees are distributed.
2. There should be complete transparency and reporting on the government's expenditures of taxpayer dollars when EAJA fees are awarded.
3. A change in the "for-profit v. non-profit" inequities.
4. Any other amendments which would level the playing field for ranchers and prohibit the abuse and overuse of this law.



## ESTATE TAX – 2009 & December 2011 & 2013

**Resolution #1:** Amended December 2011. Further amended December 2013.

BE IT RESOLVED, USCA supports permanently adjusting the estate tax exemption to \$5,000,000 and adjusting it for inflation thereafter.

BE IT FURTHER RESOLVED, USCA supports permanently establishing the estate tax rate at 35%.

BE IT FURTHER RESOLVED, USCA supports retaining the stepped up basis;

BE IT FURTHER RESOLVED, USCA supports the portability of the deceased spouse's unused estate tax exemption.

BE IT FURTHER RESOLVED, USCA supports increasing to \$2,000,000 the valuation discount available under section 2032A (special use valuation) and a decrease in the percentage of farm assets required to qualify from 50% to 40% of the gross estate;

BE IT FURTHER RESOLVED, USCA opposes preferential estate tax treatment for farms or ranches with environmental easements, or legislation creating new tax incentives that would encourage more environmental easements, unless those easements are donated and not purchased;

BE IT FURTHER RESOLVED, USCA supports capital gains rates of 15%.

**Resolution #2:** Dropped December 2011 as no longer applicable.

## MARKETING - 2007 & 2009 & December 2011 & 2013

**Resolution #1:**

1. WHEREAS competitive markets require participants with access to open and transparent market information;

BE IT RESOLVED that USCA supports the continued implementation of mandatory price reporting.

2. WHEREAS large firms may exhibit pressure on producers to accept unfair production contracts or terms of sale;

BE IT RESOLVED that USCA supports the inclusion of a "competition chapter" in any Farm Bill.

3. WHEREAS recent rulings have negated the intent of the Packers and Stockyards act;

BE IT RESOLVED that USCA supports legislative clarification of the P&S Act.

BE IT RESOLVED that USCA supports legislative clarification of the P&S Act.

- a. The Act differs from other antitrust law. Proof or intent to control or manipulate prices is not required; rather it is that outcome that must be prevented.
- b. "Business justification" is not a valid defense of actions covered in the Act.
- c. "Captive supplies" negatively affect prices and must be controlled. Captive supplies include any livestock owned, committed to or otherwise under the control of the packer before fourteen days of slaughter, including non-negotiated transactions and imported cattle and beef.

BE IT FURTHER RESOLVED that USCA supports the ban of packer ownership or control of cattle for more than 14 days before slaughter, except for those packers with processing capacity less than 500 head per day; and

BE IT FURTHER RESOLVED that USCA supports legislation requiring that a majority of the weekly cattle procurement for packers with processing capacity over 500 head per day, be obtained through negotiated sales; and

BE IT FURTHER RESOLVED that USCA supports legislation requiring all contractual and marketing agreements with producers be offered in ways open to all qualified producers and subject to negotiation.

**Resolution #2:** Dropped December 2011 as no longer applicable.

**Resolution #3:** Dropped December 2011 as no longer applicable.

### **RURAL BROADBAND – 2009 & December 2011 & 2013**

WHEREAS, universal access to broadband is essential to the prosperity of rural America; and

WHEREAS, spurring broadband access and adoption in remote areas of the country will build a stronger foundation in which future generations can experience the benefits of broadband enabled technologies and will allow our country to reach its full potential,

THEREFORE BE IT RESOLVED the U.S. Cattlemen's Association resolves to work with Broadband for America, and its members, to achieve its primary goals of:

1. Educating policymakers and stakeholders on key fundamentals of how the internet and wireless networks work;
2. Leading the policy discussion and driving the debate on how we as a nation can achieve broadband everywhere; and
3. Working with the Administration, key agencies like the Federal Communications Commission (FCC) and National Telecommunications and Information Administration (NTIA), and Congress to develop and promote policies that maximize access and adoption through increased investment in better and smarter wire line and wireless network technology.

### **RURAL BROADBAND –2012 & 2014**

WHEREAS, expansion of high-speed broadband networks is vital to the economic growth and global competitiveness of rural America; and

WHEREAS, the continued deployment of next generation capabilities in remote areas of the country will allow for increased access to new IP (Internet Protocol) technologies by farmers, ranchers and their families in which they can benefit from the increased access to global opportunities;

THEREFORE BE IT RESOLVED the U.S. Cattlemen's Association resolves to work with policymakers and interested parties to work toward the goals of:

1. Informing policymakers on the basics of expanded broadband access and its contributions to rural America and the current government regulations that stifle its success;
2. Encouraging lawmakers and agency officials to continue focusing on principles that will modernize the current regulatory landscape to allow for high-speed internet capabilities to expand;
3. Urging for universal broadband access through possible government programs, initiatives and private sector investment;

4. Encouraging a working relationship between policymakers and the private sector to bring America's communication infrastructure into the 21<sup>st</sup> century.

### **TAX POLICY – 2014**

WHEREAS IRS Code Section 179 limits were reduced at the end of 2013,

WHEREAS Section 179 has been beneficial to agricultural producers, suppliers, related industries and the overall economy;

THEREFORE BE IT RESOLVED, USCA supports IRS Code Section 179 limits be reinstated to the prior level of \$500,000.

### **TRADE - 2007 & 2009 & December 2011 & 2013**

#### **Resolution #1:**

WHEREAS the long-term profitability of independent U.S. cattle producers is impacted significantly by international trade policy; and

WHEREAS the Trade Act of 2002 outlines specific items to be included in all trade agreements;

BE IT RESOLVED USCA requires that the following provisions be included in all trade agreements:

1. Classification of cattle and beef as perishable and cyclical items, and considered like kind products,
2. Rules of origin (born, raised and slaughtered)
3. Quantity and price safeguards,
4. Upward harmonization of import and health and safety standards.

#### **Resolution #2:**

WHEREAS the health of the U.S. cattle herd is vital to the profitability of independent cattle producers; and

WHEREAS the US policy was built on protecting US producers of food and fiber, and not managing a disease once it gets to the United States;

BE IT RESOLVED USCA opposes efforts by the government of the United States to allow regionalization of foreign countries with animal disease problems if such regionalization weakens animal health or food safety standards concerning importation of cattle or beef into the United States.

#### **Resolution #3:**

WHEREAS International Trade Agreements have a significant impact on independent cattle producers;

BE IT RESOLVED USCA opposes fast-track trade negotiation authority and believes that international trade policy and trade agreements related to that policy should reside in the hands of the U.S. Congress.

#### **Resolution #4:** Amended December 2013.

WHEREAS cattle and beef are imported into the United States from various foreign countries, and that many of these countries have histories of foreign animal disease problems;

BE IT RESOLVED USCA supports the following efforts to identify imported cattle and beef:

1. Removal of livestock from the U.S. Department of Treasury's J-List thereby requiring all imported cattle to be marked with a mark of origin as a condition of entry into the United States,
2. Enforcement of mandatory country-of-origin labeling modified through the USDA's final rule as published on May 23, 2013 and implemented on November 23, 2013.

### **TRADE – 2008 & February 2011 & December 2012**

**Resolution #1:** Dropped December 2012 as no longer applicable.

### **WATER RIGHTS – 2009 & December 2011 & 2013**

**Resolution #1:** Amended December 2011. Further amended December 2013.

WHEREAS, various proposals are being introduced, which will amend the Clean Water Restoration Act and increase federal regulations and control over water;

BE IT RESOLVED, USCA opposes any federal regulations which would adversely impact ranchers.

#### **Resolution #2:**

WHEREAS, USCA opposes the expansion of Federal authority by codification by Executive Order,

THEREFORE BE IT RESOLVED, USCA supports the involvement of agricultural interests in developing policy in protecting waters of the United States.

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