NCBA

2019 Policy Book

National Cattlemen’s Beef Association
Updated: January 2019
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(Until February, 2, 2019 when the new officers are installed)

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# AGRICULTURE & FOOD POLICY COMMITTEE

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1. GENERAL POLICY

NCBA Agricultural Policy Statement

This statement will guide NCBA’s actions on behalf of the cattle industry in influencing the government relating to agriculture. Under this statement, NCBA’s priorities are to:

1. Achieve a reduction in federal spending and the deficit.
2. Minimize direct federal involvement in agriculture.
3. Preserve the right of individual choice in the management of land, water, and other resources.
4. Preserve the right of individual choice in the management of contracts and marketing.
5. Preserve the freedoms provided within the Constitution.
6. Provide an opportunity to compete in foreign markets.
7. Oppose farm policy which favors one producer or commodity over another.
8. Support opportunities for young men and women to enter the beef cattle business and provide experiences and education to enhance their marketability within the industry.

Natural Resource Policy

Government policy should enhance the individual’s right of free choice in land use, soil conservation, water conservation, energy use, and development as long as the individual minimizes accepted soil loss limits, that are based upon sound science. State laws and individual private rights should be preeminent in the use of water and other natural resources.

Marketing Policy

National agricultural policy should be oriented to a free, private enterprise, competitive market system. Farm policy should be discouraged which:

1. Guarantees profit.
2. Restricts the operation of the competitive marketplace.
3. Does not allow for both parties’ consent in writing to use arbitration.

Private enterprise alternatives in marketing and risk management should be developed and encouraged as the preferred alternative to government programming.

Commodity Programs Policy

Government farm commodity programs influence, change and distort the price and supply of beef cattle. The impact can be indirect, as when grain prices are affected by a government program or direct, as when dairy payment program results in dairy cattle slaughter or retention.

Any commodity program must include thorough consideration of the impact of subsidies and guarantees for given commodities on other commodity sectors and on domestic and foreign markets, before the program is adopted. Any government programs which would have a substantial negative effect on cattlemen need to be opposed and prevented.

Recognizing the high degree of government intervention in agriculture and the potential economic disruption of an immediate end to commodity programs, NCBA supports a transition or phase-out period for programs that may be eliminated.

It is not in the national, farm, or individual producer interest to vest the government with authority to:

1. Set prices.
2. Underwrite inefficient production.
3. Manipulate domestic supply, demand, cost, or price.

The principal focus of government farm policy should be to promote a free market, private enterprise farm economy. Every effort should be made to develop an integrated domestic-foreign trade policy which encourages:

1. Reciprocity.
2. Comparative advantage.
3. Elimination of unfair trade restrictions.
4. Movement toward private enterprise and free markets.

NCBA strongly opposes direct cash payments to any segment of the livestock industry for the purpose of offsetting low market prices except for:

1. Payments made for natural disasters.
2. Efforts to establish commodity/revenue insurance programs in lieu of emergency disaster programs.
WHEREAS, securing the health and safety of agriculture from terrorist groups and other negative influences is a serious concern, and

WHEREAS, protecting our agricultural industry for a stable, self-sufficient food source for the U.S. consumers is vital and should not be taken for granted,

THEREFORE BE IT RESOLVED, NCBA supports new initiatives concerning acts of terrorism against livestock to:

1. Strengthen the penalties for anyone involved in terrorist activities affecting the agricultural industry;
2. Provide increased coordination of local, state, and federal officials to more effectively monitor and respond to these threats; and
3. Give producers increased protections against false and derogatory statements or ballot issues that would damage or endanger a producer’s livelihood, product, property, or diminish livestock production practices.

WHEREAS, the Beef Promotion Research Act and the Beef Promotion Research Order (beef checkoff) has been instrumental in increasing the demand for beef by providing funding and structure for beef and food safety research, informing the public about beef’s positive nutritional message and health attributes, organizing and coordinating the beef industry’s issue management strategies, leveraging dollars for international and domestic marketing efforts, and working with retailers and food service outlets to promote beef, and

WHEREAS, past challenges to the beef checkoff have harmed the beef industry by channeling industry resources to address internal industry dissension rather than consumer demand,

THEREFORE BE IT RESOLVED, NCBA seeks beef industry input on making improvements to the beef checkoff that:

1. Provides equal to or greater total collection revenues;
2. Continues the role of the Cattlemen’s Beef Board as administrator of, but not a contractor for, demand building programs;
3. Maintains Federation of State Beef Council representation at 50% of the Beef Promotion Operating Committee;
4. Maintains state beef council funding at one-half of collections;
5. Does not use the Commodity Promotion, Research, and Information Act of 1996 as the model;
6. Does not limit the amount or percentage of funds that can be awarded to an individual contractor by the Beef Promotion Operating Committee; and
7. Maintains the fundamental right of the Federation of State Beef Councils to determine where it resides.

BE IT FURTHER RESOLVED, NCBA and affiliated state cattlemen’s organizations support the following modifications to the beef checkoff program:

1. Revise the beef referendum process to provide producers the opportunity, at regular time intervals, to petition for a referendum on continuing the beef checkoff program. Ten percent of producers nationwide signing the petition at USDA designated local sites will trigger the USDA to conduct a vote within a year.
2. Increase the beef checkoff assessment rate for the purpose of adequately funding an effective beef demand building program. Ensure a referendum is held so all producers have an opportunity to vote on the changes.

BE IT FURTHER RESOLVED, should the beef industry develop consensus on improvements to the beef checkoff, NCBA will work to initiate the legislative and/or regulatory actions to implement the changes.

BE IT FURTHER RESOLVED, any enhancements to the beef checkoff program must be
guided by the Industry-Wide Long Range Plan and the following principles which:

1. Builds beef demand efficiently and effectively without creating new bureaucracies and administrative functions;
2. Maintains the strength of the State Beef Councils and the focused, coordinated state-national plan through the Federation of State Beef Councils as the best way of achieving the goals of the long range plan;
3. Minimizes government control;
4. Assures accountability to the industry;
5. Maintains state-based input, autonomy, and ownership;
6. Requires everyone to invest;
7. Maximizes grassroots involvement;
8. Provides equity to all investors; and
9. Restores the ability to promote, research, and educate consumers and producers about beef to a significant level.

WHEREAS, the value of unwanted horses as a food animal dictates they not be abused, lest this value be diminished, and

WHEREAS, the cattle industry depends upon an economically healthy horse industry and systems to offer a humane end of life for unwanted horses,

THEREFORE BE IT RESOLVED, NCBA oppose any legislation that would prohibit horse harvesting or processing, or otherwise hinder future efforts to responsibly dispose of unwanted horses.

BE IT FURTHER RESOLVED, NCBA support federal inspection of horse processing facilities.

AFP 1.5
2016/Amended
Transportation

WHEREAS, transportation issues continue to create challenges for producers across the nation when hauling cattle and equipment,

THEREFORE BE IT RESOLVED, NCBA support updating the Commercial Motor Vehicle Safety Act to facilitate producers’ abilities to operate in today’s environment as follows:

- Create uniformity and reciprocity of farm exemptions for Class C licenses across all states.
- Create a uniform mileage exemption for farm use of vehicles over 26,000 pounds Gross Vehicle Weight Rating (current Class A Non-Commercial).
- Eliminate Commercial Driver’s License (CDL) and Department of Transportation (DOT) number requirements for vehicle combinations for farm use only exemption.
- Provide opportunity for the purchase of permits by commercially licensed trucks hauling farm commodities up to 100,000 pounds or the maximum allowed by states that exceed 100,000 pounds

BE IT FURTHER RESOLVED, NCBA support changing the definition of “Covered Farm Vehicle” to those farm vehicles under the gross vehicle weight rating or gross weight of 36,001
pounds and exempt such vehicles from commercial vehicle regulations.

**AFP 1.6**  
2014/Renewed  
**Renewable Fuels**

WHEREAS, NCBA supports our nation’s commitment to reduce dependence on foreign energy, and supports efforts to develop forms of renewable energy, and

WHEREAS, NCBA believes in a market-based economy and there is concern among cattlemen about the influence of renewable energy policy on the availability and price of feed grains and other feedstuffs,

**THEREFORE BE IT RESOLVED,** NCBA support transition to a market-based approach for the production and usage of renewable fuels.

BE IT FURTHER RESOLVED, NCBA oppose mandated production and/or usage of any renewable fuels and support immediate efforts to significantly reduce the Renewable Fuel Standard mandate.

BE IT FURTHER RESOLVED, NCBA support research and development of renewable fuels.

**AFP 1.7**  
2016/Amended  
**Domestic Energy Policy**

WHEREAS, the beef industry and the rest of agriculture have faced times when inputs that are direct or indirect derivatives of crude oil reached elevated price levels, and

WHEREAS, there is a need for credible energy policy, and

WHEREAS, domestic and international demands for crude oil and diesel fuel, at times, create worldwide shortages, and

WHEREAS, the survival of the beef industry and agriculture depend upon the ability to explore for domestic energy and maintain refining capacities for crude oil here in the United States to maintain an adequate supply of fossil fuel-based energy sources and the refining capacity for that oil,

**THEREFORE BE IT RESOLVED,** that NCBA support national policy that:

1. Is proactive and supports environmentally responsible domestic exploration and extraction of all fossil fuel-based energy sources in any region of the United States that is found to hold reserves.
2. Brings immediate relief in the regulatory and permitting arena to expedite both new construction and renovation of existing refineries.
3. Leads to the United States’ energy independence.
4. Reinforces the NCBA's position as a leader in the coordination and resolution of environmental and natural resource issues.

WHEREAS, the Environmental Quality Incentives Program (EQIP) has proven to be an effective tool for ranchers implementing sound conservation practices on rangeland,

**THEREFORE BE IT RESOLVED,** NCBA support efforts to maintain and enhance EQIP at sixty percent or greater allocation for livestock related applications for all sizes of ranching and feeding operations.

**AFP 1.8**  
2016/Amended  
**National Beef Cattle Evaluation Consortium**

WHEREAS, genetic technologies, methods for genomic selection of seedstock animals, and the development of new traits with Expected Progeny Differences (EPDs) is rapidly evolving, and

WHEREAS, the success of beef cattle genetic evaluation has also been greatly influenced by the existence of an established delivery system for making EPDs readily available to all producers, which includes breed associations, artificial insemination organizations, and individual seedstock producers through their dissemination of superior genetics based on EPDs and genomically-enhanced EPDs, and

WHEREAS, under the umbrella of the National Beef Cattle Evaluation Consortium (NBCEC) many collaborators have combined expertise to focus resources more efficiently in the advancement of genetic research leading to the
development of a nationally organized effort in beef cattle genetics and genomic research, and

WHEREAS, seedstock and commercial beef producers are confronted with a plurality of genetic selection tools including a multitude of EPDs and economic selection indices to facilitate sire selection, and estimates of breed differences and heterosis to design breeding programs, and

WHEREAS, there is great economic benefit to expedite the transfer of this genetic and genomic evaluation technology in a practical and functional form to the seedstock and commercial beef industry, and

WHEREAS, the ability to influence the genetics of United States beef cattle has enhanced our competitiveness of beef production both domestically and globally, and

WHEREAS, the funding of consortium efforts currently does not exist outside of competitive federal grants, which does not allow for the long-range planning necessary to take research from development to implementation and reduces the scope of consortium efforts.

THEREFORE BE IT RESOLVED, NCBA shall seek a permanent commitment of annual federal funding to be allocated to the Agriculture Research Service (ARS), where research efforts will focus on such areas as:

1. Methodology to include new sources of DNA information into genetic evaluation programs.
2. Expanding multi-breed applications for genetic evaluation.
3. Development of selection tools for emerging economically relevant traits.
4. Development of software to enable informed use of the pluralities of available selection tools to facilitate breeding selection decisions and enhance profitability in breeding programs.

THEREFORE BE IT RESOLVED, NCBA support the creation of a research entity to address all research needs of the industry.

AFP 1.10
2018/New
Definition of Beef

WHEREAS, alternative sources of protein are being labeled and promoted as an equivalent or substitute for beef, and

WHEREAS, the use of traditional beef nomenclature on alternative products is confusing to consumers and weakens the value of products derived from actual livestock production,

THEREFORE BE IT RESOLVED, NCBA oppose alternative proteins being permitted to use nomenclature associated with protein sourced from livestock production and oppose these proteins claiming to be equivalent to, or a substitute for, proteins derived from livestock production,

BE IT FURTHER RESOLVED, NCBA support the definition of beef to only include products derived from actual livestock raised by cattle farmers and ranchers and harvested for human consumption.

AFP 1.11
2018/New
Herbicide Use

WHEREAS, the success of cattle producers is dependent upon high-quality pasture and rangeland, and

WHEREAS, cattle producers spend a tremendous amount of time and money to control unwanted native and non-native plant species in their pasture and rangelands, resulting in more overall forage production, and

WHEREAS, cattle producers are responsible stewards of the land who are subject to federal rules regarding the application of herbicide products,

THEREFORE BE IT RESOLVED, NCBA support the use of federally licensed herbicide products by cattle producers on their pasture and rangelands.
2. FEDERAL FARM PROGRAMS

AFP 2.1
2016/Renewed
Federal Farm Programs

WHEREAS, NCBA’s policy supporting less government involvement may result in incentive payment programs being developed without NCBA’s input,

THEREFORE BE IT RESOLVED, NCBA approves the following parameters that would allow us to be involved in the discussions surrounding any federal farm program being developed:

1. An economic review being conducted on the effect on all segments of the beef industry before implementation of a non-emergency program.
2. Evidence of a true need for the program.
3. That all programs must have an ending date, a full analysis of the results of the program, and whether there is a continuing need for the program.
4. That any program shall encourage private enterprise and minimize government involvement in agriculture.

BE IT FURTHER RESOLVED, NCBA pursues legislation and/or regulatory action in the federal government within these parameters.

AFP 2.2
2016/Renewed
Crop Insurance

BE IT RESOLVED, NCBA supports the concept of Federal Crop Insurance nationwide for all forages with the ultimate goal of substituting disaster and drought relief programs with crop insurance.

BE IT FURTHER RESOLVED, this program should involve the private sector as well as federal resources, and would be a voluntary program.

AFP 2.3
2016/Renewed
FSA/NRCS Consolidation

WHEREAS, soil conservation is of continuing importance to the beef industry, and

WHEREAS, it is important that separation of regulatory and technical assistance in this area occurs,

THEREFORE BE IT RESOLVED, NCBA vigorously opposes any abolishment of the Natural Resources Conservation Service (NRCS) or combining NRCS under Farm Service Agency and supports adequate funding for NRCS technical assistance to meet science-based, ecologically, and economically sound conservation needs.

AFP 2.4
2017/Renewed
Dairy Policy

WHEREAS, Congress has spent considerable time and resources in formulating dairy policy, and

WHEREAS, the solution may have significant economic impact on both the dairy and beef industry,

THEREFORE BE IT RESOLVED, NCBA will support dairy policy that moves the dairy industry toward greater freedom in and dependence on the market forces.

BE IT FURTHER RESOLVED, any transition policy must substantially minimize its impact on other elements of agriculture, such as the cattle industry.

AFP 2.5
2016/Renewed
Agricultural Research Funding

WHEREAS, NCBA has established policy goals in the areas of food safety, conservation, the environment, animal health, and other areas, and

WHEREAS, funding for agricultural research to support these policies has been significantly reduced over the past several years, and
WHEREAS, introduction of emerging exotic diseases pose a threat to the domestic beef industry, and

WHEREAS, research and funding to combat these emerging risks will continually reduce the research funding available to pursue NCBA policy goals, and

WHEREAS, an Economic Research Service comprehensive literature review indicated there have been 64 reviews of the return on investment in agriculture research and extension from 1915 through 1985 and these studies document a positive return of investment of 46.7 percent, and

WHEREAS, agricultural research and extension continues to be an excellent investment of public resources,

THEREFORE BE IT RESOLVED, NCBA supports adequate federal funding for agricultural research,

BE IT FURTHER RESOLVED, NCBA supports research which will protect the profitability, global competitiveness, and long-term viability of America’s beef producers.

AFP 2.7
2014/Renewed
Support for USDA Rural Development

BE IT RESOLVED NCBA support the important work of USDA Rural Development to improve the quality of life and increase economic opportunity in rural America.

BE IT FURTHER RESOLVED, NCBA encourage the long-term funding of the grant, loan, and loan guarantee programs administered by USDA Rural Development.

BE IT FURTHER RESOLVED, NCBA encourage the application process for these programs be streamlined and user friendly.

3. DISASTER RELIEF

AFP 3.1
2018/Renewed
Disaster Relief

WHEREAS, livestock producers are subject to losses caused by flooding, wildfire, blizzards and many other natural causes, and

WHEREAS, over the years livestock producers have suffered tremendous losses due to drought, floods and other natural disaster, and

WHEREAS, livestock producers have been unable to obtain federal grant assistance needed to help offset their losses,

THEREFORE BE IT RESOLVED, NCBA takes the necessary steps to assure that livestock producers are included in every federal disaster relief program and that the criteria for disaster declarations for livestock producers be formulated based on standards applicable to regional situations.

BE IT FURTHER RESOLVED, NCBA support cattlemen and their local and state organizations in their efforts to receive timely and effective federal disaster assistance in these situations.

BE IT FURTHER RESOLVED, the Farm Services Agency (FSA) Livestock Assistance Program be continued but amended to allow greater flexibility by the state FSA committees to determine specific state eligibility criteria and implementation of the Livestock Assistance Program.
Programs. Assistance should be available to agricultural producers who suffered losses to fires when the starting of the fire was beyond the producer’s control.

BE IT FURTHER RESOLVED, the Secretary of Agriculture be allowed the authority to quickly implement the Livestock Assistance Program and quickly obtain sufficient funding.

BE IT FURTHER RESOLVED, NCBA aggressively pursues adequate funding, including Federal Emergency Management Act funding, for livestock producers adversely impacted by disaster conditions.

BE IT FURTHER RESOLVED, NCBA monitors the distribution of any disaster assistance funding to ensure the funds are directed to those producers directly impacted by the disaster conditions.

BE IT FURTHER RESOLVED, NCBA works with USDA and Congress to ensure that eligibility criteria for all livestock assistance and compensation programs be based on livestock and/or forage production losses and funding distributed on actual county losses.

AFP 3.2
2017/Renewed
Federal and State Drought Designations

WHEREAS, the current system of analyzing certain geographic areas within the United States does not adequately measure the impact of drought, and

WHEREAS, the current use of the Palmer Drought Index is slow in completing the analysis and therefore makes response later than what is needed, and

WHEREAS, alternative methods for drought analysis only take temperature and precipitation into consideration, but ignore the effects of wind, precipitation timing, and soil moisture, and

WHEREAS, local entities of state and federal government are in a better position to gauge the respective effects of drought conditions, and

WHEREAS, there is no systematic, scientific method currently in use to quantify the loss of pasture and range due to drought conditions,

THEREFORE BE IT RESOLVED, NCBA shall propose to federal and state agencies that the current system for determining federal and state drought designation be revised, consolidated, and streamlined in the following manner:

• Clipping plots shall be established in each county and reservation to verify actual yearly production.
• Precipitation shall be gauged as “effective precipitation” as established in the Natural Resources Conservation Service Technical Guides.
• Weather stations shall have the capability to measure soil moisture, average wind speed, and duration of the wind.
• United States Department of Agriculture county committees or Tribal councils shall have the authority to declare a drought once their county or reservation has reached the established drought criteria.

AFP 3.3
2017/Renewed
Fence Replacement Cost Share Eligibility

WHEREAS, the United States Department of Agriculture’s (USDA) rules arbitrarily limit fence replacement cost share eligibility to fences less than 20 years of age, and

WHEREAS, such a 20-year age limitation places an unnecessary and undue burden on ranchers who need to rebuild and restock their ranching operations due to natural disasters,

THEREFORE BE IT RESOLVED, NCBA support federal legislation and/or rulemaking which would remove the fence age requirement for fence replacement cost share eligibility after a natural disaster.

AFP 3.4
2014/New
U.S. Drought Monitor

WHEREAS, the U.S. Drought Monitor administered by the University of Nebraska, Lincoln (UNL) establishes the drought status for counties across the United States, and
WHEREAS, the U.S. Drought Monitor is used as the mechanism to assess disaster relief payments under the Livestock Forage Program administered by the Farm Services Agency, and

WHEREAS, the determination to list a county’s drought classification as moderate (D1), severe (D2), extreme (D3) or exceptional (D4) is based on five criterion: 1) the Palmer Drought Index, 2) the CPC Soil Moisture Model, 3) U.S. Geological Survey Weekly Streamflow statistics, 4) the Standardized Precipitation Index, and 5) Objective Short and Long-Term Indicator Blends, and

WHEREAS, the current five criteria used to establish a county’s drought classification by UNL do not necessarily reflect the true severity of a drought, and

WHEREAS, an inaccurate drought status has a detrimental impact on the total payment a rancher will receive under the Livestock Forage Program, now

THEREFORE BE IT RESOLVED, NCBA urges UNL to take the necessary steps to adjust its criteria used to determine a county’s drought classification so as to be consistent with actual on-the-ground conditions, and

BE IT FURTHER RESOLVED, NCBA requests UNL to establish a formalized system to more readily accept data submitted from local researchers and federal and state agencies to be used by university staff when making drought classifications.

4. HAYING AND GRAZING

WHEREAS, the nation’s cows and stocker cattle are competing for grazing lands with government programs, and

WHEREAS, economic pressures are accelerating the conversion of grazing lands for competing uses, and

WHEREAS, permanent grasslands help protect water quality and are important habitat for birds and animals, and

WHEREAS, the Conservation Reserve Program (CRP) is mandated to utilize a conservation cover crop, and

WHEREAS, CRP conservation cover crops can be utilized as valuable forage, and

WHEREAS, intentionally and actively using cattle to manage grasslands under the control

AFP 3.5
2017/New
Noninsured Crop Disaster Assistance Program (NAP) & Pasture, Rangeland, and Forage (PRF) Multiple Benefit Exclusion

WHEREAS, the Farm Service Agency excluded PRF indemnity payments from the multiple benefit exclusion rule on October 26, 2015, allowing producers to receive NAP and PRF indemnities on the same acres for the same intended use of grazing for the 2015, 2016, and 2017 crop years. However, for 2018, producers enrolling in both NAP and PRF on the same acres for the same intended use of grazing must choose whether to receive the benefit under the pilot product or NAP, but may not be eligible for both, and

WHEREAS, while agriculture producers should not receive multiple benefits for the same crop loss, requiring a livestock producer to choose between NAP or PRF benefits presents the following unintended consequences and undue hardship on our nation’s livestock producers:

• Paying a loss for several different perils through NAP (flooding, drought, fire), while the PRF program, under the Rainfall Index, only triggers indemnities for one peril, lack of rainfall. Therefore, since benefits can be paid for different losses, multiple benefit exclusions should not apply to the PRF program.

• Requiring livestock producers to choose between programs significantly reduces our members’ risk management options while the risks for livestock producers have increased.

THEREFORE BE IT RESOLVED, NCBA works to ensure producers are eligible to receive 100% benefit from the NAP and PRF programs during the 2018 crop year and beyond.
of state and federal programs will benefit and enhance the grassland ecosystem,

THEREFORE BE IT RESOLVED, NCBA support rules to allow periodic non-emergency and emergency haying and grazing as approved by a Natural Resources Conservation Service (NRCS) Management Plan, including CRP lands planted with CP 25 grass mixtures to address rare and declining wildlife habitat. All NRCS resource concerns shall be addressed by provisions on the Management Plan, and

BE IT FURTHER RESOLVED, NCBA support amendments to the CRP law that clarifies emergency forage is one purpose of CRP, and

BE IT FURTHER RESOLVED, NCBA oppose legislation increasing the number of additional acres that may be enrolled in CRP, and

BE IT FURTHER RESOLVED, in all instances of haying or grazing on lands enrolled in CRP, continuous sign-up CRP, or CREP, the payment should be reduced by the value of the forage removed, and

BE IT FURTHER RESOLVED, managed grazing on CRP lands should be permitted during the primary wildlife nesting and brood rearing season where allowed under an approved plan, and

BE IT FURTHER RESOLVED, should a producer extend a current contract for CRP and then decide to remove that land from the extended CRP contract, then any applicable penalty should be based upon the time from date of extension to date of withdrawal.

WHEREAS, United States cattle are extremely susceptible to a host of diseases such as foot and mouth disease, bovine spongiform encephalopathy (BSE), foreign and emerging animal health diseases, and others that could be released inadvertently or as an act of terrorism, and

WHEREAS, adequate state and federal funding of existing indemnity programs, in the event of widespread catastrophic occurrences, is uncertain and unrealistic to depend on, and

WHEREAS, there is no readily available or affordable private sector or governmental financial capacity to fund catastrophic events, and

WHEREAS, in the absence of a comprehensive catastrophic livestock risk insurance program, significant market manipulation can occur through unsubstantiated rumors that cause widespread uncertainties with regard to the risk of such losses, and

WHEREAS, such uncertainty undermines the continued stability of commodity markets and prices for all U.S. producers, and

WHEREAS, continued unavailability of affordable comprehensive insurance for such catastrophic risks threatens the growth and stability of the U.S. economy, impedes the ability of financial service providers to dedicate capital, and limits the effectiveness of commodity exchanges, and

WHEREAS, such action is necessary as soon as possible to limit immediate market disruptions, encourage the continued financing of the cattle industry in general, re-instill public confidence in the efficient functioning of the agribusiness economy, and provide for worldwide agribusiness stabilization,

THEREFORE BE IT RESOLVED, NCBA strongly supports the development of a federal reinsurance program to establish risk sharing with the private sector and ensure the availability of catastrophic risk insurance products.

5. LABOR ISSUES

WHEREAS, legislative proposals have been made that would enable labor unions to rapidly boost their membership numbers to the detriment of employee and employer rights, and

WHEREAS, such legislation would hinder future economic growth and job creation,

THEREFORE BE IT RESOLVED, NCBA oppose the Employee Free Choice Act and any other effort that would:
1. Take away an employee's right to privacy by allowing a card check system instead of secret ballot voting to organize a union.
2. Force collective bargaining upon businesses and their employees who neither need it nor want it.
3. Require forced arbitration to determine wages and benefits without a ratification vote by employees.

AFP 5.2
2016/Amended

**Labor—Orderly Marketing**

WHEREAS, NCBA recognizes that various historic labor practices have had an adverse effect upon the orderly marketing and efficient production of our product,

THEREFORE BE IT RESOLVED, NCBA will oppose any effort which would be restrictive in the efficient movement of agricultural products to domestic and foreign consumers, including:

1. Discrimination in the sale of red meats (i.e., restriction of sale hours and marketing of fabricated products).
2. Labor union actions to control or restrain the movement of agricultural products.

BE IT FURTHER RESOLVED, NCBA should make efforts to inform consumers of labor or management practices which contribute to higher food costs.

BE IT FURTHER RESOLVED, NCBA agrees with the concept that losses sustained by strikes, boycotts or other organized labor action should be reimbursable to the producers and processors suffering said losses.

BE IT FURTHER RESOLVED, NCBA opposes any and all actions that would result in reduced labor productivity or increased labor costs directly related to the production, transportation, processing, or marketing of our product.

BE IT FURTHER RESOLVED, NCBA endorses the concept of fair and equitable salaries for value and production received.

AFP 5.3
2016/Renewed

**Davis-Bacon Act Exemption**

BE IT RESOLVED, NCBA supports an exemption of agricultural activities from the provisions of the Davis-Bacon Act.

AFP 5.4
2016/Renewed

**Worker’s Compensation**

BE IT RESOLVED, NCBA believes each state should be allowed to exercise its own rights in enactment of State Worker’s Compensation laws and NCBA is opposed to any Federal Worker’s Compensation Legislation affecting agriculture.

AFP 5.5
2016/Renewed

**Labor—Unemployment Compensation**

WHEREAS, the agricultural employers of the United States do not have the opportunity of passing on the additional cost of mandatory unemployment compensation deductions, and

WHEREAS, agricultural employees are presently protected under the Special Unemployment Assistance Program, and

WHEREAS, Congressional action in this area would impose additional requirements on agricultural employers, thereby interfering with states’ rights, and

WHEREAS, agricultural labor is generally excluded from various state and federal unemployment compensation programs, and

WHEREAS, mandated programs do not recognize the unique and often seasonal nature of agricultural labor,

THEREFORE BE IT RESOLVED, NCBA opposes federal legislation extending unemployment compensation to agriculture.

BE IT FURTHER RESOLVED, NCBA is opposed to unemployment deductions on family farm corporate members or other persons not eligible to receive unemployment compensation benefits.
WHEREAS, the cattle industry provides unique employment opportunities to inexperienced individuals, in addition to skilled and para-professional livestock workers, and

WHEREAS, the cattle industry also provides employment and training opportunities for those individuals who can work on a temporary basis,

WHEREAS, NCBA believes in, and subscribes to, the principle of paying employees a reasonable, livable wage for services performed.

THEREFORE BE IT RESOLVED NCBA opposes arbitrary raises in the minimum wage.

BE IT FURTHER RESOLVED, the wages, benefits, and hours of employment should be by mutual agreement between the employer and employee.

WHEREAS, union organizational efforts have included such coercive tactics as secondary boycotts, strikes at harvest time, unreasonable picketing, threats, destruction of private property, and bodily injury, and

WHEREAS, unions are presently using union dues for political activities, and

WHEREAS, since conferring upon unions the authority to draw up and enforce closed shop rules is, in effect, giving non-governmental bodies compulsory licensing and taxing authority, and

WHEREAS, a closed shop contributes to the power of unions to tie up entire industries and/or segments of the economy which is a dangerous threat to the rights of all citizens and the nation itself,

THEREFORE BE IT RESOLVED, NCBA supports the passage of “Right-to-Work” laws in those states where they are not part of the statutes and will support efforts to retain laws in states where they are a matter of record.

BE IT FURTHER RESOLVED, NCBA defends the provisions of the federal law which assures states the right to enact “Right-to-Work” laws, and insists the law be enforced against secondary boycotts.

BE IT FURTHER RESOLVED, Congress is urged to repeal those provisions of the National Labor Relations Act (NLRA) and the Railway Labor Act (RLA) which authorize and foster the practice of compulsory unions.

BE IT FURTHER RESOLVED, NCBA supports a position that would prohibit unions from using dues for any political activity, including “in kind” support.

BE IT FURTHER RESOLVED, NCBA urges Congress to pass laws increasing the authority of the President of the United States to prevent strikes and other work stoppages which cause serious harm to the general public and to agriculture.

BE IT FURTHER RESOLVED, NCBA opposes any legislation that would extend the federal authorization of compulsory union membership to agricultural employees or to any other employees not now covered by such provision.
WHEREAS, family farming and ranching is integral to U.S. agriculture, and

WHEREAS, the safety of our youth is paramount and of utmost importance to our producers, and

WHEREAS, it is essential to the beef industry to develop and train future workforce and leadership,

THEREFORE BE IT RESOLVED, NCBA will oppose legislation and regulation that limits producers’ ability to employ youth in their operations.

WHEREAS, the United States beef industry is challenged by a lack of interested and reliable U.S. workers and therefore must rely on immigrant workers for a significant portion of its labor force, and

WHEREAS, agricultural businesses desire to hire only documented, legal immigrants, and

WHEREAS, agricultural businesses are not equipped to verify the legitimacy of documents presented by potential employees,

THEREFORE BE IT RESOLVED, NCBA support meaningful legislative or regulatory immigration reform which:

1. Strengthens border security.
2. Creates a non-seasonal, temporary worker program that ensures an adequate workforce.
3. Provides opportunities for current employees found to be in the U.S. illegally to apply for legal status.
4. Instructs the Department of Homeland Security to work with cities, counties, and agriculture interests, including producer members of this association, in the implementation of any fences or other barriers between the United States and Mexico.

5. Commits adequate time and appropriations by the United States Congress and the Department of Homeland Security to implement a workable, expeditious, and common sense approach to temporary visa applications.
6. Denies access to citizenship or temporary visa to any alien who has committed a felony while in the United States, or violated a court order for deportation while legally in the United States.
7. Allows any and all undocumented workers, regardless of their family status, (within a reasonable amount of time after the enactment of any reform legislation and the implementation of enforcement procedures and before applying for a guest worker visa) to conduct a “touchback” in this country, through a consulate of their home country and achieve temporary legal status whereby they can reside in the United States until they achieve full legal status or must return to their home country. But, any undocumented workers who do not “touchback” should be considered fugitives, and deny Social Security benefits for any fiscal quarter where those individuals holding any visa have falsified their identification.
8. Institutes a point system based on the background checks and merits of the applicant/migrant to allow applicants the opportunity to show that their presence in this country would be an asset, regardless of family ties.
9. Processes first those applications for citizenship filed prior to the implementation of any immigration reform legislation, after which all other applicants should be processed in an orderly fashion.
10. Supports English language education programs.
11. Preempts states from adopting and prosecuting immigration laws to avoid regulatory duplication for employers.

BE IT FURTHER RESOLVED, NCBA support a safe harbor from prosecution for businesses unknowingly employing illegal workers until the federal government develops uniform, tamper-resistant documentation that will enable
employers to easily verify the immigration status of prospective employees,

BE IT FURTHER RESOLVED, NCBA support legislation that reduces penalties for employers who have followed available guidelines for verifying legitimacy of documents presented by potential employees,

BE IT FURTHER RESOLVED, NCBA oppose a mandatory E-verify program until a non-seasonal, temporary agriculture worker program is enacted.

AFP 5.11
2017/Renewed
H-2A or Agricultural Worker Program Enhancements

WHEREAS, agricultural employers in the United States face a shortage of available domestic workers and subsequently require a dependable source to obtain foreign workers, and

WHEREAS, the H-2A program has functionality implications that impact the usability of the program by all agriculture segments, and

WHEREAS, proposals to address these implications through “AgJobs” bills has created certain proposed inconsistencies between livestock industries,

THEREFORE BE IT RESOLVED, NCBA support the H-2A Program or similar agricultural worker programs, and the streamlining of these types of programs to better serve the agricultural industry by ensuring that any H-2A amendments or agricultural worker programs treat all segments of the livestock industry fairly, and retain all “special procedures” for occupations involved in livestock production necessary for individual segments of the livestock industries.

AFP 5.12
2016/Amended
Mexico Border Policy

WHEREAS, entry of illegal immigrants from Mexico poses very safety risks for cattlemen and their property along the United States-Mexico border, and

WHEREAS, ranchers in border counties are experiencing serious damages caused by illegal immigrant activities, and

WHEREAS, current security measures and law enforcement assets deployed on the United States – Mexico border are not sufficient to secure the border, and

WHEREAS, the Arizona Cattle Growers’ Association has developed a “Restore Our Border” plan, which calls for:

1. Securing the border along the international boundary.
2. Adding sufficient personnel to secure the border.
3. Providing the personnel with all the modern technology and resources necessary to enforce security at the international boundary.
4. Enhancing civil and governmental communications to provide full coverage throughout the border region.

WHEREAS, achieving immediate border security is the most important factor in protecting U.S. citizens from illegal activity associated with smuggling,

THEREFORE BE IT RESOLVED, property owners be reimbursed for damages caused by illegal immigrant activities.

BE IT FURTHER RESOLVED, NCBA encourage Congress and the Department of Homeland Security to do whatever possible secure the border.

AFP 5.13
2014/Renewed
The Secure Fence Act

WHEREAS, the Secure Fence Act enacted by the U. S. Congress calls for the construction of double-sided primary fence and a virtual fence, created by radar and camera-equipped towers and other technology, along certain sections of the USA- Mexico border, and

WHEREAS, these primary and virtual fences follow the Rio Grande River and other natural land formations and terrain, and
WHEREAS, the vast majority of the properties along the border are privately held, access to these properties should require permission from the landowners as well as fair compensation in order to construct and maintain a fence, and

WHEREAS, some of the proposed routes for fencing will separate lands and create a “no-man’s land” between the fence and the border,

THEREFORE BE IT RESOLVED, NCBA encourage the Department of Homeland Security to construct a virtual fence, created by radar and camera-equipped towers and other technology, wherever a primary fence could dissect property; and where a primary fence is deemed necessary, construct as close to river banks and natural barriers as possible.

BE IT FURTHER RESOLVED, that property owners impacted by the fence be compensated and access to any lands severed by the fence be guaranteed; and that those lands not be abandoned and be provided security and protection.

BE IT FURTHER RESOLVED, that NCBA work with the Department of Homeland Security to develop additional practical and viable alternatives for the security of the Nation.

6. BEEF SAFETY

AJP 6.1
2018/Amended
Irradiation

WHEREAS, irradiation technology has been approved by the Food and Drug Administration for use in beef processing, and the United States Department of Agriculture (USDA) has issued guidelines that allow for the implementation of irradiation technology at the packer and processor level, and

WHEREAS, irradiation is another important tool that in combination with other intervention strategies, such as safe food handling techniques, will help our industry reach its goal of providing a safe product to the consumer, and

WHEREAS, USDA has developed regulations to allow the use of this technology for the beef industry, and

WHEREAS, NCBA supports the use of irradiation and other available interventions to enhance beef safety,

THEREFORE BE IT RESOLVED, NCBA shall work closely with the Beef Industry Food Safety Council and others to facilitate and encourage the implementation of irradiation technology where appropriate in the industry.

BE IT FURTHER RESOLVED, NCBA encourages government agencies to establish internationally recognized terminology that more accurately reflects new technology, such as electronic pasteurization or ionizing pasteurization.

AJP 6.2
2018/Renewed
Cloning

WHEREAS, the U.S. Food and Drug Administration (FDA) has released a risk assessment on animal cloning that evaluated the health risks to animals involved in the process of cloning and evaluated the food consumption risks that may result from edible products derived from individual clones or their progeny, and

WHEREAS, the risk assessment found that meat and milk from clones and their progeny are safe for human consumption,

THEREFORE BE IT RESOLVED, NCBA accepts the scientific FDA findings and recognizes cloning technology as another assisted reproductive technology that can be used in the beef industry.

AJP 6.3
2018/Renewed
Labeling of Safe Product

WHEREAS, the development of technology has the potential to bring positive change to our industry, and

WHEREAS, government and private institutions have evaluated technologies used in the production and the processing of livestock deemed as safe, based on sound science,

THEREFORE BE IT RESOLVED, NCBA opposes any government mandated attempt to label livestock and animal products and their progeny in
order to differentiate products because of use of technology that has been scientifically proven safe.

BE IT FURTHER RESOLVED, NCBA continues to support the use of research and sound science when making decisions regarding the development of technology that can be used in the livestock industry.

AFP 6.4
2016/Amended
Beef Industry Commitment to Food Safety Interventions

WHEREAS, the reduction of all food safety pathogens continues to be a top priority for the beef industry, and

WHEREAS, NCBA members welcome the opportunity to work in collaboration with industry stakeholders, government, researchers, and international bodies, and

WHEREAS, NCBA continues to be a leader in proactively identifying the most pressing knowledge gaps, furthering scientific knowledge, and finding solutions in order to continually improve beef safety while also ensuring food security, and

WHEREAS, there is not a “silver-bullet” for a common intervention application for pre- or post-harvest,

THEREFORE BE IT RESOLVED, NCBA support the multidisciplinary approach to identify and develop interventions along the entire food chain to address key knowledge hurdles and develop targeted solutions, and

BE IT FURTHER RESOLVED, NCBA support a collaborative approach to extensive research to ensure that intervention applications are science-proven and designed for industry application, and

BE IT FURTHER RESOLVED, NCBA support educational initiatives developed to assist the industry in making informed decisions when new intervention technologies become commercially available.

AFP 6.5
2016/Amended
Beef Industry Commitment to Reduce Foodborne Pathogens

WHEREAS, O157:H7 and non-O157 shiga toxin-producing E. coli and other foodborne pathogens have been associated with serious public health problems in humans, and

WHEREAS, the beef industry is committed to prevent and eliminate the presence of all pathogenic bacteria capable of increasing the burden on public health,

THEREFORE BE IT RESOLVED, NCBA reaffirms its commitment to further reduce the risks associated with pathogenic shiga toxin-producing E. coli utilizing scientifically proven production practices and technologies, and its goal to produce, deliver, and serve wholesome and safe beef for each and every family.

BE IT FURTHER RESOLVED, NCBA should continue to work with all segments of the beef industry and government to pursue interventions and/or practices that will reduce the prevalence of pathogenic bacteria throughout the beef industry and seek the necessary regulatory approvals and implementation across the industry.

THEREFORE BE IT RESOLVED, NCBA strongly supports funding from the public and private sectors for research to establish prevalence and incidence of pathogenic bacteria that produce toxins with human health consequences.

BE IT FURTHER RESOLVED, NCBA support research, in conjunction with risk assessment, being utilized to develop strategies to minimize the risk of human exposure from all pathogenic bacteria capable of increasing the burden on public health.

AFP 6.6
2015/New
Genetically Engineered or Modified Organisms Labeling

WHEREAS, genetically engineered or modified organisms with regulatory approval have been proven to be scientifically safe, and
WHEREAS, the genetically engineered or modified organisms technology has provided efficiencies for agriculture,

THEREFORE BE IT RESOLVED, NCBA opposes the government mandated labeling of meat products as genetically engineered or modified solely because the livestock consumed plants, feed, or nutrients derived from genetically engineered or modified plants.

7. INSPECTION

AFP 7.1
2016/Amended
Imported Meat Inspection Equivalency

WHEREAS, standards of meat inspection in foreign plants exporting meat to the United States are required by law to be equivalent to U.S. meat inspection standards,

THEREFORE BE IT RESOLVED, slaughter, processing, and transporting facilities that handle foreign meats for importation to the United States should be subject to equivalent inspection and sanitation requirements applicable to federally inspected plants in the United States.

BE IT FURTHER RESOLVED, imported meat should be subject to the same restrictions as domestically produced meat with respect to feed additives, antibiotics, pesticides, biological hazards, and other chemicals.

BE IT FURTHER RESOLVED, NCBA shall periodically review the current USDA Food Safety and Inspection Service (FSIS) foreign meat inspection programs at ports of entry. This review should include an analysis of antibiotic/chemical residue testing protocols and evaluation of microbiological profiles of imported products.

BE IT FURTHER RESOLVED, FSIS shall provide an annual report to the public of efforts to ensure the equivalency of foreign meat inspection systems.

AFP 7.2
2016/Renewed
Domestic Meat Inspection System

WHEREAS, NCBA is committed to meeting consumer expectations in producing and delivering a safe and wholesome beef supply, and

WHEREAS, NCBA supports inspection to the extent necessary to assure that all meat entering commercial and government channels is wholesome and processed and distributed under sanitary conditions, and

WHEREAS, mandated federal programs should be all inclusive to maximize the interest of public protection by including all animal protein industries equally in the inspection process,

THEREFORE BE IT RESOLVED, NCBA support an inspection system that:

- Includes all animal protein industries to include meat, poultry, and fish.
- Eliminates economic inequities between species in the inspection process.
- Uses a HACCP-based inspection program based on scientific principles that extends through the food distribution system.
- Remains under authority and jurisdiction of USDA with public funding.
- Maintains third party intervention to detect and remove individual diseased animals or parts from the food chain.
- Classifies all food-borne pathogens using a risk-assessment model.
- Adopts a single federal-state inspection stamp or legend for use on federally inspected meat and meat inspected under “equivalent to” state programs.
- Designates the meat inspected under state programs as being “equivalent to” federal standards and be accorded the same freedom of movement in interstate commerce as is accorded meat imported into the United States from foreign countries.
- Provides the Secretary of Agriculture the discretion to determine the appropriate level of inspection, including increasing inspection during an investigation and/or legal
proceedings, in order to assure that meat produced is of wholesome quality.

• Affords due process to all parties involved in any investigation of improper meat production and all investigations be handled in a prompt and fair manner.

AFP 7.3
2016/Renewed
FSIS National Residue Monitoring Program

WHEREAS, consumer confidence in beef is a critical issue for the cattle industry, and

WHEREAS, chemical residues are an important factor influencing consumer attitudes,

THEREFORE BE IT RESOLVED, NCBA strongly encourages Food Safety Inspection Service (FSIS) to maintain or improve the specificity and sensitivity of the present level of testing in the National Residue Monitoring Program, and to develop a risk-based chemical residue monitoring program.

BE IT FURTHER RESOLVED, NCBA encourages FSIS to make the results of the National Residue Monitoring Program available on a timely basis.

8. NUTRITION & HEALTH

AFP 8.1
2016/Amended
Nutrition & Health Statement of Principles

BE IT RESOLVED, NCBA adopt the following statement of principles for nutrition and health issues:

Introduction:
As producers, processors, and marketers of the nation’s beef supply, we are committed to providing a wholesome, nutritious food, and to communicating accurate information about beef's nutritional qualities and the role of beef in a healthful diet. We pledge to use the following principles to guide our actions and communications about beef in regard to nutrition and health.

Principles:
1. We will provide factual, scientifically supported information about beef to help consumers make informed choices about what they eat.
2. We support the Dietary Guidelines for Americans recognizing that there are a variety of ways to achieve a healthy diet, and further, we believe that the overwhelming scientific evidence shows that dietary balance, variety, and moderation coupled with appropriate physical activity provides the foundation for a healthful life.
3. We are committed to conducting and participating in programs to actively disseminate accurate information about the nutritional advantages of beef in a healthful and balanced diet and lifestyle.
4. We recognize the important role of health professionals and nutrition educators in providing nutrition information and are committed to working with them and their professional organizations to communicate accurate information about nutrition and health.
5. We believe that dietary balance, variety, moderation, and physical activity are the keys to health, and we also encourage individuals with specific health concerns that require dietary modification to consult a physician followed by nutrition counseling from a Registered Dietitian/Nutritionist.
6. We support research on the nutritional qualities of beef and will accurately communicate research findings to help consumers make informed decisions about their diet.
7. We recognize that consumers want foods that are good tasting and convenient as well as nutritious and will support research to provide beef products that meet these consumer demands.

AFP 8.2
2016/Renewed
Nutrient and Food Consumption Survey

WHEREAS, United States Department of Agriculture (USDA) has always had the primary responsibility for nutrient and food consumption data collection, and

WHEREAS, other government agencies and private sector groups are also doing nutrient and food consumption surveys, and
WHEREAS, nutrient and food consumption data influence the scientific and consumer perception of beef’s role in the diet, and

WHEREAS, the Nutrition Monitoring Act of 1990 requires more harmony among government agencies in surveying food consumption and nutrient intake,

THEREFORE BE IT RESOLVED, NCBA advocates the primary responsibility of food consumption and nutrient intake data collection remain at the USDA.

AFP 8.3
2016/Renewed
USDA National Nutrient Database for Standard Reference

WHEREAS, the beef checkoff has collaborated with United States Department of Agriculture (USDA) to update the database on the nutrient content of beef as compiled in the USDA National Nutrient Database for Standard Reference, and

WHEREAS, data in the USDA National Nutrient Database for Standard Reference reflects the current nutrient values of many popular retail beef cuts, and

WHEREAS, current values more accurately reflect today’s leaner, trimmer beef, which is significantly lower in fat and cholesterol, and

WHEREAS, the current release also includes outdated information and nutrient values of many cuts no longer popular at retail and no longer reflective of consumer eating habits, and

WHEREAS, there remain some cuts of beef not reflected in the current data, and

WHEREAS, there is inconsistency of nutrient data representation across protein species,

THEREFORE BE IT RESOLVED, NCBA continues to collaborate with USDA to update the database with popular beef cut data reflecting consumer eating habits, and encourages the use of current data by other government agencies and other groups issuing dietary recommendations with regard to beef.

BE IT FURTHER RESOLVED, NCBA encourages USDA to represent data fairly and consistently across protein species in the database.

AFP 8.4
2016/Renewed
Imitation and Substitute Products

BE IT RESOLVED, in the interest of not misleading consumers, NCBA takes the position that manufacturers and distributors of non-beef products or other products designed to imitate or substitute for beef and beef products should be prohibited in product promotion, advertising, or labeling from using pictures or pictorial facsimiles of beef and beef products, and from using names of natural beef and beef products or terms directly associated by the consumer with the natural products.

AFP 8.5
2016/Renewed
Dietary Recommendation Issues

WHEREAS, government-funded agencies and health organizations continue to issue dietary guidelines to promote health and are influencing food choices, and

WHEREAS, beef—with its high nutrient density—makes an important nutrient contribution to restrictive as well as more conventional diets,

THEREFORE BE IT RESOLVED, NCBA:

1. Encourage the United States Department of Agriculture (USDA) to frequently update and disseminate factual information based on sound science on the nutrient composition of the various beef cuts, information which includes data on the actual content of fat, saturated fat, cholesterol, and other essential nutrients in cooked beef cuts.

2. Encourage government agencies and health organizations to disseminate information on the actual nutrient content of beef, showing that numerous cuts of beef can be part of recommended low-fat and other modified diets.

3. Encourage government agencies and health organizations to recognize and point out in their information programs
the role of beef in sound nutrition education programs.
4. Work with other organizations to continue to effectively inform health professionals and other nutrition information sources, including the news media, and with members of the food industries, in order to gain wider awareness of beef’s actual nutrient density and its important role in providing essential nutrients in diets.
5. Encourage continued research on beef’s role in nutrition, diet, and health.
6. Support legislation requiring government agencies to submit proposed diet guidance to USDA for review and approval prior to its release.

AFP 8.6
2014/Amended

**Vegetable Protein Enhanced Products**

WHEREAS, beef is a highly nutritious commodity distributed through the government feeding programs, and

WHEREAS, USDA currently allows a maximum of 30 percent (by weight) “vegetable protein” in meat products in the government feeding programs, and

WHEREAS, processors manufacture beef products to comply with the requirements set forth by USDA for use in the government feeding programs, and

WHEREAS, foods served in the government feeding programs make a lifelong impression on consumers of those products, and

WHEREAS, the addition of “vegetable protein” to beef products may enable program directors and consumers to serve more beef while meeting economic and nutrition requirements, as presented in the Dietary Guidelines for Americans,

THEREFORE BE IT RESOLVED, NCBA does not approve of the addition of “vegetable protein” into beef products unless:

1. Demand for beef products is increased.

2. “Vegetable protein” does not account for greater than 30 percent (by weight) of meat products, and is not used as a substitute for meat/meat alternative products within the government feeding programs.

3. “Vegetable protein” enhanced meat products are sold in commercially prepared forms that meet the standards-of-identity as developed by USDA in order to assure quality, safety, consistency, and consumer acceptability.

4. Beef products containing “vegetable protein” are visibly labeled and presented to consumers in a non-misleading way.
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1. ANIMAL CARE

CH 1.1
2017/Amended
Non-Ambulatory Livestock

WHEREAS, livestock producers are vitally interested in the well-being of the animals in their charge, and

WHEREAS, producers make every effort to obtain veterinary care for animals that are sick or injured, and

WHEREAS, despite all precautions, some animals may become non-ambulatory, and

WHEREAS, cattle producers are committed to ensuring that all cattle are treated humanely,

THEREFORE BE IT RESOLVED, NCBA supports policies to prohibit the transport and harvest of non-ambulatory cattle for the commercial food supply,

BE IT FURTHER RESOLVED, NCBA shall work with the United States Department of Agriculture’s Animal and Plant Health Inspection Service (USDA-APHIS) and other appropriate partners, such as the rendering industry and livestock markets, to develop incentives to facilitate the surveillance of non-ambulatory animals for BSE and other important diseases,

BE IT FURTHER RESOLVED, NCBA will also work with these partners to ensure the financially and environmentally sound disposal of such animals.

CH 1.2
2015/Renewed
Animal Production Practices

WHEREAS, on occasion the industry is faced with issues where an individual has not conducted themselves or their businesses in keeping with industry standards for recognized business and livestock management practices, and

WHEREAS, all beef producers bear the brunt of regulatory action and public ill-will over the misguided and inappropriate action of some producers and the lack of effective oversight from agencies responsible for enforcing producer-supported humane handling regulations,

THEREFORE BE IT RESOLVED, NCBA will educate producers and calls upon all sectors of the beef industry to follow commonly accepted industry livestock and business management practices in animal health and care.

BE IT FURTHER RESOLVED, NCBA shall not be compelled to defend anyone in beef cattle production who has clearly acted to abuse livestock or has neglected clear animal health needs.

BE IT FURTHER RESOLVED, NCBA may determine that the best interest of cattle producers is served by supporting action from appropriate local, state, or federal agencies against those who abuse livestock or regulators who are negligent in enforcing laws regarding humane harvest.

CH 1.3
2014/Renewed
Animal Care

WHEREAS, farmers and ranchers have long been concerned with the welfare of livestock, recognizing that good animal health, care, production and handling practices are essential to efficient and profitable production,

THEREFORE BE IT RESOLVED, for reasons of clarification, NCBA recognizes the following definitions:

- Animal Welfare: the reasonable care of all animals, i.e. good animal husbandry practices.
- Animal Rights: a position taken by those who believe that animals have legal and moral rights similar to humans.

BE IT FURTHER RESOLVED, NCBA monitors the animal rights issue if it develops in the courts and in Congress and takes appropriate action when necessary.

CH 1.4
2016/Renewed
Support of Rodeo Activities and Professional Rodeo Cowboy Association Humane Guidelines

WHEREAS, the Professional Rodeo Cowboys Association (PRCA) has established guidelines on the care and handling of rodeo stock for competition as stated in the PRCA humane guideline, and
WHEREAS, PRCA has conducted scientific studies and compiled statistics on animal welfare to establish the humane guidelines for the handling and care of rodeo livestock,

THEREFORE BE IT RESOLVED, NCBA encourages all rodeo events to follow the PRCA Humane Guidelines, and NCBA supports rodeos conducted under the PRCA Humane Guidelines.

CH 1.5
2017/Renewed
Livestock Management & Animal Health and Well-Being Standards

WHEREAS, NCBA believes it is the responsibility of each cattle producer to manage livestock in a humane manner, and

WHEREAS, NCBA also believes in the right of each individual cattle producer to identify and exercise the animal care practices that are most appropriate for his or her operation, and

WHEREAS, cattle production practices in use today are necessary to meet identification, beef quality, food safety, and animal health and well-being purposes for cattle producers,

THEREFORE BE IT RESOLVED, NCBA support additional research to identify and test alternative cattle production practices that maintain the highest standards for animal health and well-being without resulting in additional costs to producers, losses in production, or mandates of specific animal handling practices,

BE IT FURTHER RESOLVED, NCBA encourage other cattle industry groups to also support and help fund such projects to make additional options available to the nation’s cattle producers.

CH 1.6
2014/New
Beef Quality Assurance

WHEREAS, the national Beef Quality Assurance (BQA) program is a vital educational program which trains and tests cattle producers on the use of guidelines in responsible cattle production in order to protect the welfare of our cattle, enhance the safety of beef, and grow the consumer’s confidence in our industry, and

WHEREAS, proactive use of BQA programs and training provides the skills which will help protect the viability of our industry for future generations, and

WHEREAS, a strong BQA program, available to all producers, will provide cattlemen and the beef industry with a strengthened position to demonstrate our commitment to the safety and quality of beef, in addition to the health and care of our cattle, and

WHEREAS, cattlemen and the beef industry have experience with BQA assessment tools and recognize this assessment process must be dynamic to meet the beef industry's needs,

THEREFORE BE IT RESOLVED, NCBA encourage cattle producers, all other segments of the beef industry, and consumers to recognize BQA programs and guidelines as the industry foundation for beef quality, beef safety, and cattle care and handling.

CH 1.7
2014/New
Beef Quality Assurance (BQA) Auditing

WHEREAS, the beef industry is moving towards third party audit systems that potentially could have varying audit points, and

WHEREAS, beef producers are expected to keep written records for the audit process and cannot be tied to multiple record systems,

THEREFORE BE IT RESOLVED, NCBA work towards utilizing the current Beef Quality Assurance assessments for such third party audits.

CH 1.8
2017/Amended
Layover of Livestock

WHEREAS, livestock producers are interested in the well-being of their animals during transportation,

THEREFORE BE IT RESOLVED, NCBA opposes any policy on enforcement of extended layovers of livestock on trailers due to transportation regulations, and support hours of service extension to allow for cattle to be transported to a facility where they may receive proper care, feed, and water.
2. BRUCELLOSIS

CH 2.1
2015/Renewed
Brucellosis

WHEREAS, Brucellosis is a major concern to the United States (U.S.) cattle industry, and

WHEREAS, United States Department of Agriculture, Animal and Plant Health Inspection Service, Veterinary Services (USDA, APHIS, VS) is reviewing the progress of the National Brucellosis Eradication Program and taking steps to make the program more efficient and to modernize the program’s regulatory framework, and

WHEREAS, brucellosis prevalence in the Greater Yellowstone Area’s bison and elk is considered to be the reservoir for brucellosis, putting the U.S. cattle herd at risk,

THEREFORE BE IT RESOLVED, NCBA will pursue priorities and strategies regarding both the modification of the National Brucellosis Eradication Program and the eradication of brucellosis from the Greater Yellowstone Area.

BE IT FURTHER RESOLVED, NCBA will pursue granting APHIS VS clear authority over federal efforts to control and eradicate brucellosis in all species in which the disease is found.

CH 2.2
2015/Renewed
Swine Brucellosis Infection in Cattle

WHEREAS, swine brucellosis (Brucella suis) is an infectious disease of swine that can also affect humans and cattle, and

WHEREAS, swine brucellosis is endemic in feral swine populations, and

WHEREAS, swine brucellosis infection in cattle causes economic losses to the beef industry, and

WHEREAS, swine brucellosis infection in cattle can interfere with the interpretation of serologic (blood) tests used to diagnose Brucella abortus (cattle brucellosis) in the cattle population,

THEREFORE BE IT RESOLVED, NCBA supports increased research on the swine brucellosis infection in cattle, to develop differentiating serologic tests, develop effective vaccines for cattle, and better control mechanisms for the disease.

CH 2.3
2017/Renewed
Brucellosis – Select Agent

WHEREAS, U.S. Homeland Security has designated Brucella abortus as a Select Agent that could be utilized as a weapon of bioterrorism, and

WHEREAS, this designation limits the ability to conduct challenge studies of potential brucellosis vaccines, and

WHEREAS, challenge studies are an essential step in the development of new or enhanced vaccines to control brucellosis in cattle and wildlife in the Greater Yellowstone Area, and

WHEREAS, the risk of Brucella abortus being used as an effective weapon of bioterrorism is extremely low, and

WHEREAS, Brucella abortus and other virulent Brucella species are readily available in nature,

THEREFORE BE IT RESOLVED, NCBA support removal of Brucella abortus from the Select Agent list,

BE IT FURTHER RESOLVED, NCBA continue to support and pursue funding for brucellosis research.

3. DRUGS AND BIOLOGICS

CH 3.1
2017/Amended
Pests—Ticks

Part I— Coordination

WHEREAS, ticks enter the United States (U.S.) periodically from other countries and cause a threat to cattle and wildlife by possible disease transmission, and

WHEREAS, these diseases could cause great economic hardships to agriculture and inhibit foreign trade, and

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WHEREAS, systematically treating cattle is the most effective means of eradicating Cattle Fever Ticks from a premises,

THEREFORE BE IT RESOLVED, NCBA encourages the United States Department of Agriculture (USDA) and all other agencies to work closely with foreign governments, including frequent interchanges of information and technicians between countries, so that the prevention/eradication efforts and elimination of ticks from all animals being exported can be coordinated with the prevention/eradication program in the U.S.,

BE IT FURTHER RESOLVED, NCBA strongly supports greater flexibility of the Designated Fever Tick Epidemiologist to develop an attainable herd management plan to prevent cattle from being vacated from a premises.

Part II—Research

WHEREAS, acaricides have been used successfully to eradicate cattle fever ticks from the U.S., and

WHEREAS, a limited number of acaricides are still in use in order to prevent reinvasion of Cattle Fever Ticks and are used to eliminate cattle ticks found on cattle in the U.S., and

WHEREAS, there is scientific evidence that Cattle Fever Ticks in Mexico and Southern Texas, have become resistant to many commonly used acaricides,

THEREFORE BE IT RESOLVED, NCBA urges that the Animal and Plant Health Inspection Service (APHIS), and the Department of Interior, U.S. Fish and Wildlife Service take all necessary measures to prevent the introduction of ticks into the U.S. and that USDA, Agricultural Research Service (ARS) undertake accelerated research to mitigate the threat of acaricide resistance by conducting research aimed at developing alternate materials, methods, and techniques to control resistant strains of cattle ticks,

BE IT FURTHER RESOLVED, NCBA works in concert with the United States Animal Health Association and APHIS to enhance the surveillance program for the Cattle Fever Tick as well as an emergency response plan in the event ticks or tick borne disease is introduced into the U.S.,

BE IT FURTHER RESOLVED, NCBA acknowledges the research initiatives of the Knipling-Bushland U.S. Livestock Insects Research Laboratory and supports continued research in pesticide resistance, development of technology to control populations of Cattle Fever Ticks maintained and distributed by ungulate wildlife and development of alternative methods to reduce reliance on coumaphos and doramectin as the only form of chemical controls of specific insect and tick vectors,

BE IT FURTHER RESOLVED, NCBA strongly supports the construction of new laboratory facilities to replace the World War II era buildings currently used.

Part III – Funding

WHEREAS, the National Cattle Fever Tick Eradication program was initiated in 1906 and was initially funded by Congress in 1907 as a cooperative federal/state/industry disease and pest eradication effort, and

WHEREAS, a permanent quarantine zone was established along the Texas side of the Rio Grande in 1938 to prevent re-establishment of Cattle Fever Ticks from Mexico in Texas, and

WHEREAS, Cattle Fever Ticks were eradicated from all 14 states that comprised the fever tick’s historical range and were pushed across the Rio Grande by 1943, and

WHEREAS, since 1943 the Permanent Fever Tick Quarantine Zone has been maintained by the cooperative efforts of the Texas Animal Health Commission and USDA-APHIS, Veterinary Services, and

WHEREAS, the Cattle Fever Tick Eradication Program has been habitually understaffed and under-funded, while the level of tick infestations is trending upward and tick incursions from Mexico are increasing, resulting in a historical high number of infested premises since 2004, and

WHEREAS, the increasing occurrence of acaricide resistant ticks in Mexico and the identification of some acaricide resistant ticks in Texas, and the increasing role of wildlife hosts (especially white-tailed deer, red deer, nilgai, and other exotic ungulates) in the spread and maintenance of fever ticks in Texas are of great concern, and

WHEREAS, recent Cattle Fever Tick outbreaks have occurred in the free area portion of several South Texas counties since November 2016
and has resulted in a significantly increased number of Cattle Fever Tick infested premises outside the Permanent Fever Tick Quarantine Zone, resulting in over a million acres of the formerly free areas of South Texas under Cattle Fever Tick quarantine and requiring many millions of dollars in resources to cover the costs of the increase in human and fiscal resources needed to contain and eliminate the Cattle Fever Tick outbreak, and

WHEREAS, if Cattle Fever Tick outbreaks are not systematically contained and eliminated in South Texas, the entire historic range of the Cattle Fever Tick is in jeopardy for the potential reintroduction of fever ticks, which in turn could cause outbreaks of Cattle Tick Fever, resulting in large numbers of cattle being lost to the disease and costing hundreds of millions of dollars in economic impact to affected areas, and billions of dollars on a national scale,

THEREFORE BE IT RESOLVED, NCBA urges USDA, the Office of Management and Budget, and Congress to immediately provide funding needed to cover the costs associated with elimination of Cattle Fever Ticks from the outbreak areas of Texas, and other states if needed,

BE IT FURTHER RESOLVED, NCBA urges Congress to provide to the Agricultural Research Service funding for research and development of novel acaricides and anti-tick vaccines for fever tick control on wildlife hosts and on livestock, to identify mitigation strategies, like that Veterinary Pest Genomics Center, that could aid in control of fever ticks, to develop advanced methods for prevention and eradication of Cattle Fever Ticks, and to improve management of diseases related to Cattle Fever Ticks that are associated with wildlife and livestock.

CH 3.2
2014/Renewed
Regulation and Use of Biologicals

WHEREAS, United States Department of Agriculture (USDA) regulates the manufacturing of animal biologics,

THEREFORE BE IT RESOLVED, NCBA works to maintain regulatory authority of animal biologics within the USDA.

BE IT FURTHER RESOLVED, NCBA urges USDA to negotiate agreements of understanding with states to continue state regulation of intrastate biological manufacturing.

BE IT FURTHER RESOLVED, NCBA opposes any changes of laws or regulations which would restrict the present access and/or availability of animal biologics, except when the changes are supported by clear scientific evidence done on relevant species.

CH 3.3
2015/Amended
New Pesticides

WHEREAS, the United States Department of Agriculture, Agricultural Research Service (USDA, ARS) has the personnel, facilities, and expertise to develop alternative control technologies, and

WHEREAS, the control of ticks, flies, lice, and internal parasites and other pests is necessary to maintain animal health, and

WHEREAS, the future of dip vat use and pest resistance to pyrethroid and organophosphate insecticides is uncertain,

THEREFORE BE IT RESOLVED, NCBA recognizes the importance of adequate pest control technology and NCBA supports the need for the USDA, ARS and the chemical industry to attach a high priority to research and develop new insecticides and alternative tick eradicators to include the development of technology for the control of ticks on all animals including wildlife, reptiles, exotic, and endangered species.

BE IT FURTHER RESOLVED, NCBA encourages research, extension education, and industry participation to implement the use of available control strategies designed to prolong the use of currently registered materials.

CH 3.4
2016/Amended
Fluoroquinolone Use

WHEREAS, the Food and Drug Administration (FDA) has standards for the use of fluoroquinolone in beef cattle, and

WHEREAS, NCBA’s Beef Quality Assurance programs encourage the cooperation of
veterinarians, nutritionists, and the pharmaceutical industry,

THEREFORE BE IT RESOLVED, NCBA recognizes and endorses the FDA regulations for fluoroquinolone use which clearly prohibit the extra label use of this class of antibiotics.

CH 3.5
2016/Renewed
Illegal Drug Use

WHEREAS, NCBA has an active Beef Quality Assurance program, and

WHEREAS, NCBA has repeatedly opposed illegal or improper use of pharmaceuticals or biologicals in cattle, and

WHEREAS, there have been reported incidences of deliberate misuse of such products,

THEREFORE BE IT RESOLVED, NCBA supports aggressive control and prosecution of suppliers and/or users of illegal products.

CH 3.6
2016/Amended
Harmonization of Biologic Manufacturing

WHEREAS, the World Trade Organization (WTO) calls for the harmonization of production, regulation, and policy of veterinary biologic manufacturing, and

WHEREAS, the United States Department of Agriculture-Animal and Plant Health Inspection Service (USDA-APHIS) Code of Federal Regulations (CFR) has shown itself to be adequate and effective for the regulation of production of biologics within the United States (U.S.), and

WHEREAS, adopting European Union (EU) style regulations would result in restricted availability and significant increases or in product cost for producers,

THEREFORE BE IT RESOLVED, NCBA support APHIS 9 CFR as the regulatory mechanism controlling the production and marketing of veterinary biologics in the U.S.

BE IT FURTHER RESOLVED, NCBA opposes adoption of the European system, and harmonization with the EU under the General Agreement on Tariffs and Trade (GATT) should be accomplished via mutual recognition basis equivalence as evaluated by scientific methods.

CH 3.7
2016/Amended
Drug Compounding Policy Statement

WHEREAS, NCBA recognizes that in some situations veterinarians need to use their professional training to compound therapeutic products from bulk materials to provide adequate animal care for cattle producers,

THEREFORE BE IT RESOLVED, to maintain integrity of the cattle industry and the wholesome reputation of beef, drug compounding should be utilized only in very limited situations, such as antidotes and some euthanasia products, in order to better control the risks of the residue violations that could occur from the use of such products.

CH 3.8
2017/Amended
Animal Drugs, Biologic & Feed Additives

Part I

WHEREAS, the use of chemicals is necessary for adequate and economical agricultural production, and

WHEREAS, feed additives, growth promotants, drugs, and pesticides are necessary tools for the efficient production of livestock, and

WHEREAS, unnecessary delays in approval of new products deprive the livestock industry and consumers of this increased efficiency of production, and

WHEREAS, the continued regulatory pressure upon proven products already in use threatens their future use and influences consumer perception of beef,

THEREFORE BE IT RESOLVED, NCBA supports a clear, logical, and scientifically sound procedure for clearance of new products,

BE IT FURTHER RESOLVED, NCBA shall take any responsible action necessary to prevent the restriction of proven available products until such
time as scientific evidence and sound judgment proves the product unsafe for use in food animals,

BE IT FURTHER RESOLVED, NCBA insists that the Food and Drug Administration (FDA) follow proper rulemaking regulatory changes affecting the cattle industry.

Part II

WHEREAS, the determination of whether or not a given substance is allowed to be fed or otherwise administered to food-producing animals should be based on appropriate scientific investigation and tests, rather than on the degree of refinement of the detection devices and procedures utilized, which is the case under “zero tolerance” provisions, and

WHEREAS, NCBA supports the concept of setting safe and realistic residue tolerance levels determined by appropriate scientific investigation and tests, and

WHEREAS, NCBA believes that animal drugs and feed additives can be used by the beef industry in producing safe and wholesome meat products for the consuming public,

THEREFORE BE IT RESOLVED, NCBA shall aggressively work with Congress for proper food safety legislation, requiring Food and Drug Administration tolerance levels, which will more reasonably guide regulatory policy.

Part III

WHEREAS, NCBA has repeatedly recognized the responsibility of industry members for the proper use of all livestock chemicals, drugs, and feed additives,

THEREFORE BE IT RESOLVED, NCBA urges all livestock producers to closely follow instructions and withdrawal times to demonstrate conclusively to both government agencies and consumers that all drugs and feed additives administered or fed to meat animals have been used in conformity with dosage directions, requirements, and withdrawal periods.

Part IV

WHEREAS, FDA has implemented regulations affecting mixers of medicated feeds, and

WHEREAS, the livestock mixer-feeder has the responsibility to keep unsafe residues out of the animal products they produce, and

WHEREAS, FDA proposes to regulate mixer-feeders on the same basis as commercial feed mills selling feed into commerce,

THEREFORE BE IT RESOLVED, NCBA aggressively:

1. Insist that FDA recognize that livestock mixer-feeders are in the business of producing food animals, not selling feed for further distribution like commercial feed manufacturers.
2. Support a simplified medicated feeds regulatory system for mixer-feeders which is separate and apart from the regulatory system governing commercial feed manufacturers.
3. Pursue food safety legislation which would eliminate FDA’s double regulation which requires approval of the same conditions of the use twice, once by the drug manufacturer and again by the user of the drug in feed.
4. Support the National Mixer Feeder Association objective to represent mixer-feeders of all animal species in a united effort to aggressively pursue a simplified FDA regulatory system for mixer-feeders which treats all mixer-feeders equally and is separate and apart from the regulatory system governing commercial feed manufacturers.

CH 3.9
2017/Renewed
Residues in Imported Meat

WHEREAS, the marketing of red meat produced with the aid of unapproved products may create an unfair competitive advantage from imported meat and may cause increased concern on the part of the consumer about the wholesomeness and purity of all red meat products,

THEREFORE BE IT RESOLVED, NCBA seeks adequate regulatory changes to ensure the safety of United States (U.S.) beef and to protect U.S. consumers by denying the importation of live cattle and beef from any country which allow the use of pharmaceuticals, feed additives, herbicides, insecticides, or other products in the beef production system which have not been approved by the
appropriate U.S. government agency that has jurisdiction.

CH 3.10  
2017/Amended  
Judicious Use of Antibiotics and Drugs

WHEREAS, the use of antimicrobial agents and other modern compounds is necessary at times to preserve life and prevent suffering in the face of disease in cattle, and

WHEREAS, indiscriminate use of antimicrobials may lead to the development of bacterial resistance, possibly impacting both animal and human health, and

WHEREAS, it is recognized that cattle producers have an obligation to protect animal health and protect human health and promote food safety,

THEREFORE BE IT RESOLVED, NCBA advocates the judicious use of antimicrobials, other compounds, and drugs. Issues involving the use of such products in animals and humans must be resolved using sound, peer-reviewed science without influence of emotion or political agendas,

BE IT FURTHER RESOLVED, NCBA advocates the responsible use of antimicrobials, other compounds, and drugs as outlined in the Quality Assurance Guidelines for both beef and dairy cattle, as appropriate.

CH 3.11  
2016/Renewed  
Pharmaceutical Labeling/Approval

WHEREAS, food safety and quality is the number one concern of the livestock industry and the expedient approval of new and efficacious products for use in cost-effective livestock production is lacking.

THEREFORE BE IT RESOLVED, NCBA shall work with Food and Drug Administration (FDA) and pharmaceutical companies to streamline the approval and labeling process of new and existing livestock products and to continue supporting vet/client relationships in cases where extra label use is the only effective means of treatment.

CH 3.12  
2016/Amended  
Polyether Ionophores

WHEREAS, polyether ionophores (monensin, lasalocid, and laidlomycin) do not function as therapeutic or sub-therapeutic antibiotics when fed to cattle, are not used as therapeutic agents in human medicine, and are not a concern for antibiotic resistance in humans or cattle, and

WHEREAS, some beef marketing claims focus on animal production without use of antibiotics and such claims jeopardize the use of polyether ionophores, and

WHEREAS, United States producers are placed at a competitive disadvantage to producers in the European Union and Australia due to different reporting and regulatory requirements for ionophores,

THEREFORE BE IT RESOLVED, NCBA should utilize all avenues to maintain beef cattle producers’ ability to utilize polyether ionophores and develop strategies with input from all stakeholders.

BE IT FURTHER RESOLVED, NCBA work to educate consumers, retailers, policy makers, and other interested parties that polyether ionophores are not considered to be medically important to humans.

BE IT FURTHER RESOLVED, NCBA support separate reporting by the Food and Drug Administration and other agencies of polyether ionophores and other antimicrobials not medically important to humans from those that are medically important to humans.

CH 3.13  
2017/Renewed  
Selenium Supplementation Needs for Healthy Cattle

WHEREAS, selenium is a required nutrient for all animals, including cattle and wildlife, and

WHEREAS, selenium deficient cattle die, suffer muscular pain, grow slowly, and reproduce poorly without adequate selenium supplementation, and

WHEREAS, it is estimated that 25 percent of U.S. cattle are raised in selenium deficient areas, and
WHEREAS, in known selenium deficient areas, blood tests indicate as much as 40 percent of cattle suffer selenium deficiencies, and

WHEREAS, the present Food and Drug Administration (FDA) approved selenium supplementation levels of 120 ppm/3 mg/0.3 ppm are barely adequate, and

WHEREAS, there is research data to show that selenium supplemented cattle do not pose a selenium contamination risk to riparian areas,

THEREFORE BE IT RESOLVED, NCBA urges FDA to maintain the present approved levels of permitted selenium supplementation.

CH 3.14
2015/Amended
Ensure Producer Access to Antibiotics for Cattle Health

WHEREAS, antibiotics are important animal health tools for prevention, control, treatment of disease in all segments of beef cattle production, and

WHEREAS, ionophores are used to assist feed efficiency and rumen health,

THEREFORE BE IT RESOLVED, NCBA should work with all appropriate entities, organizations, and elected and appointed government officials to ensure that cattle producers’ access and ability to use these products in beef cattle production systems is retained.

4. FOREIGN ANIMAL DISEASES

CH 4.1
2017/Amended
Screwworm Eradication and U.S. Screwworm Control Program

WHEREAS, the United States (U.S.) and Mexico today are free of the screwworm pest due to very successful eradication programs, and

WHEREAS, United States Department of Agriculture’s Agricultural Research Service (USDA, ARS) needs to coordinate the various screwworm research programs to increase their efficiency and productivity, and

WHEREAS, Mexico no longer participates directly in eradication programs, the Mexico-U.S. Commission continues to supply sterile flies to screwworm eradication programs, and

WHEREAS, a new screwworm fly production plant was built in Panama and inaugurated on July 12, 2006, and the screwworm fly production plant in the Republic of Mexico was subsequently closed,

THEREFORE BE IT RESOLVED, NCBA shall insist that negotiations with Panama shall ensure availability and access to requested screwworm flies as well as allow appropriate research programs without disruption,

BE IT FURTHER RESOLVED, NCBA shall favor the ongoing research on cryopreservation, all male screwworm production, improved mass rearing techniques, and procedures to quickly manage outbreaks,

BE IT FURTHER RESOLVED, NCBA strongly supports the continued work of screwworm eradication and World Organization for Animal Health (OIE) recommendations for importation, quarantine, and transportation of cattle from countries considered infested with screwworm flies.

CH 4.2
2016/Amended
Vesicular Stomatitis

WHEREAS, vesicular stomatitis is a reportable and quarantinable disease that affects horses, cattle, sheep, swine, and other animals, and

WHEREAS, little is known about the epidemiology, reservoirs, and vectors of vesicular stomatitis, and

WHEREAS, during previous vesicular stomatitis outbreaks there was confusion over quarantine procedures, and no vaccine policy was in place,

THEREFORE BE IT RESOLVED, NCBA requests the United States Department of Agriculture, Agricultural Research Service (USDA, ARS), Animal and Plant Health Inspection Service (APHIS), and Cooperative State Research, Education and Extension Service (CSREES) actively pursue epidemiological studies on the disease and ARS move quickly to study the serotypes of pathogenic
vesicular stomatitis organisms, also vectors, reservoirs, and mode of transmission and the blood testing of imported cattle and horses.

BE IT FURTHER RESOLVED, APHIS develop policy on a fully licensed vesicular stomatitis vaccine with adequate testing and a plan to quickly respond to an outbreak with a properly priced vaccine.

BE IT FURTHER RESOLVED, APHIS maintains adequate staff involvement and monetary support to find solutions and prevent recurrence of this disease.

BE IT FURTHER RESOLVED, quarantine responsibility be reserved by the states and that a uniform, workable quarantine policy be developed using the results of the requested research so that safe, realistic interstate movement of cattle can be accomplished.

BE IT FURTHER RESOLVED, APHIS update NCBA annually on vesicular stomatitis including research progress, vaccine status, and worldwide vesicular stomatitis diagnosis.

CH 4.3
2017/Amended
Bovine Spongiform Encephalopathy (BSE)

WHEREAS, NCBA believes that protection of human health and the safety of the human food supply is of the highest priority, and consumers’ perceptions regarding meat safety issues can have a devastating effect on the beef industry in the United States (U.S.), and

WHEREAS, existing United States Department of Agriculture (USDA) and Food and Drug Administration (FDA) regulations designed to prevent both the introduction of BSE or the amplification and spread of the disease have dramatically reduced the risk of BSE in the U.S., and

WHEREAS, continued efforts to prevent the introduction of BSE coupled with enforcement of the FDA feed restrictions will continue to effectively prevent the emergence and potential spread of BSE,

THEREFORE BE IT RESOLVED, NCBA supports aggressive science-based actions on the part of USDA’s Animal and Plant Health Inspection Service (APHIS) and the Department of Homeland Security (DHS) in accordance with the World Organization for Animal Health (OIE) standards in controlling the importation of beef, beef products, animal feeds, and feed ingredients,

BE IT FURTHER RESOLVED, NCBA supports FDA fully enforcing the existing feed restrictions designed to prevent the potential amplification and spread of BSE,

BE IT FURTHER RESOLVED, NCBA recommends all beef and dairy producers request their feed suppliers provide them with a written statement stipulating that all feed ingredient deliveries will be in compliance with FDA specified risk materials (SRMs) feed restrictions designed to prevent BSE,

BE IT FURTHER RESOLVED, NCBA supports increased research funding from public and private sectors with the objective to continue to provide the American consumer with beef of the highest quality, consistency, safety, and wholesomeness and continues to support prion disease research carried out by scientists with the USDA, Agricultural Research Service (ARS).

CH 4.4
2015/Amended
Invasive Animal Pests

WHEREAS, animals are entering the United States (U.S.) bringing with them invasive animal pests foreign to the U.S., and

WHEREAS, these pests are vectors or possible vectors of human and animal diseases,

THEREFORE BE IT RESOLVED, NCBA strongly urges that United States Department of Agriculture, Animal and Plant Health Inspection Service should have appropriate authority to act in assuring control of all animals, including reptiles, exotic species, and endangered species or any other hosts of pests at points of origin and entry points with both statutory and monetary assistance.
Tropical Bont-Tick: Risk of Acute Bovine Dermatophilosis and Heartwater Introduction to the United States

WHEREAS, the Tropical Bont Tick (TBT) and its associated disease, heartwater and acute bovine dermatophilosis, has migrated from Africa to the Caribbean Islands and is now recognized by the United States Department of Agriculture’s Animal and Plant Health Inspection Service (USDA-APHIS) as a “high-consequence” threat to United States (U.S.) cattle production and wildlife, but funding levels for programs to protect the U.S. cattle herd have been reduced significantly, and

WHEREAS, reduced TBT eradication funds will likely lead to TBT spread throughout the Caribbean and population increases on all affected islands, and

WHEREAS, TBT, acute bovine dermatophilosis, and heartwater will therefore continue to pose a serious threat to the cattle industry and wildlife in the U.S.,

THEREFORE BE IT RESOLVED, NCBA should promote the continued work of the Caribbean Animal Health Network to eradicate the Bont Tick from all Caribbean islands and work closely with the United States Animal Health Association and USDA to support initiatives such as the tick eradication program in St. Croix,

BE IT FURTHER RESOLVED, NCBA requests USDA support and fund current work and projects being done by APHIS and its collaborators to eradicate TBT from the Caribbean, establish surveillance programs for TBT and associated disease conditions, emergency response plans, development, and validation of approved tests for heartwater within the U.S.,

BE IT FURTHER RESOLVED, NCBA continues to encourage USDA to enter into negotiations with French authorities, European Union representatives and the World Organization for Animal Health (OIE) to acquire resources to work with French-speaking islands of the Caribbean for TBT eradication.

Protection of Integrity of Fetal Calf Serum through International Biosecurity

WHEREAS, fetal calf serum is used to produce biologics for the cattle industry, and

WHEREAS, fetal calf serum is being marketed and supplied from numerous international sources, and

WHEREAS, fetal calf serum is a risk for and known at times to be contaminated with infectious agents posing health risks to United States cattle populations, and

WHEREAS, many of these infectious agents, such as HoBi virus and Schmallenberg virus, may not presently exist in United States cattle populations, thereby posing new health risks, and

WHEREAS, these infectious agents may be transmitted through infected animals and animal products, such as fetal calf serum,

THEREFORE BE IT RESOLVED, NCBA staff work with appropriate federal agencies to protect the integrity of processed fetal calf serum with regard to reagents utilized in the United States for strict international biosecurity measures and to identify country of source and production information.

Protection from Foreign Animal Diseases

WHEREAS, foreign animal diseases could cause a widespread quarantine and possible massive depopulation of the United States (U.S.) cattle herd, thus compromising national security and jeopardizing the U.S. beef supply, and

WHEREAS, protecting the U.S. cattle industry is a major priority for NCBA and other industry partners, and

WHEREAS, the United States Department of Agriculture (USDA) is responsible for regulating the importation of live cattle, beef, and beef products from foreign countries into the U.S., and

WHEREAS, it is imperative that USDA inspection of live cattle, beef, beef products, and
related animal products be effective and of the highest quality to ensure the health and economic success of the U.S. cattle industry, and

WHEREAS, some foreign countries with significant chronic animal diseases, such as foot-and-mouth disease, have petitioned the USDA to import live cattle, beef, and/or beef products into the U.S., and

WHEREAS, the USDA’s ability to accurately evaluate the risk of animal diseases in these foreign countries can be uncertain and inconclusive,

THERFORE BE IT RESOLVED, NCBA opposes the importation of live cattle, beef, and/or beef products into the U.S. from foreign countries with significant chronic animal diseases and lack of strict animal disease control and eradication measures, and

BE IT FURTHER RESOLVED, NCBA supports independent, transparent, scientific, legal, and economic analyses of USDA proposals, risk assessments, and supporting information, when necessary with full access by stakeholders, to substantiate risk levels of imported live cattle, beef, and/or beef products and assure the protection of the U.S. cattle industry, and

BE IT FURTHER RESOLVED, NCBA urges USDA to include U.S. cattle industry stakeholders in any negotiations with foreign countries relating to efforts that may affect the health of the U.S. cattle industry and provide the U.S. cattle industry opportunities to comment on new procedures for developing risk analyses for any foreign country with significant chronic animal disease issues wishing to export live cattle, beef, and/or beef products into the U.S., and

BE IT FURTHER RESOLVED, that harvesting, processing, and transporting facilities and equipment used to export foreign live cattle, beef, and/or beef products into the U.S. be subject to equivalent inspection and sanitation requirements applicable to U.S. inspected facilities and equipment, and

BE IT FURTHER RESOLVED, NCBA requests that USDA continue to take all reasonable and appropriate measures to protect the U.S. cattle industry from the introduction of foreign animal diseases and communicate to foreign countries that wish to export live cattle, beef, and/or beef products to the U.S. to commit to optimal efforts to control and eradicate animal diseases that may be a chronic problem in their country, and

BE IT FURTHER RESOLVED, NCBA urges USDA protocols be substantiated by sound, scientific evidence, and that animal health related regulations are to be used for animal disease control and not as non-tariff trade barriers.

5. JOHNE’S DISEASE

CH 5.1
2018/Renewed
Johne’s Disease Support After Termination of USDA-APHIS Johne’s Disease Program

WHEREAS, United States Department of Agriculture, Animal Plant Health Inspection Service, Veterinary Services (USDA, APHIS, VS) terminated their Johne’s disease program on October 1, 2012, and

WHEREAS, Johne’s disease continues to result in clinical disease in cattle, and subsequent economic losses for the cattle industry, and

WHEREAS, Johne’s disease may now be best addressed as a herd security issue at the producer level,

THEREFORE BE IT RESOLVED, NCBA encourages herd security measures to control Johne’s disease and to continue efforts to certify laboratories to conduct serology and fecal culture analysis tests for Johne’s disease in cattle.

CH 5.2
2018/Renewed
Integrated Disease Research

WHEREAS, application of the knowledge of the molecular and genetic base of infectious and non-infectious diseases of cattle to preclinical trials could expedite the solution discovery process, and

WHEREAS, the application of the existing knowledge base would require input from molecular biologists, geneticists, microbiologists, pathologists, nutritionists, epidemiologists and clinicians to bring the knowledge to bear on the disease problems, and

WHEREAS, disease problems that have resisted solution by traditional methods (e.g., preclinical diagnosis of Johne’s disease or preharvest
elaboration organisms of public health importance. The integration of input by several disciplines has the potential to provide needed solutions.

**THEREFORE BE IT RESOLVED, NCBA strongly supports multi-disciplinary, integrated disease research and recommends that the United States Department of Agriculture (USDA), universities, organized veterinary medicine, and other research agencies coordinate their allocation of funds and establish research priorities to implement interdisciplinary research projects that would bring expertise in at least, but not limited to, the following disciplines:

1. **Immunology** – develop and apply knowledge of immune response to subunit, vectored or DNA immunogens to provide enhanced protective immunity.

2. **Nutrition** – emphasis on relationship of cellular and micromineral metabolism to the disease process (e.g., the reduction of neonatal disease by micronutrient incorporation in maternal rations).

3. **Crop and Forage Production** – the effect of intensified production on the composition of feedstuffs and the tremendous current programs for genetic structuring of plants that may impact at the cellular level on occurrence of disease.

4. **Infectious Diseases** – bring to bear molecular biologic methods to define the interactions between infectious agents and cattle.

5. **Diagnostic Veterinary Medicine** – develop methodology and instrumentation applicable to evaluating the health status of cattle in the field.

6. **Epidemiology** – develop information on disease incidence and interactions in beef herds, through market channels and feedlots with feedback to producers, veterinarians and researchers.

7. **Genetics** – the basic mapping of the genome of cattle has been completed and the integrated approach would identify specific genes responsible for resistance in some cattle, and vector such genes into susceptible cattle with subsequent testing for acquired resistance.

### 6. TUBERCULOSIS

**CH 6.1**

2017/Amended

**Tuberculosis (TB)**

**WHEREAS**, the national tuberculosis eradication program has successfully reduced the incidence of the disease in United States (U.S.) cattle, but recently the number of newly identified infected herds has increased, and

**WHEREAS**, the final stages of an eradication program require a more concerted effort to achieve the end goal, and

**WHEREAS**, the current (TB) testing for importation has reduced the rate, but not eliminated the risk of tuberculosis infection from Mexican imports, and

**WHEREAS**, the interface of livestock with tuberculosis infected wildlife has prevented the elimination of tuberculosis in the livestock populations in some U.S. states,

**THEREFORE BE IT RESOLVED, NCBA urges United States Department of Agriculture’s Animal Plant Health Inspection Service (USDA-APHIS) to implement the following policy to enhance their existing program:**

1. Assess and redefine, if appropriate, entry requirements to ensure the protection of U.S. livestock. Consider requiring post-entry retest when appropriate.

2. Ensure that adequate indemnity funding for herd owners be available so that mandatory depopulation of all U.S. tuberculosis infected herds is economically feasible.

3. Continue APHIS’s evaluation of blood tests and explore other diagnostic technologies and innovative applications of epidemiology towards eradication of the disease.

4. Ensure the unique identification of Mexican cattle by “M” brand and Mexican ear tag is not tampered with, and improve the collection and recording of all identification at slaughter to enable proper traceback of infected animals.

5. Promote the development of new diagnostics within and outside of
APHIS for tuberculosis infection in other species and include these other species under the current national eradication program.

6. Develop a regulation requiring annual testing of Mexico-origin rodeo cattle, excluding cattle in feedyards intended for slaughter.

7. Streamline the processes that will expedite the surveillance of bovine TB.

8. Develop enhanced collaboration between USDA-APHIS and the U.S. Fish and Wildlife Service to eliminate wildlife reservoirs for tuberculosis for livestock.

CH 6.2
2014/Renewed
**Tuberculosis Health Regulations for Sport Cattle or Timed Event Cattle**

WHEREAS, NCBA has worked diligently toward a bovine tuberculosis (TB) free nation and,

WHEREAS, timed event/sport cattle could transport bovine tuberculosis,

THEREFORE BE IT RESOLVED, that NCBA support regulations that would require timed event/sport cattle be tested for tuberculosis within 12 months prior to crossing state lines,

BE IT FURTHER RESOLVED, that United States (U.S.) born timed event/sport cattle, that have not been exposed to cattle from another origin, be exempt from TB testing when they move directly from the premises of birth to another premises.

CH 6.3
2018/Amended
**Bovine Tuberculosis Funding**

WHEREAS, bovine tuberculosis (TB) is a regulatory disease with testing requirements that may take 72 hours or longer to conduct prior to interstate movements, and

WHEREAS, bovine TB program funding for states is limited if not non-existent,

THEREFORE BE IT RESOLVED, NCBA requests the United States Department of Agriculture ensure adequate funding of the bovine TB program to complete the long-standing state and tribal eradication efforts, as well as funding for the development of a more sensitive and specific diagnostic TB test prior to, or in addition to, funding new voluntary programs.

CH 6.4
2018/Amended
**Brucellosis and Bovine Tuberculosis Program**

WHEREAS, the United States Department of Agriculture (USDA) developed a regulatory framework for a single program rule for brucellosis and bovine tuberculosis (TB) as published in May 2011, and

WHEREAS, USDA proposed an update of the general provisions for brucellosis and bovine TB as published in December 2015, and

WHEREAS, that proposed rule was designed on the premise that the United States was largely free of bovine TB, and

WHEREAS, it has become clear that the United States is not free of TB because a number of states have identified new cases of the disease within their borders, and

WHEREAS, it has become obvious that the proposed federal TB rule will likely have a tremendous negative impact on cow/calf producers,

THEREFORE BE IT RESOLVED, NCBA requests USDA revise the proposed brucellosis and bovine TB rule for changes, including but not limited to the following:

1. The goal shall be eradication of brucellosis and bovine TB from the United States.
2. Program structures that separate out the program rules for brucellosis and bovine TB.
3. Establish timely and achievable epidemiological reporting for disease traceability timelines.
4. Establish an achievable process to meet indemnity obligations under the Animal Health Protection Act.
5. Align import requirements with domestic movement requirements for brucellosis and bovine TB.
6. Cooperative funding to the States and Tribes for program implementation and workforce resources to support the brucellosis and bovine TB program.
CH 6.5
2014/Amended
Tuberculosis Eradication

WHEREAS, tuberculosis (TB) is a zoonotic disease that can affect cattle, humans and many other species, and

WHEREAS, control of TB is dependent upon adequate surveillance of appropriate populations of cattle and other species, and

WHEREAS, the diagnosis of TB affects many non-infected herds and producers and costs millions of dollars for testing and quarantine,

THEREFORE BE IT RESOLVED, NCBA encourages the United States Department of Agriculture (USDA) and other necessary agencies to initiate:

• Improved review of risk factors that contribute to the spread of the disease,
• Enhanced epidemiological testing and surveillance methods,
• Exploration of compartmentalization, zoning, and/or risk area,
• Other TB control methods to protect against the disease,
• Streamlined structure for determining TB status, and
• Publication of the plan of updated rules and methods.

CH 7.1
2015/Renewed
Diseases—Inter-American Highway

WHEREAS, the only uncompleted section of the Inter-American Highway traverses the Darien area of southern Panama and northern Colombia, and

WHEREAS, completing the highway will open land travel between foot-and-mouth disease (FMD) infected areas of South America and FMD free countries to the north of the Darien gap,

THEREFORE BE IT RESOLVED, NCBA urges the United States Department of Agriculture (USDA) to assure that:

1. No cattle exist in the cattle-free zone in Panama and Columbia.
2. Procedures for handling outbreaks in Columbia’s eradication zone are in place.
3. Procedures for animal movements into the eradication zone are established and in place.
4. Procedures for routine vaccination in Columbia’s vaccination zone are operating.
5. Checkpoints along the Inter-American highway are properly established and staffed.

BE IT FURTHER RESOLVED, NCBA recommends against completion of the Darien section of the highway until USDA receives adequate assurance that these procedures have been met.

CH 7.2
2016/Amended
Foot-and-Mouth-Disease Eradication

WHEREAS, foot-and-mouth disease (FMD) continues to be a problem in various regions of the world, and

WHEREAS, some countries with recent FMD outbreaks have petitioned the United States Department of Agriculture (USDA) to import fresh beef to this country, and

WHEREAS, USDA has performed risk analysis that include document review and site visits and developed proposed rules that would allow fresh beef to be imported, under certain conditions and from specified regions in South America, to the United States (U.S.), and

WHEREAS, NCBA is very concerned with an apparent lack of ability to eradicate FMD in endemic countries as well as USDA’s ability to accurately evaluate the risk of the disease in such countries, and

WHEREAS, the threat of FMD is the single largest animal health threat to the livelihood of U.S. beef producers,

THEREFORE BE IT RESOLVED, NCBA supports the eradication of FMD from endemic regions in the world.

BE IT FURTHER RESOLVED, NCBA urges USDA to allow the U.S. beef industry the
opportunity to offer comment and further stakeholder involvement concerning revised export country assessment procedures being developed with regard to importation of fresh beef from FMD endemic countries.

CH 7.3
2017/Renewed
Diseases—Emergency Management Planning

WHEREAS, the livestock and meat industry and the consuming public live under the continuous threat of catastrophic disease outbreaks, and

WHEREAS, rapid diagnosis of foreign animal diseases, prompt movement restrictions, implementation of federal, state, and local emergency management plans, and indemnity programs action can often forestall outbreaks of epidemic or quasi-epidemic proportions, and

WHEREAS, in the past, when special problems or outbreaks have occurred, the necessary action has been funded by “robbing” existing budgeted disease control and eradication projects, resulting in costly interruptions of these programs,

THEREFORE BE IT RESOLVED, NCBA urge:

1. United States Department of Agriculture’s Animal and Plant Health Inspection Service (USDA-APHIS) to aggressively monitor foreign animal disease risk globally, focused by USDA and Department of Homeland Security (DHS), to prevent the introduction of foreign animal diseases into the U.S.
2. Development of rapid diagnostic tools coupled with adequate capacity for confirmation by virus isolation of suspect foreign animal disease, such as foot-and-mouth disease.
3. Coordination of the development of comprehensive federal, state, and local emergency response plans, including the role of the Federal Emergency Management Agency and state counterparts.

CH 7.4
2015/Amended
USDA, APHIS Authority

WHEREAS, disease causing organisms, such as B. abortus and M. bovis, and certain vectors transmit diseases to a number of animal species, and

WHEREAS, eradication programs are jeopardized by the presence of disease in wild and free ranging species not under the jurisdiction of the United States Department of Agriculture, Animal Plant Health Inspection Service, Veterinary Services (USDA, APHIS, VS), and

WHEREAS, USDA, APHIS, VS authority to control or eradicate disease in all species is not clearly defined,

THEREFORE BE IT RESOLVED, NCBA urges that USDA, APHIS, VS be granted disease control and eradication authority to address disease causing agents regardless of the species in which the agent or organism is found.

BE IT FURTHER RESOLVED, NCBA urges USDA, APHIS, VS to work with state animal health officials, other related federal agencies and industries to achieve disease control and eradication objectives.

CH 7.5
2017/Amended
Wildlife and Exotic Game Animal Research

WHEREAS, NCBA is interested in maintaining the health and productivity of the United States (U.S.) cattle population, and

WHEREAS, the population of free roaming deer, elk, bison, feral hogs, et al. increase the potential of disease and pest exposure to cattle is significant due to cohabitation, and

WHEREAS, the private ownership of these game animals and exotic game animals has increased dramatically in recent years, and

WHEREAS, the risk of exposure to disease (both eradicated domestic and foreign animal disease) is high,

THEREFORE BE IT RESOLVED, NCBA encourages the United States Department of Agriculture’s Agriculture Research Service, U.S.
Fish and Wildlife Service, University, and other researchers to conduct necessary disease surveillance and research on wildlife and exotic game animals to protect the cattle population.

CH 7.6
2014/Amended
U. S./Canadian Animal Disease Control

WHEREAS, the United States (U.S.) and Canadian beef industry and markets are interdependent and integrated, and

WHEREAS, it is in the best economic interests of both the U.S. and Canada to harmonize all animal health policies,

THEREFORE BE IT RESOLVED, NCBA shall make every effort to immediately facilitate negotiations with the Canadian and U.S. governments, state veterinarians, and appropriate elected officials to harmonize all animal health regulations to allow year-round trade in cattle and beef.

BE IT FURTHER RESOLVED, United States Department of Agriculture (USDA) and Canadian Food Inspection Agency (CFIA) regulatory requirements for U.S./Canadian cattle trade be reviewed to identify ways to reduce trade costs for cattle producers by harmonizing animal health regulatory requirements.

BE IT FURTHER RESOLVED, NCBA shall continue to support vector-borne research, including surveillance on diseases of economic importance to U.S. beef producers.

WHEREAS, indemnification funds and prompt determination of fair market replacement values and prompt payment are necessary to allow prompt removal of infected or exposed animals, and

WHEREAS, recent increased concerns and discussions of valuation and payment for depopulated animals, economic impact of lost revenue while operations are under quarantine, and producer concerns of liability if cattle from their operation become infected with a reportable disease after leaving the farm,

THEREFORE BE IT RESOLVED, NCBA urge USDA and Congress to provide full funding for purposes of indemnification for brucellosis, tuberculosis, foot-and-mouth-disease, and other emergency diseases,

BE IT FURTHER BE IT RESOLVED, NCBA continue cooperative efforts between government agencies and private entities, to meet producer needs and USDA, APHIS animal disease education, surveillance, and eradication goals which:

1. Provide more timely payments for the replacement value of animals directly affected by a destruction order issued by an appropriate animal health official.
2. Provide payments to producers to compensate for the time lost due to livestock production facilities being held out of production or prevented from operation and normal sales of their animals.
3. Protect producers with liability protection in the event of a traceback and claim for damages for bodily injury caused by food derived from cattle.

8. GENERAL

CH 8.1
2015/Renewed
Stolen Cattle

WHEREAS, a specified federal statute prohibits the interstate shipment of stolen cattle and prescribes a penalty for its violation without regard to the outcome of any local prosecution for the larceny of the cattle involved in the interstate shipment,
stolen cattle, and further, to vigorously enforce such law without regard to the outcome of any local prosecution for the larceny of the cattle involved in interstate shipments of stolen cattle.

CH 8.2
2015/Renewed
Cooperation with Veterinary Groups

WHEREAS, the cattle producer and veterinarian must coordinate and cooperate in herd health and interstate movement matters, and

WHEREAS, NCBA, the American Veterinary Medical Association (AVMA), Academy of Veterinary Consultants (AVC) and the American Association of Bovine Practitioners (AABP) share many common issues and interests,

THEREFORE BE IT RESOLVED, NCBA will continue to build a spirit of cooperation and coordination where possible with the AVMA, AVC, and AABP.

CH 8.3
2015/Renewed
Veterinarian Training

WHEREAS, NCBA recognizes the economic importance of the cattle industry to the United States and the world, and

WHEREAS, veterinary medicine has a direct economic effect on the cattle industry, and

WHEREAS, at most veterinary colleges throughout the United States, the class size has increased at a much greater rate than the bovine case load for clinical training,

THEREFORE BE IT RESOLVED, NCBA recommends that existing veterinary colleges re-examine their bovine medicine program, placing greater emphasis on clinical experience for bovine medicine.

BE IT FURTHER RESOLVED, NCBA strongly encourages new endeavors into bovine veterinary training in regions where an ongoing program can be designed, assuring emphasis on training in beef cattle medicine as evidenced by industry support within the region, livestock availability for the program, and industry need.

CH 8.4
2015/Renewed
Animal Health—Federal Funding Priorities

WHEREAS, the federal budget for animal health programs will necessarily be reduced in many areas, and

WHEREAS, specific decisions must now be made with respect to funding levels of federal programs, federal personnel, and cooperative state programs,

THEREFORE BE IT RESOLVED, NCBA requests United States Department of Agriculture, Animal and Plant Health Inspection Service (USDA,APHIS) and other agencies consult with the proper NCBA representatives in determining the priorities of the various programs and personnel requirements.

BE IT FURTHER RESOLVED, NCBA should inform the Appropriations Committees of the United States Congress of these needed funding priorities.

CH 8.5
2018/Amended
Disclosure of BVD PI Animals

WHEREAS, bovine viral diarrhea (BVD) virus is one of the most costly viral disease of cattle in the United States, and

WHEREAS, existing measures addressing BVD losses are being implemented, and

WHEREAS, additional knowledge of epidemiology, validated surveillance strategies, and economic impacts of BVD are needed for more effective implementation of BVD control strategies, and

WHEREAS, the Academy of Veterinary Consultants (AVC) and the American Association of Bovine Practitioners (AABP) have approved statements regarding disclosure and disposition of BVD Persistently Infected (PI) animals, which are defective individuals,

THEREFORE BE IT RESOLVED, NCBA supports the AVC and AABP position statements regarding responsible disclosure and disposition of BVD PI animals:
AABP Statement on Disclosure of BVD PI Animals

The cattle industry has a moral, ethical, and potentially legal obligation not to sell known diseased or damaged animals to other parties without full disclosure. Responsible disposition of animals persistently infected with BVD PIs is an important component of BVD control. The dilemma of how to deal with known PI cattle becomes more critical as BVD testing becomes more widespread.

Appropriate disposition of known PI cattle must take into account the adverse impact these cattle have on the health, welfare, and the economic return of other cattle and cattle operations they may expose to BVD. It is widely recognized that a PI animal is defective and once confirmed, the PI status should be hereafter disclosed – as exposure to these cattle has health ramifications for all cattle, especially those intended for reproductive purposes. The American Association of Bovine Practitioners strongly opposes marketing or movement of BVD PI animals in any manner that potentially exposes at-risk cattle.

Academy of Veterinary Consultants BVD Position Statement

The dilemma of how to deal with known PI cattle becomes more critical as BVD testing becomes more widespread. Appropriate disposition of known PI cattle must take into account the adverse impact those cattle have on health, welfare and the economic return of the other cattle or cattle operations they may expose to BVD.

It is widely recognized the PI animal is defective and once confirmed, their PI status should hereafter be disclosed as exposure to these cattle has health ramifications for all cattle, especially those intended for reproduction purposes. Therefore, marketing or movement of PIs in any manner that potentially exposes at-risk cattle is strongly discouraged

BE IT FURTHER RESOLVED, NCBA encourages all possible efforts to develop economically efficient methods to control and/or eliminate BVD in beef cattle herds.

CH 8.6
2017/Amended
Veterinary College Programs

WHEREAS, the country is experiencing an acute shortage of food supply veterinarians (food animal veterinarians, veterinary laboratory diagnosticians, veterinarians trained in agricultural biosecurity, regulatory veterinarians, and food supply research veterinarians), and

WHEREAS, this shortage is felt on cattle farms and ranches across the nation causing increased costs in herd health, disease diagnostics and overall production costs, and

WHEREAS, this shortage reduces our first line of defense against bio-terrorism, disease identification, prevention, and control, and

WHEREAS, this shortage could affect food safety for our consumers,

THEREFORE BE IT RESOLVED, NCBA work to support the Veterinary Services Grant Program and the Veterinary Medicine Loan Repayment Program.

CH 8.7
2018/Amended
Cross-referenced to AFP 1.2 Biosecurity
Border Security: Theft & Health Emergency

WHEREAS, Border security is paramount, not only to the health and welfare of the American public, but to the livestock industry as well, and

WHEREAS, Prevention of livestock ingress and egress at the international border between Mexico and New Mexico, as well as the other border states of Arizona, California, and Texas, is imperative not only to protect animal and human health, but also the economic viability of the multi-billion dollar livestock industry, and

WHEREAS, Current United States Border Patrol barrier designs and plans will not prevent livestock ingress and egress across the international border with Mexico.

THEREFORE BE IT RESOLVED, NCBA take all steps necessary to insure that barriers and fencing along the international border between Mexico and the United States are adequate to prevent ingress and egress of livestock; these steps would include, but not be limited to, contact with the Congress, the United States Department of Agriculture, the United States Secretary of the Interior, the Department of Homeland Security, and the United States Border Patrol.
Livestock Biosecurity Education

WHEREAS, United States (U.S.) livestock producers face continual threat from common livestock diseases, as well as new threats from exotic foreign animal diseases, and

WHEREAS, implementation of sound biosecurity measures on livestock operations can be an effective tool in preventing livestock diseases, and

WHEREAS, effective disease prevention reduces direct animal health care costs and increases animal performance while reducing animal treatment and handling,

THEREFORE BE IT RESOLVED, NCBA supports the concept of individual state biosecurity education and biosecurity planning on livestock operations, and

BE IT FURTHER RESOLVED, NCBA works to increase attention to national livestock biosecurity outreach programs and seek support from appropriate federal agencies to promote community-based livestock biosecurity planning strategies.

Food Animal Veterinarian

WHEREAS, there is a shortfall in the number of food animal veterinarian graduates available to service the rural and livestock production areas of the United States, and

WHEREAS, livestock producers rely on their local veterinarian for guidance to ensure herd management, disease identification, and disease prevention and control, and

WHEREAS, the physical nature of the work, as well as accrued indebtedness, tends to divert many capable graduate veterinarians away from food animal practice, and

WHEREAS, the increased complexity of pharmaceutical and biological product use requires veterinarian supervision, and

WHEREAS, a veterinary practice can involve long travel distances and extended absence from their clinic in rural areas, creating a demand for multi-veterinarian staffed clinics,

THEREFORE BE IT RESOLVED, NCBA encourages the colleges of Veterinary Medicine to vigorously pursue the recruitment, selection, and training of students with the aptitude and desire to fill the need for food animal veterinarians in order to assure a sufficient supply of bovine practitioners and the veterinary support systems necessary to enable the industry to produce beef in a safe, efficient, and humane manner,

BE IT FURTHER RESOLVED, NCBA recognizes the importance of scholastic excellence and recommends an attempt be made to identify a process of recruitment that selects individuals with food animal experience or related skills and the educational background to meet the requirements of a food animal veterinarian and urge the United States Congress, state legislatures, national veterinary medical associations, and public universities to make a priority of addressing any shortage of food animal veterinary practitioners, especially in the rural areas of the nation.

Bovine Leukosis Vaccine

WHEREAS, Bovine Leukosis Virus is a significant impediment for domestic and international cattle movements, and

WHEREAS, a successful control program of Bovine Leukosis in vector states requires an effective vaccine,

THEREFORE BE IT RESOLVED, NCBA strongly supports the development of a United States Department of Agriculture approved vaccine for Bovine Leukosis.

Arthropod Borne Animal Disease Research Unit (ABADRU) Support

WHEREAS, United States Department of Agriculture-Agriculture Research Service Arthropod Borne Animal Diseases Research Unit (ABADRU) in Manhattan, Kansas, plays a very critical role in conducting research on vector borne diseases, and
WHEREAS, research on Bluetongue virus (BTV), Epizootic Hemorrhagic disease (EHD), and Vesicular Stomatitis, (VS) is very important to the cattle industry,

THEREFORE BE IT RESOLVED, NCBA strongly supports the ABADRU research programs, and continues to support funding of research programs and personnel to address exotic and emerging arthropod vectors and disease, and

BE IT FURTHER RESOLVED, NCBA shall strongly support continued Congressional funding for ABADRU research facilities.

CH 8.12
2017/Amended
Alternative Feedstuffs

WHEREAS, poultry litter is a by-product occasionally fed to cattle, and

WHEREAS, poultry litter contains feeds that may include ruminant derived feed products, and

WHEREAS, despite the scientific communities’ assurances that feeding this by-product is safe, there are indications this practice is perceived negatively by consumers,

THEREFORE BE IT RESOLVED, NCBA urge industry educators to discourage the practice of feeding poultry litter and acknowledge its more beneficial use as a fertilizer in those regions of the country where the product use is concentrated,

BE IT FURTHER RESOLVED, NCBA work to discontinue the feeding of poultry litter to cattle except during extreme drought and under the guidelines of science-based research.

CH 8.13
2016/Amended
Support of Food Animal Residue Avoidance Database (FARAD)

WHEREAS, the support of Food Animal Residue Avoidance Database (FARAD) is vital to the livestock industry and human health, and

WHEREAS, funding by the United States Department of Agriculture (USDA) continues to be threatened,

THEREFORE BE IT RESOLVED, NCBA urges the Secretary of Agriculture to include funding in the USDA budget for FARAD sufficient to maintain and enhance a sustained permanent program of FARAD services.

CH 8.14
2016/Renewed
Veterinarians in Rural Communities

WHEREAS, there is a chronic lack of veterinarians in rural areas of the United States, and the economics of viable practice have been inadequate to support rural veterinarians, and

WHEREAS, the interests of rural communities, cattle producers, and local governments would be better served if appropriately trained veterinarians were recruited and encouraged to consider food animal practice, and

WHEREAS, a combination of federal support programs, state and county programs, and strategic training of veterinarians could facilitate location of veterinarians in rural communities,

THEREFORE BE IT RESOLVED, NCBA encourage the Association of American Veterinary Medical Colleges, other appropriate groups, and Congress to develop, support, and aid in funding programs that support placement of veterinarians in rural communities.

CH 8.15
2018/Renewed
Fly Impact

WHEREAS, flies cause considerable irritation and blindness to cattle, resulting in much stress, and

WHEREAS, the deteriorating health and well-being of cattle as a result of flies causes considerable economic loss to the livestock industry, and

WHEREAS, the industry has been successful in the past garnering support from United States Department of Agriculture, Animal Plant Health Inspection Service, Veterinary Services (USDA, APHIS, VS) and pharmaceutical companies to bring about controls and/or eradication of other animal health pests,
THEREFORE BE IT RESOLVED, NCBA shall work with university researchers, pharmaceutical companies, and USDA staff to direct research efforts toward effective control and management of flies.

CH 8.16
2015/Amended
Biosecurity Education for High Risk Cattle

BE IT RESOLVED, NCBA will develop an educational program for all segments of the industry explaining the importance of implementing biosecurity practices to keep high risk cattle from infecting other cattle.

BE IT FURTHER RESOLVED, NCBA will maintain a Herd Security Working Group to discuss and potentially establish appropriate biosecurity practices.

CH 8.17
2016/Amended
Support of Safety Standards for Feed Mills

WHEREAS, consumer interest in food, food safety, and the origins of food is at a high level, and

WHEREAS, consumer confidence in the safety of beef and in the integrity of the United States food supply is a critical issue for the cattle industry, and

WHEREAS, NCBA is committed to exceeding consumers' expectations in producing and delivering a safe, nutritious, and wholesome beef supply,

THEREFORE BE IT RESOLVED, NCBA strongly support efforts that foster the use of the highest safety standards by feed mills and other facilities involved in the manufacture of livestock feed, pet food, and related ingredients.

CH 8.18
2017/Renewed
Greater Yellowstone Area Bison Relocation

WHEREAS, the Department of the Interior (DOI) has to date exhibited inadequate management of bison herd health and population, and

WHEREAS, the commingling of DOI bison, native wildlife, and privately-owned livestock is unpreventable under the current management practices of DOI, and

WHEREAS, livestock producers do not want the herd health liability associated with the relocation of Greater Yellowstone Area (GYA) or other federally-owned bison,

THEREFORE BE IT RESOLVED, NCBA oppose the relocation of bison to any area outside of the current GYA management area, as well as any expansion of the management area,

BE IT FURTHER RESOLVED, NCBA oppose any increase in the currently-authorized GYA bison population.

CH 8.19
2014/ New
Fescue Research

WHEREAS, a significant percentage of the United States (U.S.) cattle herd resides in areas of the country where tall fescue pastures predominate, and

WHEREAS, tall fescue pastures are economically important and sustainable,

THEREFORE BE IT RESOLVED, NCBA works with the United States Department of Agriculture/Agricultural Research Service, and other partners, to conduct tall fescue research to provide practical information for cattle producers.

CH 8.20
2014/New
Support for the World Organization for Animal Health and Codex

WHEREAS, the World Organization for Animal Health (OIE) and the Codex Alimentarius (Codex) set international standards for animal health related issues and food safety related issues respectively,

WHEREAS, NCBA has been established as a member of the United States (U.S.) Delegation on both OIE and Codex representing the interests of U.S. cattle producers, and

WHEREAS, OIE and Codex are the official scientific bodies utilized by the World Trade Organization in the event of a trade dispute,
THEREFORE BE IT RESOLVED, NCBA continues their involvement in both OIE and Codex as members of the U.S. Delegation bringing forth the concerns and ensuring the interests of the U.S. cattle producers and industry.

CH 8.21
2018/New
Biotechnology in Cattle

WHEREAS, biotechnology is rapidly developing in scientific communities to genetically address issues involving animal diseases and other biological systems of beef cattle, and

WHEREAS, prevention and control of animal disease is beneficial to ranchers and consumers, and

WHEREAS, a sound, risk-based, regulatory review process that fosters innovation is essential, and

WHEREAS, the United States Department of Agriculture (USDA) already regulates gene editing in plants under the Plant Protection Act, in which the agency has shown a proven track record in risk-based, pro-science regulation of biotechnology, and

WHEREAS, currently the Food and Drug Administration (FDA) has chosen to define gene editing in the same way as it would a new animal drug, using Guidance 187, and

WHEREAS, there is no statutory requirement that the FDA regulate gene editing in food producing animals, and biotechnology is not an “animal drug,” and

WHEREAS, regulating gene editing through FDA’s new animal drug approval process as an animal drug will most likely make this technology unavailable to livestock producers,

THEREFORE BE IT RESOLVED, NCBA believes that regulation of gene-editing in beef cattle resides with the USDA, and not with the FDA.

9. ANIMAL DISEASE RESEARCH

CH 9.1
2015/Amened
Cryptosporidiosis

WHEREAS, cryptosporidiosis is a disease that has been present in cattle, wildlife, humans, and other species for years, and

WHEREAS, our ability to control the disease needs to be improved,

THEREFORE BE IT RESOLVED, NCBA encourages and supports research to:

1. Help reduce infection in calves, both through therapeutic and prophylactic intervention
2. Study shedding of the organism by cattle
3. Determine the role of wildlife shedding by defining the contamination of streams in watersheds free of domestic livestock
4. Study the viability of the specific organism in grazing pastures and water
5. Develop species specific diagnostic tools
6. Study involvement of human waste, pets, and exotic animals, to include cryptosporidiosis and giardiasis.

CH 9.2
2014/Renewed
Bovine Leukosis Virus (BLV)

WHEREAS, Bovine Leukosis Virus (BLV) is a retroviral disease of cattle that is showing increasing incidence in beef cattle, and

WHEREAS, BLV can result in cases of lymphosarcoma causing some death loss and aesthetic condemnation at slaughter, as prescribed by United States Department of Agriculture, Food Safety Inspection Service, Hazard Analysis and Critical Control Points (USDA, FSIS, HACCP) rules, and

WHEREAS, BLV has been eliminated from some countries and this could result in foreign trade restrictions in the future and more domestic marketing limitations, and
WHEREAS, BLV is not transmissible to humans; however, the aesthetic problem could create negative perception of beef, and

WHEREAS, effective diagnostic blood and virus detection tests are available for cattle, and

WHEREAS, a national program for negative herd certification is available,

THEREFORE BE IT RESOLVED, research be conducted to:

1. Study the ability of specific insect vectors to transmit BLV.
2. Assess the cost associated with BLV infections in beef and dairy herds, and costs associated with establishing and maintaining a BLV-free herd.
3. If feasible, develop an effective marker vaccine for BLV to aid in the reduction of carriers in very high incidence herds.

WHEREAS, there are no viable substitutes for animal metabolic and physiological systems in the study of disease, immunology, physical, and reproductive functions, and

WHEREAS, the humane use of animals for research is essential to both animal and human disease control, prophylaxes, and therapy, and

WHEREAS, animal health research has been responsible for maintaining and improving the health and quality of life for humans and animals,

THEREFORE BE IT RESOLVED, NCBA opposes legislation that would prohibit the use of animals in research.

WHEREAS, Neospora caninum (NC) has been demonstrated to be a significant cause of abortion in cattle, and

WHEREAS, nematodes can negatively impact the immune system of cattle, and

WHEREAS, the effect of NC on other cattle production parameters is not known, and

WHEREAS, no measures currently exist to control Neosporosis, and

WHEREAS, significant expertise is present within the United States Department of Agriculture, Agriculture Research Service (USDA, ARS) Parasite Biology and Epidemiology Laboratory and Immunology and Disease Resistance Laboratory, and significant progress has been made at some land grant universities, and

WHEREAS, funding for nematode research has diminished dramatically,

THEREFORE BE IT RESOLVED, NCBA strongly encourages and supports adequate new funding of ARS and the external funding of university partners for further research on the epidemiology, impact on human health, control, and treatment of Neospora caninum and nematode research.

BE IT FURTHER RESOLVED, this funding should not be at the expense of the other parasitology research programs.

WHEREAS, Epizootic Bovine Abortion (EBA; Foothill Abortion) is an economically devastating disease in affected cattle herds in affected locales, and

WHEREAS, EBA is known to be endemic in California and parts of Oregon and Nevada, and

WHEREAS, research funded by United States Department of Agriculture, Agriculture Research Service (USDA, ARS) and Cooperative State Research Extension and Education Service (CSREES) could contribute to EBA control,

THEREFORE BE IT RESOLVED, NCBA encourages USDA to actively support EBA research.
WHEREAS, the National Animal Disease Center (NADC) and the National Veterinary Services Laboratory (NVSL), both located in Ames, Iowa, have a world-wide reputation for animal disease research, and

WHEREAS, the current NADC and NVSL facilities are aged to the point that future research possibilities and biosecurity measures will be limited, which will inhibit the safety and competitive position of the U.S. livestock industry, and

WHEREAS, the NADC, NVSL, and Center for Veterinary Biologics (CVB) are cooperatively developing a master plan utilizing joint facilities and departmental cooperation which will result in more efficient research at a reduced cost,

THEREFORE BE IT RESOLVED, NCBA strongly supports continued funding for NADC and NVSL.

CH 9.7
2016/Amended
Anti-Tick Vaccine Research

WHEREAS, there are limited biological methods to control endemic tick-borne diseases in cattle, and

WHEREAS, there remains a threat of foreign tick-borne diseases being introduced into the United States, and

WHEREAS, low-level feeding of tetracyclines is one supported current method of controlling these diseases, and

WHEREAS, ticks are becoming increasingly resistant to arachnidicidal chemicals commonly used for their control,

THEREFORE BE IT RESOLVED, NCBA supports research on tick vaccines and other novel methods to control tick-borne diseases of cattle.

CH 9.8
2017/Amended
Chronic Wasting Disease Eradication

WHEREAS, Chronic Wasting Disease (CWD) is one of several transmissible spongiform encephalopathies (prion diseases) and is increasing in frequency and distribution, and

WHEREAS, there is a marked increase in the population of white-tail deer over most of the United States, and

WHEREAS, CWD has become a very serious disease in farmed elk, mule deer, and white-tailed deer,

THEREFORE BE IT RESOLVED, NCBA strongly supports United States Department of Agriculture’s Agricultural Research Service (USDA ARS) and university research on CWD,

BE IT FURTHER RESOLVED, NCBA requests and supports research efforts to develop rapid antemortem and postmortem diagnostics, determine route(s) of transmission, including the role of environmental contamination, and methods to control CWD, such as genetic resistance,

BE IT FURTHER RESOLVED, NCBA requests expanded efforts to stop the spread of CWD in deer and elk by depopulation of free roaming and farmed deer and elk in areas with involved and threatened herds,

BE IT FURTHER RESOLVED, NCBA supports and encourages the control of the transport of live deer and elk or carcasses from areas having CWD,

BE IT FURTHER RESOLVED, NCBA supports uniform and effective monitoring of interstate and intrastate movement of wild and captive cervidae,

BE IT FURTHER RESOLVED, NCBA recommends intensive monitoring of all captive and wild cervidae herds in the CWD endemic areas, as well as the monitoring of wild cervidae in areas adjacent to facilities of captive cervidae, which have a diagnosis of CWD,

BE IT FURTHER RESOLVED, NCBA requests USDA ARS further develop and maintain a current fact sheet on scientific facts about CWD and that this information be widely disseminated to affected parties, i.e., all state veterinarians, United
Foot-and-Mouth-Disease Control

WHEREAS, foot-and-mouth disease (FMD) outbreaks would devastate the beef cattle industry in the United States, the largest agriculture segment, and

WHEREAS, the control and prevention of FMD will require a multi-faceted approach,

THEREFORE BE IT RESOLVED, NCBA requests the United States Department of Agriculture (USDA) place a high priority on the development of improved and validated FMD vaccines, including funding for production and banking of the FMD vaccines and FMD diagnostic test kits.

Trichomoniasis Control

WHEREAS, trichomoniasis is an economically devastating disease in beef herds, and

WHEREAS, there is currently no treatment for infected bulls, and there are currently no drugs or vaccines that will effectively prevent infection of bulls or beef herds, and

WHEREAS, there are non-pathogenic trichomonads that can be isolated from bulls, particularly virgin bulls, thus, it is important to differentiate the pathogenic trichomonads from the non-pathogenic trichomonads,

THEREFORE BE IT RESOLVED, United States Department of Agriculture (USDA) should support research aimed at prevention and treatment of trichomoniasis in cattle, especially the differentiation of non-pathogenic from pathogenic trichomonads,

BE IT FURTHER RESOLVED, USDA should make certain that veterinary diagnostic laboratories, veterinarians, and state trichomoniasis control programs are aware of all scientific information on differentiating non-pathogenic trichomonads from pathogenic trichomonads, particularly the use of any rapid diagnostic tests.

Testing for Trichomoniasis

WHEREAS, Trichomoniasis is a devastating reproductive health disease in beef cattle, and

WHEREAS, the control, sampling, laboratory testing, and state import requirements of Trichomoniasis lack uniformity and consistency,

THEREFORE BE IT RESOLVED, NCBA work with veterinarians, state officials, the American Association of Veterinary Laboratory Diagnosticians (AAVLD), and researchers to continue to develop universal standards in the detection, testing, sampling, and control of Trichomoniasis.

BE IT FURTHER RESOLVED, NCBA recognize the role that pooled Polymerase Chain Reaction (PCR) testing plays in the control of Trichomoniasis, especially in the testing of Trichomoniasis free herds for trade purposes, and work to further the education and research of pooled PCR testing in the beef industry.

Support for Research on Controlling Foot-and-Mouth-Disease Outbreaks by Methods other than Depopulation

WHEREAS, foot-and-mouth disease (FMD) in the United States would be devastating to the beef cattle industry, and

WHEREAS, the principal plan for control is widespread depopulation, but includes the use of vaccination, containment, and biosecurity measures, and

WHEREAS, depopulation may not be allowed or feasible in certain states,

THEREFORE BE IT RESOLVED, NCBA shall request continued funding of research for alternative methods of FMD control to include new vaccine technologies by the Department of Homeland Security and the United States Department of Agriculture.
WHEREAS, United States Department of Agriculture, Agriculture Research Service (USDA, ARS) Agroecosystem Management Research Unit (AMRU) at Lincoln, Nebraska, has performed critical research on screwworms and stable flies, and

WHEREAS, the cattle industry has a very serious problem with range and/or pasture-adapted stable flies, and no effective control methods are currently available, and

WHEREAS, an expert panel has completed a review of the AMRU program and has recommended the expansion of the stable fly research efforts,

THEREFORE BE IT RESOLVED, NCBA shall strongly support the expansion of the existing confined cattle stable fly research program at AMRU,

BE IT FURTHER RESOLVED, NCBA shall support additional research on appropriate fly pests and lice when personnel, funds, and time permit.

CH 9.14
2018/Amended
Kerrville Research Lab Funding

WHEREAS, the United States Department of Agriculture’s Agriculture Research Service’s (USDA-ARS) Knipling-Bushland Livestock Insects Research Laboratory at Kerrville, Texas, has historically been a critical research facility for a number of important pests, both insects and ticks, and

WHEREAS, Kerrville needs to be continued and expanded, and

WHEREAS, Kerrville is the victim of urban encroachment and the land value has increased significantly, and

WHEREAS, the old World War II Quonset facilities are antiquated, inefficient, and expensive to maintain, and

WHEREAS, the important research efforts on problems such as acaricide resistance and development of technology to control populations of cattle fever ticks maintained and distributed by ungulate wildlife by the fever tick must not be jeopardized,

THEREFORE BE IT RESOLVED, NCBA strongly supports the planning, funding and construction of a new research facility to replace the existing Kerrville laboratory, and

BE IT FURTHER RESOLVED, NCBA supports the existing collaborative efforts with the Agricultural Research Service Animal Disease Units at Pullman, Washington and Kerrville, Texas.

CH 9.15
2017/Amended
Regional Veterinary Diagnostic Laboratory Capacity

WHEREAS, livestock diseases are extremely costly to producers and rural communities, and

WHEREAS, foreign animal diseases such as foot-and-mouth-disease (FMD), heartwater, and others could have devastating results to the entire livestock industry, and

WHEREAS, rapid local diagnostic capabilities will be critical in a foreign animal disease outbreak,

THEREFORE BE IT RESOLVED, NCBA actively encourages federal and state officials to expand and support the United States Department of Agriculture approved regional veterinary diagnostic laboratory network.

CH 9.16
2014/Renewed
Bovine Viral Diarrhea Virus Education and Research Support

WHEREAS, bovine viral diarrhea virus (BVDV) is an important contagious pathogen of cattle, which causes a number of economically important disease syndromes in all stages of cattle production, and

WHEREAS, the components necessary to control this pathogen exist, including accurate diagnostic tests and an understanding of effective
strategies to prevent transmission within and between cattle herds, and

WHEREAS, BVDV control or eradication occurs by the voluntary actions of individual cattle producers, so success requires producer “buy-in”, or compliance. Compliance, in turn, is strongly associated with producer education, and

WHEREAS, the Herd Security/BVDV Working Group, a sub-committee of the NCBA Cattle Health and Well-being Committee, has provided national leadership in creating awareness and providing knowledge about BVDV control to veterinarians and cattle producers through research, producer symposiums and publications,

THEREFORE BE IT RESOLVED, NCBA support state and federal programs which fund competitive proposals for research and outreach to deliver information and training directly to cattle producers and their veterinarians that will contribute to BVDV control.

CH 9.17
2014/Renewed
**Bovine Viral Diarrhea Virus International Biosecurity**

WHEREAS, bovine viral diarrhea (BVD) viruses, which comprise two species within the pestivirus genus, likely cause the most costly viral disease of cattle in the United States, and

WHEREAS, control measures addressing BVD virus losses are being implemented in the United States, and

WHEREAS, biosecurity is an important component of BVD control plans ranging from individual herds to international movement, and

WHEREAS, infection of cattle with “HoBi-like” viruses, a newly emerging species of pestivirus confirmed present in both South America and Southeast Asia, mimics the clinical presentations observed following infection with either BVDV1 or BVDV2, and

WHEREAS, introduction of the HoBi species into the U.S. poses significant biosecurity risk for animal populations and would have serious consequences for BVDV control programs, and

WHEREAS, these viruses may be transmitted through infected animals and animal products, such as fetal calf serum,

THEREFORE BE IT RESOLVED, NCBA staff should pursue further knowledge of the virus to determine if surveillance is needed in the U.S.

BE IT FURTHER RESOLVED, NCBA encourages United States Department of Agriculture, Animal and Plant Health Inspection Service (USDA, APHIS) to adhere to and implement strict international biosecurity measures for pestiviruses, addressing shipment of animals and animal products, as well as other risks.

CH 9.18
2018/Renewed
**Animal Disease Research Funding**

WHEREAS, inadequate funding is available for animal disease research, and decreasing numbers of young scientists are pursuing careers in animal disease research, and

WHEREAS, many new faculty members hired by veterinary school basic science departments and colleges of agriculture focus largely (or entirely) on human disease research because of funding issues, and

WHEREAS, the decline in trained veterinary scientists entering the animal research field in the last decade and the predicted retirement losses of veterinary scientists suggests that the United States will be unable to meet critical research needs of animal health in the next decade,

THEREFORE BE IT RESOLVED, NCBA urges Congress and appropriate governmental agencies to increase funding for animal disease research, and seek adequate funding for bovine disease research.

**10. ANIMAL ID/DISEASE TRACEABILITY**

CH 10.1
2018/Amended
**Development of Protocols for Regionalization**

WHEREAS, animal diseases occur periodically in some states and occur in wildlife in some states, and
WHEREAS, NCBA wholly supports open access to marketing and movement options while maintaining appropriate disease risk, and

WHEREAS, precise protocols should be in place to determine quarantines, regionalization, or other movement restrictions in a herd or area,

THEREFORE BE IT RESOLVED, NCBA supports research to develop protocols and determine the economic impact of regionalization of states or an area to establish risk avoidance for animal diseases.

CH 10.2
2017/Renewed
Identification of Imported Cattle

WHEREAS, with increased globalization and cattle movements across national borders, and

WHEREAS, old and emerging diseases may be difficult to detect at times with current testing technologies, and

WHEREAS, the occurrence of these diseases would devastate the United States (U.S.) economy if they entered our U.S. cattle herd,

THEREFORE BE IT RESOLVED, NCBA requests live cattle imported into the U.S. from another country be identified with permanent, visible identification utilizing the United States Department of Agriculture’s Animal and Plant Health Inspection Service (USDA-APHIS) code to identify the country of origin.

CH 10.3
2018/Amended
Support for Enhanced Disease Traceability Systems

WHEREAS, NCBA continues to be an industry-leading organization on animal identification (ID) issues, and

WHEREAS, intrastate and interstate animal ID plans are being developed for the purpose of establishing a means to ensure animal disease traceability, and

WHEREAS, a goal should be to enable the cattle industry and state/federal animal health officials to respond rapidly and effectively to animal health emergencies, and

WHEREAS, the industry is placing renewed emphasis on preventing the introduction of foreign animal diseases of concern, and

WHEREAS, the proposed United States Department of Agriculture (USDA) Animal and Plant Health Inspection Service animal disease traceability framework does not eliminate the need for continued brand inspection programs, and

WHEREAS, having a system to quickly and effectively address disease outbreaks protects animal health and provides confidence for consumers both domestically and internationally, and

WHEREAS, most major beef-exporting countries have implemented animal ID and traceability systems and are using their systems to differentiate themselves from the United States (U.S.) with customers in global markets, and

WHEREAS, the World Organization for Animal Health (OIE) has adopted guidelines on animal ID and traceability that establish basic principles which any traceability system should satisfy, and

WHEREAS, the 2016-2020 cattle industry Long Range Plan emphasizes the cattle industry should secure the broad adoption of individual animal ID disease traceability system(s) to equip the industry to effectively manage a disease outbreak while enhancing both domestic and global trust in U.S. beef.

THEREFORE BE IT RESOLVED, NCBA supports the development and implementation of a nationally significant disease traceability system,

BE IT FURTHER RESOLVED, an effective animal disease traceability program should:

1. Be compatible with private sector animal ID and verification programs backed by the USDA.
2. Be compatible with the general traceability principles of the OIE.
3. Recognize existing USDA programs for beef exports.
4. Be built using infrastructure that supports other potential uses of ID.
5. Utilize low cost electronic official tagging devices paid for by federal and/or state funds, when possible.
6. Require that cattle ID information for disease traceability be kept confidential.
and strongly protected from disclosure.

7. Protect ownership information from
disclosure to future owners.

8. Protect producers from liability for acts
of others, after the cattle have left the
producer’s control.

9. Operate at the speed of commerce.

10. Not replace or impede existing state
brand inspection activities.

11. Work within a framework to
accommodate all classes of cattle.

WHEREAS, NCBA is on record supporting
traceability for animal disease purposes,

THEREFORE BE IT RESOLVED, NCBA
supports traceability protocols outlined below that
address producers’ concerns relative to the
USDA/ADT program.

- Allows for a separate rule making
process for cattle under 18 months of
age.

- Implementation of a traceability
program needs to consider technology
and the speed of commerce. Specifically, USDA, state, and private
datasets must function and be
dependable. For ADT specifically,
datasets should be correlated with other
animal health data, such as those listed
on Certificates of Veterinary Inspection.

- ADT is not a tool directly formatted for
international market access for trade.
Identification programs used for
international trade access or other
traceability programs, which meet ADT
minimum standards for device, etc.,
should be allowed to populate certain
traceability aspects of ADT.

- Confidentiality of producer information
is essential and producer information
should be strongly protected from
disclosure.

- Producers must be protected from
liability for the acts of others after their
cattle have left their control.

- The animal data management system
does not replace or impede existing
state brand inspection activities.

- Cattle movement between adjoining
states on pasture-to-pasture permits
should be allowed to continue at the
discretion of the state animal health
officials involved.

- Data integrity must be maintained
throughout the system, including
retagging and retirement of tags at
harvest.

- Adequate federal resources to the state
must be readily available to facilitate
the objectives of ADT.
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I. ADMINISTRATIVE AND REGULATORY

FL 1.1
2014/Renewed
Federal Lands Management

BE IT RESOLVED, NCBA will continue to support sound, scientific stewardship on federal lands providing for a thriving livestock industry, sustainable rangelands resulting in quality watersheds, productive wildlife habitat, food and fiber, a viable economy and strong tax base. Federal lands policy should encourage sustainable range improvements, and must guarantee water rights in accordance with state law, private property rights, and due process of law.

BE IT FURTHER RESOLVED, federal lands grazing management shall meet the following principles:

1. Measurable and attainable, short-term and long term management objectives.
2. Continued responsible stewardship.
3. Sustainable commodity production.
4. Healthy communities and viable rural economies, tied to responsible resource production.
5. Protection of private property rights.
6. Recognition of economic and ecological values.
7. Recognition of the interdependence of private, state and federal lands.
8. Timely inclusion of permittees and local governments in all decision making processes.

BE IT FURTHER RESOLVED, NCBA should continue to strive for a reasonable federal grazing policy which recognizes the above principles.

FL 1.2
2015/Renewed
Local Compliance with Executive Order #12630

WHEREAS, the ownership of private property and the right to be secure in the ownership of private property is the foundation of this free country, and

WHEREAS, the 5th and 14th Amendments to the United States Constitution and numerous Supreme Court decisions have recognized and upheld the right of private property ownership, and

WHEREAS, the Attorney General of each sovereign state has the legal responsibility to uphold the Constitution, and therefore to protect private property rights, and

WHEREAS, Presidential Executive Order #12630 has strengthened the mechanism for protecting Constitutionally guaranteed private property ownership rights by requiring that all federal agencies file a Takings Implication Assessment (TIA) to determine the effect of their federal actions on private property rights, and

WHEREAS, the 5th and 14th Amendments to the U.S. Constitution require the payment of just compensation to a private property owner any time private property rights are diminished,

THEREFORE BE IT RESOLVED, NCBA urges the Attorney General of each state to direct all county commissioners to ensure compliance with the mechanism designed to protect each citizen’s right to be secure in the right to own private property.

BE IT FURTHER RESOLVED, NCBA urges the Attorney General of each state to strengthen the processes which will ensure due process for those private property owners.

BE IT FURTHER RESOLVED, NCBA urges county commissioners to support Executive Order 12630 requesting all federal agencies complete a TIA on all federal projects or regulations affecting private property rights, both on private and federal lands.

BE IT FURTHER RESOLVED, should a TIA show that private property rights will be diminished by a federal action or regulation, proper local authority must institute proceedings to ensure that just compensation is paid to the private property owner in the event of a taking.

FL 1.3
2016/Renewed
Injunction Review

WHEREAS, court injunctions have been used to halt historic grazing rights until litigation and bureaucratic processes can be completed, and

WHEREAS, the sudden loss of these historic grazing rights creates undue economic hardships for grazing permittees that are affected by these injunctions,
THEREFORE BE IT RESOLVED, NCBA seeks legislation that prohibits court ordered injunctions preventing grazing, pending completion of agency processes.

**FL 1.4**  
2017/Renewed  
*Payment-In-Lieu-Of-Taxes Funds Continuance*

WHEREAS, the federal government pays money in lieu of taxes to counties having federal lands within their borders, and

WHEREAS, this program may be eliminated, and

WHEREAS, counties with large federal acreage have become dependent on these funds,

THEREFORE BE IT RESOLVED, NCBA seeks congressional support for measures to increase and sustain livestock production on federal lands such that the associated counties and communities no longer require payments-in-lieu-of-taxes (PILT) funding,

BE IT FURTHER RESOLVED, that, until such solutions are found, NCBA seeks Congressional support for continuing PILT payments and increasing the level at which they are paid.

**FL 1.5**  
2017/Amended  
*Agency Range Budget*

BE IT RESOLVED, NCBA supports adequate funding for United States Forest Service and Bureau of Land Management agency budgets and program emphasis to meet legislated range management functions and mandates in order to ensure sound and sustainable multiple use management,

BE IT FURTHER RESOLVED, NCBA supports matching range program emphasis and budget to corresponding range production outputs,

BE IT FURTHER RESOLVED, NCBA encourages Congressional efforts to clarify that the cost of administering the whole of federal range programs is inclusive of users, statutory mandates, and obligatory federal regulatory actions, many of which are not applicable to the costs of administering the livestock grazing portions of these programs.

**FL 1.6**  
2017/Amended  
*Public Access*

BE IT RESOLVED, NCBA opposes any imposition of public access on unwilling landowners or any taking of private access by prescriptive easement not established by state law.

**FL 1.7**  
2016/Renewed  
*Trespass*

WHEREAS, instances of historic unintentional agricultural trespass on federal lands continue to be uncovered, and

WHEREAS, existing processes for resolution of such trespasses are inefficient, excessively lengthy, and costly to both agricultural users and the federal agencies,

THEREFORE BE IT RESOLVED, NCBA requests that the Unintentional Agricultural Trespass section of the Federal Land Policy Management Act be reinstated to handle disposition of these lands.

BE IT FURTHER RESOLVED, non-willful trespass of livestock should not be subject to citation.

**FL 1.8**  
2017/Renewed  
*National Forests and Grasslands Management*

WHEREAS, numerous questions have arisen regarding the current status of the legal authority to manage the national grasslands and other lands within the National Forest System,

THEREFORE BE IT RESOLVED, NCBA supports all efforts to assure fair and legal management of all National Forest System lands.

**FL 1.9**  
2017/Renewed  
*Stewardship Program*

BE IT RESOLVED, NCBA supports the existing Experimental Stewardship Program in concept and principle, and NCBA supports the development of additional experimental stewardship programs.
FL 1.10
2017/Amended
Permit Renewals

WHEREAS, the continuance of grazing under a permit beyond the date of expiration does not eliminate the obligation to complete National Environmental Policy Act (NEPA) on Bureau of Land Management (BLM) and United States Forest Service (USFS) permits and leases,

THEREFORE BE IT RESOLVED, the USFS and BLM allocate appropriate levels of funding, and maintain adequate levels of staffing to complete the grazing allotment NEPA documents and grazing permit renewals, internally communicate the priority of completing these actions for the affected allotments, and reassign specialists to complete the input required for the permits to ensure that grazing is allowed to continue.

FL 1.11
2012/Renewed
Direct Access to Federal Court

WHEREAS, administrative appeals and objections procedures available within the United States Forest Service and Bureau of Land Management are a time-consuming and extremely expensive process, and

WHEREAS, the appeals and objections process is a mandatory procedure that must be exhausted before receiving a hearing before a federal court,

THEREFORE BE IT RESOLVED, NCBA supports legislation granting permittees direct access to federal court,

BE IT FURTHER RESOLVED, NCBA supports legislation granting federal lands grazing permittees the right to trial De Novo in the federal courts in any appeal of a final administrative decision involving the permittee.

FL 1.12
2014/Renewed
Wilderness Areas

WHEREAS, the United States has adequately addressed the issue of wilderness regarding BLM wilderness, Forest Service wilderness, wildlife refuges, primitive areas, and national conservation areas,

THEREFORE BE IT RESOLVED, NCBA strongly opposes further designation of wilderness areas, National Parks, Wild and Scenic Rivers, national conservation areas, primitive areas, wildlife refuges, or other special use areas which take away multiple-use of the land.

BE IT FURTHER RESOLVED, existing wilderness areas and wilderness study areas should be reexamined and only those areas that meet the criteria specified in the Wilderness Act of 1964 should remain wilderness or wilderness study areas and that all other areas should be released back to multiple-use management.

FL 1.13
2018/Amended
Compensation for Cuts in Permitted Animal Unit Months

BE IT RESOLVED, NCBA recommends that in the case of permitted animal unit months (AUMs) being reduced or taking of permits by a federal agency, that the permittee be allowed by the Internal Revenue Service to use the loss as a capital loss at the time the cut is implemented,

BE IT FURTHER RESOLVED, that agencies pay fair market value for cuts in AUMs.

FL 1.14
2014/Renewed
Notice to Permittees

BE IT RESOLVED, NCBA recommends that public land agencies, from this point forward, begin notifying permittees prior to entering onto their public land permits.

BE IT FURTHER RESOLVED, all public land agencies notify affected permittees and the Public Lands Council (PLC) prior to entering into memoranda of understanding which affect grazing permits.

BE IT FURTHER RESOLVED, formal notice shall be sent to permittees and lessees in a timely manner to allow them to participate in any proposed agency action.
FL 1.15 2018/Renewed
**Legal Public Access**

WHEREAS, state and federal agencies publish maps for hunting interests and other multiple uses in certain states, and

WHEREAS, many roads on the published maps are private roads,

**THEREFORE BE IT RESOLVED,** NCBA recommends to all public land agencies, which participate in the publication of such maps, to designate all private roads as “PRIVATE” in their next printing.

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FL 1.16 2018/Renewed
**Federal Land Acquisition and Exchanges**

WHEREAS, all federal agencies from time to time propose acquisition or exchange of lands with state, county, private, and other landowners for the purpose of consolidating land ownership, and

WHEREAS, such land exchanges can result in improved resource management and other benefits for ranchers, communities, and the federal government, and

WHEREAS, certain land exchanges have the potential to cause great economic harm to existing ranching operations, possibly resulting in the loss of private property rights, valid pre-existing rights, water rights, and improvements,

**THEREFORE BE IT RESOLVED,** NCBA encourages an accelerated process of exchange or direct sale of tracts of federal lands to adjacent landowners, while recognizing the historic use of the land for purposes of valuation to provide for more realistic and economic management of land resources for increasing revenues to the economic bases of the local areas.

**BE IT FURTHER RESOLVED,** public agencies should pay a fair share of the costs involved in an exchange or sale.

**BE IT FURTHER RESOLVED,** NCBA strongly opposes any land exchange that will have a negative impact on a permittee or local community.

**BE IT FURTHER RESOLVED,** federal, local, and state agencies hold public hearings in the communities affected by the proposed land exchanges in order to fully identify the expected economic impact to ranching operations and local communities.

**BE IT FURTHER RESOLVED,** NCBA opposes further acquisition of private property in the name of conservation or public use without just compensation.

**BE IT FURTHER RESOLVED,** NCBA requests the Administration adopt and support a “no net loss” policy for private property.

**BE IT FURTHER RESOLVED,** land acquired by the federal government along with preference rights should be adjudicated for grazing pursuant to the Taylor Grazing Act.

**BE IT FURTHER RESOLVED,** NCBA advocates that USFS and BLM funds be made available for rangeland management positions for purposes of hiring personnel trained in rangeland management or a closely related field so as to better support the national policy of multiple use management,

**BE IT FURTHER RESOLVED,** NCBA advocates for such positions to be filled with qualified personnel in numbers sufficient to meet demand throughout the West.
BE IT RESOLVED, NCBA supports the multiple use management concept on the federal lands,

BE IT FURTHER RESOLVED, NCBA generally opposes Congressional or administrative designations that de facto result in single use management or emphasis or single use allotments in derogation of the long-standing principle of multiple use.

BE IT RESOLVED, NCBA supports the Wildlife Services program, and shall work to insure it is adequately funded.

WHEREAS grazing advisory boards are an important liaison between grazing permittees and federal land management agencies, and

WHEREAS these boards can serve an important function today in improving communication between permittees and land management agencies,

THEREFORE BE IT RESOLVED, NCBA requests that the U.S. Department of Interior, Bureau of Land Management (BLM) and U. S. Department of Agriculture - Forest Service (USFS) reinstate, where not already present, Grazing Advisory Boards under any county’s cooperative agency status with federal agencies.

WHEREAS, this process results in a reversal of decisions unfavorable to grazing permit holders in less than five percent of appeals,

THEREFORE BE IT RESOLVED, NCBA seeks statutory or regulatory change to require, at the option of the permittee, required administrative appeals of Forest Service grazing permit decisions pursuant to 36 CFR Part 251, subpart B, to be held on the record before an independent hearing officer or administrative law judge, with the right to confront and cross examine agency employees in accordance with the requirements of the federal Administrative Procedures Act, 5 U.S.C. 551 et. seq.

WHEREAS, when a decision to renew, transfer, or modify a grazing permit is appealed by a permittee, that decision currently stands unless a petition to stay is granted, and such decisions can cause great economic and ecologic harm due to the length of time required to resolve appeals,

THEREFORE BE IT RESOLVED, BLM change its grazing regulations so that staying of an adverse decision, when appealed by a permittee, should be automatic and not require a petition for the granting of that stay.

BE IT FURTHER RESOLVED, the permittee or lessee should be allowed to continue ongoing use under the existing permit until the appeal is resolved, and the agency promulgating the adverse decision should bear the burden of proof to show that their decision is appropriate.

WHEREAS, in the current grazing regulations, the term “interested public” has been interpreted to allow any individual, regardless of direct economic interest, the ability to affect and interrupt the day-to-day operations of the Bureau of Land Management (BLM) and Forest Service,
THEREFORE BE IT RESOLVED, NCBA recommends the BLM and Forest Service incorporate regulation changes stating that interested public should only participate in allotment management at the resource management planning level, unless the permittee seeks to participate in a collaborative management effort.

FL 1.24
2018/Amended
Permit Issuance and Transfer

WHEREAS, the Taylor Grazing Act gives the right of automatic renewal to permittees, and

WHEREAS, the National Environmental Policy Act (NEPA) only applies to major federal actions significantly impacting the human environment, and simple permit transfers and renewals do not qualify as major federal actions, and

WHEREAS the permit renewal and transfer process can be unnecessarily time-consuming and arduous,

THEREFORE BE IT RESOLVED, NCBA supports the following:

1. Renewal of a term grazing permit should not require NEPA compliance as such renewal is required pursuant to the Taylor Grazing Act and the Administrative Procedures Act.

2. Renewal of the terms and conditions in a term grazing permit, if there are no changes to those terms and conditions and if the allotment is meeting all Rangeland Health Standards, may be completed via a categorical exclusion.

3. NEPA analysis should not be required for activities that implement the goals of a Resource Management Plan that has met existing NEPA requirements, or for the renewal or transfer of grazing permits unless significant modification of the permit is occurring.

4. Bureau of Land Management (BLM) and U.S. Forest Service (USFS) should take actions to simplify and streamline the permit transfer process so that it is conducted in a timely manner in order to ensure the continued viability of the livestock permit.

5. Permits shall be transferred or renewed with the same terms and conditions of the existing permit where the BLM and USFS have determined that documentation of proposed changes with respect to expiring or transferring term permits is not complete.

BE IT FURTHER RESOLVED, NCBA work to find a long-term strategy in order to complete the environmental review process in a timely, thorough, and practical fashion,

BE IT FURTHER RESOLVED, NCBA work to ensure that no permittee will be deprived of the reissuance of a grazing permit or lease because the Secretary of Agriculture or Secretary of Interior failed to complete the NEPA review prior to expiration or transfer of any permit or lease,

BE IT FURTHER RESOLVED, NCBA work to ensure any permit application process is consistent with the Taylor Grazing Act, specifically with respect to its provision regarding the automatic renewal of permits, and with the Administrative Procedures Act.

FL 1.25
2018/Renewed
Preference

WHEREAS, the term "preference" has been redefined from its historic definition, and

WHEREAS, the intent of Congress in the Taylor Grazing Act has been changed from, "the total number of Animal Unit Months (AUMs) of livestock grazing on public lands apportioned and attached to base property owned or controlled by a permittee or lessee," to "a superior or priority position against others for the purpose of receiving a grazing permit or lease," and

WHEREAS, this change has the effect of removing any recognition by the Bureau of Land Management (BLM) that Congress, in the Taylor Grazing Act, intended for western family ranches holding BLM grazing permits, and

WHEREAS, by this Act, leases were given a priority position above all others for a legally adjudicated number of federal AUMs, called the "preference right," and

WHEREAS, in the majority of situations where the number of federal livestock AUMs currently authorized by BLM Land Use Plans for
active use by livestock in the ten-year permits, or leases held by these ranchers, is less than the “preference right” of federal AUMs adjudicated to these ranches as a result of Land Use Plan Decisions to reserve federal forage for uses other than livestock, and

WHEREAS, a lack of recognition by the federal government of the “preference right” of AUMs has a severe adverse impact on the economic value and stability of these ranches,

THEREFORE BE IT RESOLVED, NCBA supports the return of the definition of the term and concept of "preference right" to that used prior to the BLM grazing regulations of 1995, so as to reflect the original and historic intent the Taylor Grazing Act by giving the appropriate ranches a priority position for a certain number of adjudicated "preference right" AUMs.

FL 1.26
2014/Renewed
Fence Height Requirements

WHEREAS, fences are built to control livestock and to keep cattle away from highways and roads, and

WHEREAS, the height of a fence determines the effectiveness of controlling and containing livestock, and

WHEREAS, the control of livestock is a public safety issue, and

WHEREAS, the control of livestock is for the good of maintaining personal property, and

WHEREAS, some agencies will not permit fences to be built in excess of forty inches high, and

WHEREAS, a fence with only a forty-inch height is in most cases not adequate for the control of livestock,

THEREFORE BE IT RESOLVED, NCBA works with agencies to amend their requirements for fences to allow for all livestock fences to be built up to a fifty-two inch height.

FL 1.27
2018/Renewed
Open Range Fencing

BE IT RESOLVED, NCBA supports regulations which make it incumbent on the owner of the private land to build and maintain a legal fence around the land if he wishes to keep cattle off his private property within United States Forest Service and Bureau of Land Management property boundaries not fenced prior to 1928,

BE IT FURTHER RESOLVED, NCBA asks federal agencies to comply with the same fence laws and traditional fencing practices as private property owners within each state.

FL 1.28
2014/Renewed
Wolf Predation Reporting

WHEREAS, the number of livestock kills confirmed by USDA Wildlife Services is only a small fraction of actual livestock kills,

THEREFORE BE IT RESOLVED, NCBA encourage USDA Wildlife Services to develop scientifically acceptable total kill projections and to consistently report not only confirmed and probable livestock kill numbers, but also likely kill numbers,

BE IT FURTHER RESOLVED, NCBA encourage USDA Wildlife Services to develop cost analyses and proposed mitigation strategies for the indirect costs, and to report these indirect costs along with the kill statistics.

FL 1.29
2014/Amended
Permittee Input into Public Lands Management Decisions

WHEREAS, Section 8 of PL-95-514 (Public Rangelands Improvement Act) specifically requires consultation, cooperation and coordination with lessees, permittees, landowners, District Grazing Advisory Boards, and state agencies involved in the development, revision, or evaluation of allotment management plans,

THEREFORE BE IT RESOLVED, NCBA supports formal Section 8 consultation policies with the Forest Service (USFS), Bureau of Land Management (BLM) and the nation’s governors to ensure permittee involvement.
Conservation Agreements and Interconnectivity of Land Management

WHEREAS, species and species’ habitat occur on a landscape scale that includes public and private lands, and

WHEREAS, voluntary conservation efforts and management are occurring across public and private lands, and

WHEREAS, federal land permittees are dependent upon public lands grazing to provide economic stability, working landscapes and species habitat, and

WHEREAS, existing regulation allows federal land management agencies to enter into agreements that acknowledge species management across land ownership boundaries, e.g. candidate conservation and safe harbor type agreements, and

WHEREAS, federal land management agencies have been unwilling to enter into conservation agreements that include federal lands for species management,

THEREFORE BE IT RESOLVED, that NCBA request U.S. Fish and Wildlife Service (FWS), U.S. Forest Service (USFS), and the Bureau of Land Management (BLM) to acknowledge the interconnectivity of public and private lands and to recognize that the ability to maintain large open private lands is dependent on the long term sustainability and use of the public lands for grazing, and

BE IT FURTHER RESOLVED, that NCBA encourage federal lands management agencies to enter into conservation agreements with the FWS in consultation with federal land permittees that complement private landowner agreements and which allow for the management of species across landscape boundaries and ensures the economic stability of public land ranches.

On-Refuge and Park Hunting

WHEREAS, big game spend a significant percentage of the year on deeded land, and

WHEREAS, big game impact private pastureland, cropland, fences, and other privately owned improvements throughout the country, and

WHEREAS, big game numbers in certain regions of the country tend to be increasing, and

WHEREAS, the state game management agencies have been unsuccessful in these regions in reaching targeted population objectives, and

WHEREAS, a large number of big game seek a safe haven on wildlife refuges and parks before and during hunting seasons, that protects them from being harvested,

THEREFORE BE IT RESOLVED, NCBA requests that the U.S. Department of Interior authorize on-refuge and on-park hunting seasons of big game, as they currently do with water fowl, to provide necessary herd management, dispersal, and maintenance of population objectives.

Endangered Species-Environmental Impact Statement

WHEREAS, the implementation of the Endangered Species Act has far reaching implications concerning agricultural practices in areas where endangered species exist,

THEREFORE BE IT RESOLVED, NCBA supports the completion of an economic analysis and an environmental impact statement by the proposing agency, including the impact of the acquisition or relocation on the local, county, state, and national economies before the taking of any land and/or water for the use of endangered species or before a threatened or endangered species may be moved, relocated or introduced.

Legislative and Regulatory Revisions for Grazing Permit Administration

WHEREAS, current federal laws and regulations, and the judiciary’s interpretation thereof, regarding federal grazing permit administration have created a malfunctioning system whereby radical environmental groups are able to stymie on-the-
ground management and use of Federal lands through an aggressive litigation strategy, and

WHEREAS, these issues of concern include:

1. Ease for activists to gain interested public status,
2. The burden of proof is borne by the grazing permittee in the administrative appeals process,
3. The Office of Hearing and Appeals does not follow the Administrative Procedures Act’s (APA) standard of proof as it relates to resource decisions,
4. The elimination of an automatic stay of a BLM decision when it is appealed, and
5. The APA does not currently apply to Forest Service permittees.

THEREFORE BE IT RESOLVED, NCBA seek the following changes to federal laws and regulations:

1. The Federal Land Policy and Management Act and the National Forest Management Act (NFMA) should be amended to require that participants in the grazing permit decision making process have Constitutional standing.
2. The burden of proof should comply with the burden set by the APA in requiring that the federal agencies bear the burden of showing that their decisions are correct in law and in fact.
3. The standard of proof should be changed so that the BLM has to prove its case by a preponderance of the evidence.
4. The BLM’s grazing regulations should be amended to return to pre-Rangeland Reform language so that decisions are automatically stayed if appealed, unless fact-specific circumstances support a decision in “full force and effect”.
5. The NFMA should be amended so that Forest Service permittees can challenge agency decisions “on the record” under the APA.

FL 1.34
2016/Renewed
Opposition to Secretarial Order 3310

WHEREAS, NCBA represents ranching and farming families across the United States, and

WHEREAS, Secretarial Order 3310, known as the Wild Lands Order, directs the Bureau of Land Management (BLM) to inventory, manage, and designate lands with perceived “Wilderness Characteristics” through departmental authority, creating de facto wilderness areas adverse to any other use and,

WHEREAS, Congress has the sole authority to designate Wilderness areas according to the Wilderness Act of 1964, and

WHEREAS, this action will restrict both renewable and nonrenewable natural resource uses on public lands in the west, further impeding the historic, cultural, and occupational uses of farming and ranching in this country, and

WHEREAS, the Federal Land Policy and Management Act (FLPMA) Sec. 1712- c (9) states, “Land use plans of the Secretary under this section shall be consistent with State and local plans to the maximum extent he finds consistent with Federal law and the purposes of this Act,”

THEREFORE BE IT RESOLVED, NCBA request the Secretary of Interior to rescind Secretarial Order 3310, and

BE IT FURTHER RESOLVED, NCBA request the United States House of Representatives defund any attempt to implement the Wild Lands Order, and

BE IT FURTHER RESOLVED, NCBA request Congress to enact legislation clearly mandating the Secretary of the Interior to withdraw the Order.

FL 1.35
2017/Renewed
Toxic Rotenone and/or Antimycin A

WHEREAS, NCBA is concerned about potential human, livestock, wildlife, and environmental impacts of the use of Rotenone and/or Antimycin A on federally managed lands, and
WHEREAS, some federal agencies currently plan to use various formulations of Rotenone and/or Antimycin A to eliminate all native fish, non-native fish, and macro-invertebrates in streams scheduled for renovation on federally managed lands, and

WHEREAS, there are peer reviewed, published, scientific papers linking Rotenone and Parkinson’s disease,

THEREFORE BE IT RESOLVED, that NCBA oppose the use of Rotenone and/or Antimycin A for the killing of native, nonnative, and macro-invertebrate aquatic species on federally managed land unless a project-specific Environmental Impact Statement (EIS), prepared in accordance with stipulations of the National Environmental Protection Act, analyzes potential effects on humans, livestock, and wildlife in the affected watershed.

FL 1.36
2018/Renewed
State Entitlement

WHEREAS, the Federal government owns and controls vast areas of land and mineral resources in many states, particularly in the West, and

WHEREAS, these states have minimal ability to control and manage the development and use of these resources, and

WHEREAS, the property tax base of these states is greatly diminished by this federal ownership of resources, and

WHEREAS, Congress has acted to reduce the inequities caused by this federal ownership by providing for certain payments to the states be derived from these resources,

THEREFORE BE IT RESOLVED, NCBA strongly opposes actions by the Federal government that have taken Abandoned Mine Land monies, Payments in Lieu of Taxes (PILT), impact aid, and other monies to which the states are entitled, that have withheld federal mineral royalty payments due the states and that further threaten to permanently confiscate these funds,

BE IT FURTHER RESOLVED, NCBA supports all efforts by the states to assure recapture and continued receipt of these funds.
WHEREAS, these land designations continue to restrict access and increase regulation regarding use of the land, which destroys the social and economic fabric of the local area,

THEREFORE BE IT RESOLVED, NCBA will support state affiliates in opposing monument designations where appropriate, and will work toward the reversal, repeal, or reduction of the size and scope of National Monument designation.

BE IT FURTHER RESOLVED, NCBA supports modification of the Antiquities Act to include:

1. A requirement for congressional and local government approval of Presidential Designations, and
2. A requirement that existing levels of grazing be maintained, and
3. An exemption of western states from the Antiquities Act.

BE IT FURTHER RESOLVED, NCBA requests that all legislation and funding that is pending for federal land designations be suspended.

BE IT FURTHER RESOLVED, in the event a designation occurs, NCBA will work with impacted producers, federal agencies, and local governments to secure the best operating environment possible.

FL 1.39
2017/New
Transfer of Federal Lands

WHEREAS, the Taylor Grazing Act, Multiple-Use and Sustained Yield Act, Federal Land Policy and Management Act, National Forest Management Act, and other federal statutes (The Acts) collectively contain a strong mandate for multiple-use management of federal lands and grazing in particular, and

WHEREAS, proper management of the federal estate is not possible without the extraordinary contribution made by federal grazing permit holders, who steward hundreds of millions of acres of federal land to the benefit of all Americans, and

WHEREAS, despite this mutually beneficial relationship, federal land management has strayed from that mandate by ignoring local input, disenfranchising federal grazing permit holders, and crippling the local economies that depend on the cattle industry and other multiple uses, and

WHEREAS, frustration over failures in federal land management have caused some to seek the wholesale transfer of these lands to the states, which, due to changing demographics and urbanization in the west, could potentially result in unintended consequences including lost preference rights, erosion of multiple use, and destabilization of the western cattle industry, all to the detriment of land health,

THEREFORE BE IT RESOLVED, NCBA demands the restoration and proper application of The Acts, in particular the mandates for multiple use and protection of grazing rights,

BE IT FURTHER RESOLVED, NCBA will seek and advocate for enhancement of the role of state and local government input and authority into the land use planning and management of federal lands where appropriate,

BE IT FURTHER RESOLVED, NCBA recognizes that wholesale transfer of federal lands does not address the issues currently faced by our industry and is distinctly different from the orderly transfer of federal lands marked by the federal land management agencies, which can be mutually desirable and beneficial for all parties. NCBA will support the latter when such mutual agreement exists and where care has been taken to preserve grazing protections in the process.

2. LEGISLATIVE

FL 2.1
2014/Renewed
Federal Grazing Fee Formula

WHEREAS, NCBA supports the current grazing fee formula set forth in the Executive Order,

THEREFORE BE IT RESOLVED, NCBA supports a statutory Federal Grazing Fee formula is based on the current formula and meets all requirements of current law, permanently protects individual property rights and interests, preserves and protects strong stewardship, has a sound, rational, and defensible economic basis, maintain forage market forces that balance federal and private costs, and not disrupt or harm the livestock industry.
FL 2.2
2015/Renewed
**Removal of Grasslands from U.S. Forest Service Jurisdiction**

BE IT RESOLVED, NCBA supports current efforts by the Association of National Grasslands to remove the National Grasslands from U.S. Forest Service jurisdiction.

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FL 2.3
2016/Renewed
**Vested Grazing Rights**

WHEREAS, each county has the right to recognize by law that grazing on federal land is a vested, split estate private property right, and

WHEREAS, first use of water and grazing has been recorded or implied by preemption law, prescriptive right, commensurability, IRS rulings, and compensation by the military for lost animal unit months (AUM), and

WHEREAS, Congress created an incentive to settle the West by recognizing grazing and farming as one of the first beneficial uses for which the land could be utilized,

THEREFORE BE IT RESOLVED, vested grazing rights on split estate land be defined as tangible private property and that all owners of grazing rights be encouraged to record said property at the county courthouse.

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FL 2.4
2016/Amended
**Vandalism on Federal Lands**

WHEREAS, stockmen must have more protection from eco-terrorists, environmental extremists, and other individuals who kill and harass livestock and destroy ranching facilities and equipment, and

WHEREAS, it is a basic right of citizens to protect their private property and to seek protection of private property,

THEREFORE BE IT RESOLVED, NCBA encourages the Bureau of Land Management (BLM) and the United States Forest Service (USFS) to enforce sections of the Federal Land Policy and Management Act of 1976 that make it unlawful to harass or obstruct the operation of any activity under a grazing permit, and to change the penalty for such activities to a felony with up to 5 years imprisonment and a $250,000 fine.

BE IT FURTHER RESOLVED, NCBA urge the BLM and USFS to utilize education and enforcement efforts to discourage and curtail vandalism on federal lands.

BE IT FURTHER RESOLVED, the USFS and BLM should be responsible for repairing damage to improvements and vegetation on federal rangelands caused by vandalism and carelessness on the part of other users.

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FL 2.5
2016/Renewed
**Water Rights-of-Way**

WHEREAS, numerous water conveyance systems on federal lands were constructed and in operation prior to the passage of the Federal Land Policy and Management Act of 1976 (FLPMA), and

WHEREAS, the states have granted water rights to the holders of the rights-of-way for such systems,

THEREFORE BE IT RESOLVED, NCBA supports legislation to exempt from fees and conditions under FLPMA the rights-of-way for water conveyance systems on federal lands validly granted under statutes that antedate enactment of FLPMA.

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FL 2.6
2017/Amended
**Access to Forest Inholdings**

BE IT RESOLVED, NCBA supports the amendment of 16 United States Code 478 to clarify that the ingress and egress guaranteed by the statute apply not only to initial settlers residing within the boundaries of the National Forests, but to all patentees and their successors in interest,

BE IT FURTHER RESOLVED, NCBA supports clarifying legislation to guarantee unencumbered access to existing roads and rights-of-way for owners of patented property lying within the boundaries of national forests in perpetuity.
FL 2.7  
2017/Renewed  
Davis–Bacon Act  
BE IT RESOLVED, NCBA supports exempting range improvement contracts of less than $100,000 from the Davis–Bacon Act.

FL 2.8  
2017/Renewed  
Mining Laws  
BE IT RESOLVED, NCBA supports reasonable, diligent, and consistent enforcement of existing regulations and adequate agency monitoring in regards to locating, filing, and occupying mineral claims on federal lands,  
BE IT FURTHER RESOLVED, NCBA strongly supports equally diligent and consistent attention to regulations, enforcement, and monitoring with regard to reclamation at the close of mineral exploration or development activities.

FL 2.9  
2018/Renewed  
Fencing of Sensitive Areas  
WHEREAS, the United States Forest Service (USFS) and Bureau of Land Management (BLM) frequently require fencing to exclude livestock from areas they deem as being “sensitive,” such as riparian areas, and  
WHEREAS, the expense of building and maintaining fences frequently is assigned to the permittee, and  
WHEREAS, there is a conflict of scientific opinion on whether or not the complete exclusion of livestock from riparian areas by fencing is necessary to maintain those areas in a stable and/or improving condition,  
THEREFORE BE IT RESOLVED, NCBA shall work to shift fence construction and maintenance burdens to the federal land management agency that mandates the exclusion of livestock use,  
BE IT FURTHER RESOLVED, NCBA urges all federal agencies to follow state fence laws, BE IT FURTHER RESOLVED, NCBA urges Congress to repeal the Unlawful Enclosures Act,  
BE IT FURTHER RESOLVED, NCBA opposes proposals by the federal land management agencies for mandatory fencing of riparian areas along streams or springs on the federal lands except where:  
1. Alternate sources of livestock water are identified, satisfactorily developed, and made available for livestock use,  
2. Privately owned state water rights in federal riparian areas are fully recognized and protected, including the right of access across federal lands to those waters and the use thereof,  
3. Proposed sites are studied in full cooperation, coordination, and consultation with the livestock operator and, where appropriate, the local advisory boards, and  
4. A comprehensive cooperative agreement, including termination date, adequate monitoring provisions, and an assignment of all construction and maintenance responsibilities is voluntarily entered into between the agency and the livestock operator.

FL 2.10  
2017/Amended  
National Monument Designations  
WHEREAS, the United States Government has aggressively designated millions of acres of land across the western United States as national monuments through use of the Antiquities Act of 1906, and  
WHEREAS, monument designations have restricted multiple use to the point of elimination through restricted access and increased regulation, thus destroying the social and economic fabric of the local area, as well as the high level of ecological integrity which merited its designation, and  
WHEREAS, the purpose of the Antiquities Act is to designate “the smallest area essential to ensure the proper care and management of the objects to be protected,”
THEREFORE BE IT RESOLVED, NCBA strongly supports modification of the Antiquities Act to include:

1. A requirement for congressional approval of Presidential designations.
2. A requirement that existing levels of grazing and infrastructure be maintained.
3. A requirement that approval be granted by local residents and stakeholders.
4. A requirement that appropriate economic and environmental review be complete prior to national monument designations.

BE IT FURTHER RESOLVED, NCBA encourages the administration to work toward the reversal, repeal or reduction in size of national monument designations, consistent with the aforementioned purpose of the Antiquities Act,

BE IT FURTHER RESOLVED, NCBA will work with locally affected members and land management agencies to ensure that management plans for monuments incorporate sustained livestock grazing and other multiple uses.

FL 2.11
2015/Renewed
Opposition to Grazing Permit Retirement Programs

WHEREAS, range scientists have determined that managed livestock grazing enhances rangeland vegetation by accelerating plant succession, increasing plant diversity, increasing plant productivity, and reducing plant mortality during drought, and

WHEREAS, numerous studies show many desirable wildlife species benefit from livestock grazing, and moderately grazed mid-serial rangelands support a higher diversity of wildlife species than those areas that are not grazed, and

WHEREAS, there is a strong socio-economic basis to protecting viable livestock operations that include federal grazing permits, in sustaining valuable open space, county tax bases, and other important sources of rural income, tradition and culture, and

WHEREAS, the livestock grazing industry is opposed to any grazing programs that condone extended periods of non-use beyond that which is ecologically sustainable and in the best interest of individual permittees, and

WHEREAS, there is strong political and citizen opposition to the use of federal and or state tax dollars to terminate grazing on federal grazing permits owned by various entities and individual ranchers, and

WHEREAS, livestock producers and federal grazing permit holders are entitled to sell or purchase grazing permits and private property whenever they decide it is in their best interest,

THEREFORE BE IT RESOLVED, while NCBA recognizes the right of individual grazing permittees to sell or otherwise dispose of their federal grazing permits, NCBA supports the continuation of livestock grazing on federal lands, and opposes any programs that are intended to permanently retire or vacate federal grazing permits.

BE IT FURTHER RESOLVED, NCBA will defer to a state affiliate when the affiliate supports legislation to retire grazing permits on a site-specific area within that state.

FL 2.12
2018/Renewed
Recognition of Revised Statute (R.S.) 2477 on Public Lands

WHEREAS, in 1866, the United States Congress passed R.S. 2477, an open ended grant of “the right-of-way for the construction of highways over public lands, not reserved for public uses”, and

WHEREAS, although Congress repealed R.S. 2477, with the passage of the Federal Land Policy and Management Act of 1976, Congress purposely protected all rights-of-way established prior to October 21, 1976 in sections 509(a) and 701(a)(h), and

WHEREAS, unlike any other federal land statute, the establishment of R.S. 2477 rights-of-way required no administrative formalities: no entry, no application, no license, no patent, and no deed on the federal side; no formal act of public acceptance on the part of the states or localities in which the right was vested, and
WHEREAS, because R.S. 2477 rights-of-way were not formally recorded, they have become one of the more contentious land use issues in the West, resulting in on-the-ground conflicts and expensive litigation, and

WHEREAS, the 10th Circuit Court of Appeal’s decision in Southern Utah Wilderness Alliance (SUWA) v. Bureau of Land Management (BLM) provides a thoughtful and reasonable way to resolve road disputes between the federal government and counties, and

WHEREAS, the cattle industry has established a historic use of the stock drive and machinery rights-of-way on public lands, and roads established under R.S. 2477 are important to access private ranch land, to the management of domestic livestock grazing on public lands, and to the economic stability of the rural west, and

WHEREAS, states provide the source of the law for determining the scope of rights-of-way and other property rights in this country,

THEREFORE BE IT RESOLVED, the federal government rely on state law for determining the existence and scope of R.S. 2477 rights-of-way on public lands,

BE IT FURTHER RESOLVED, NCBA supports recognition of historic livestock driveways and machinery rights-of-way on public lands,

BE IT FURTHER RESOLVED, NCBA supports the enactment of legislation that preserves the principles for the establishment of R.S. 2477 rights-of-way on public lands set forth in the 10th Circuit decision in SUWA v. BLM.

WHEREAS, PL 106-393, a compact between the people of rural forest counties and the federal government, provides relief from the diminishing tax base through the development of forest health improvement projects and stimulation of job development and economic stability,

THEREFORE BE IT RESOLVED, NCBA support PL 106-393, and its renewal with funding levels that adequately provide resources necessary for the Act to function properly.

FL 2.13
2016/Amended
Support for the Secure Rural School and Communities Self Determination Act (PL 106-393)

WHEREAS, the creation of the national forest system in 1905 encompassing 153 million acres of forest land diminished rural forest counties’ tax bases, and

WHEREAS, rural forest counties’ tax bases support essential community infrastructure, including schools and roads, and

WHEREAS, the United States Supreme Court has significantly limited the use of a “Bivens” cause of action allowing private individuals to sue individual federal employees for violations of constitutionally guaranteed rights, and

WHEREAS, the Federal Civil Rights Act, 42 USC 3 1983, allows individuals to sue state and local officials for violation of constitutionally guaranteed rights,

THEREFORE BE IT RESOLVED, NCBA supports an amendment to the Civil Rights Act, 42, USC 1983, to include federal employees.

FL 2.14
2018/Renewed
Amendment to Federal Civil Rights Acts

WHEREAS, the Equal Access to Justice Act (EAJA) and other fee-shifting statutes provide for the award of attorney fees and other expenses to parties in litigation against the government, and

WHEREAS, an eligible party may receive an award when it prevails over the government, and

WHEREAS, the Congressional intent of EAJA and other fee-shifting statutes was to overcome the inability of many Americans, to combat the vast resources of the federal government in administrative and federal court adjudications and to redress the imbalance between the government acting in its discretionary capacity and the individual, and

WHEREAS, in a recent 6-year period, non-profit environmental groups have filed more than 1500 lawsuits and in turn the federal government has
paid out billions in taxpayer dollars in settlements and legal fees under EAJA and other fee-shifting statutes in cases against the U.S. government, and

WHEREAS, there is no significant accounting or oversight as to how the money is being allocated,

THEREFORE BE IT RESOLVED, NCBA supports more stringent oversight as to how awards made available through EAJA and other fee-shifting statutes are accounted.

BE IT FURTHER RESOLVED, NCBA supports specific Congressional initiatives to reform EAJA and other fee shifting statutes.

BE IT FURTHER RESOLVED, NCBA urges Congress to conduct hearings to ascertain the extent of the misuse of these fees and expense awards.

BE IT FURTHER RESOLVED, NCBA urges Congress to require an annual report of EAJA awards to the relevant committees in the House and Senate.

BE IT FURTHER RESOLVED, NCBA urges the federal government to limit the abuse of EAJA and other fee-shifting statutes by groups who seek only to profit from its purpose.

BE IT FURTHER RESOLVED, NCBA supports the efforts to bring justice to EAJA.

FL 2.16
2016/Amended
Border Security and Funding

WHEREAS, federally-designated lands along the international border with Mexico have demonstrated unfettered illegal access to the United States of America by aliens from around the world, and

WHEREAS, this illegal ingress and egress is posing extreme danger not only to those living and working along the border but to the entire nation in terms of personal safety, health, economic welfare, and environmental safety and integrity, and

WHEREAS, these federally-designated lands include but are not limited to wilderness, wilderness study areas, wildlife refuges, national parks, monuments, and conservation areas, as well as

Bureau of Land Management and U.S. Forest Service lands,

THEREFORE BE IT RESOLVED, NCBA supports all legislation and authority for the Department of Defense, the Immigration, Customs & Enforcement, the U. S. Border Patrol, as well as state and local authorities to secure the international border with Mexico,

BE IT FURTHER RESOLVED, NCBA requests that all legislation and funding that is pending for federal land designations along the international border be suspended.

FL 2.17
2016/Renewed
National Historic Preservation Act Amendment

WHEREAS, Memoranda of Understanding are being developed between National Forest Regional offices, individual National Forests’ supervisors, and State Historic Preservation Officers which delays or prevents the maintenance or improvement of existing facilities on the National Forest lands,

THEREFORE BE IT RESOLVED, NCBA support legislation requiring that section 106 of the National Historic Preservation Act (NHPA) shall not delay or impede the authorization or reauthorization of any activity on federal lands where such activity has been previously authorized, and

BE IT FURTHER RESOLVED, NCBA support legislation containing provisions which does not delay or impede the authorization for the maintenance of existing facilities, nor the approval, construction, or maintenance of environmental mitigation measures.

FL 2.18
2018/New
National Environmental Policy Act

WHEREAS, ranchers across the country deal with the National Environmental Policy Act (NEPA) and its ramifications on a regular basis, and

WHEREAS, western ranchers operating with federal grazing permits are particularly impacted due to the high volume of unnecessary NEPA reviews undertaken by the various federal agencies during regular, ongoing land management, and
WHEREAS, this overuse of NEPA has created endless opportunities for litigious groups to disrupt rightful multiple-use operations, intimidate family ranchers, and inappropriately influence policy making, and

WHEREAS, these actions generally result in reducing or prohibiting the customary uses of the lands, losing the culture and lifestyles created by the multigenerational occupational uses of the local residents, and

WHEREAS, overuse, or use as a decisional document, was not intended when the law was enacted,

THEREFORE BE IT RESOLVED, NCBA will pursue the following changes to the implementation of NEPA:

1. Define and enhance the use of Categorical Exclusions where appropriate.

2. Enhance and define the role of affected parties:
   a. Parties with long-term contractual agreements or preference grazing rights should be recognized as the stakeholders that they are. This does not seek to diminish the role of the general public, but protect that of individuals or entities that are invested in the process and consequently possess irreplaceable substantive first-hand knowledge.
   b. Ensure that activist groups engaged in habitual manipulation of the NEPA process through threat or filing of litigation are not rewarded with the same status as affected stakeholders.
   c. Ensure that adjacent landowners, permittees and/or other affected parties are properly notified and included early in the process.

3. Enhance the role of state and local governments in the NEPA process:
   a. Ensure that state and local governments are brought into the process at the initial stage of the determination to complete NEPA analysis to assist in determining the issues to be addressed.
   b. Ensure adequate time for comment preparation and submission from cooperating agencies and relevant external entities.
   c. Require substantive answers to substantive comments made during the administrative review period.

4. Improve formulation of alternatives and establishment of baseline, continuing use, definition of “no action” as an alternative.

5. Ensure that socioeconomic analysis is given equal weight to environmental analysis:
   a. Withdraw the Babbitt directive on influence of socio-economic analysis.
   b. Recognize the limited expertise and resources of the agency to complete socio-economic analysis and seek credible information available from state and local governments and local affected interests.

3. WILDLIFE

FL 3.1
2014/Amended
Wild Horses & Burros

WHEREAS, excessive numbers of feral horses and burros continue to cause increasing deterioration of range conditions in many areas of the West, and

WHEREAS, NCBA is concerned with the escalation in costs of the Wild Horse and Burro Program, and

WHEREAS, the effective end of horse slaughter has exacerbated the problem of unwanted horses being abandoned on public lands,

THEREFORE BE IT RESOLVED, NCBA supports legislation that would provide for:

1. Immediate identification of proper population levels where not currently identified, enforcement of currently permitted numbers, and engagement in the management and removal of wild horses and burros, to levels that will
allow the herd population not to exceed permitted numbers,
2. A re-opening of a period to allow ranchers to claim horses and burros not previously removed from federal and private lands,
3. Authorization for sale (and immediate title transfer), or disposal, of unadopted horses and burros by the Bureau of Land Management/United States Forest Service with sales receipts to be used in the Wild Horse and Burro Program,
4. A finding that permittee owners of state water rights and related facilities are not responsible for providing water for wild horses and burros without prior agreement and unless permittees are compensated for expenses incurred, and
5. A restriction of wild horse and burro populations to lands occupied in 1971 when the *Wild Horse and Burro Act* was enacted.

**BE IT FURTHER RESOLVED,** NCBA supports the recommendations of the Wild Horse and Burro Advisory Board and urges the Secretaries of Agriculture and Interior to immediately implement them.

**BE IT FURTHER RESOLVED,** NCBA supports the non-profit North American Wild Horse and Range System’s program for wild horse sanctuaries, including the Sonoran Wild Horse Program, and other similar sanctuaries.

**BE IT FURTHER RESOLVED,** federal land management agencies should bear all costs of maintaining range improvements damaged by feral horses.

**BE IT FURTHER RESOLVED,** NCBA favors a comprehensive program including fertility control, sex ratios, and other humane means of herd reduction in accordance with the management options authorized to be used by the Bureau of Land Management under the strictures of the *Free Roaming Wild Horse and Burro Act of 1971*, in lieu of acquisition of private land.

**BE IT FURTHER RESOLVED,** NCBA supports “getting the government out of the horse business” by converting the Wild Horse and Burro advisory board into a funded commission with the authority to privatize, allow sale authority, and to allow the implementation of an adoption program as suggested by the BLM action plan, and to allow for the reorganization of the herd management areas (HMA) which could eliminate inefficient and/or hard to manage HMAs.

**FL 3.2**
2017/Amended
**Predator & Wildlife Damage Control and Wildlife Services**

WHEREAS, wildlife causes more than $12.8 billion in damage each year to natural resources, public infrastructures, private property, and agriculture, including more than $126 million in death loss to livestock,

**THEREFORE BE IT RESOLVED,** NCBA supports effective predator and wildlife management efforts on federal and private lands, employing appropriate means, including mechanical means,

**BE IT FURTHER RESOLVED,** NCBA supports the United States Department of Agriculture’s Animal and Plant Health Inspection Service (USDA-APHIS) Wildlife Services program, and shall work to ensure it is adequately funded,

**BE IT FURTHER RESOLVED,** NCBA supports the Wildlife Services aviation program and increased funding for the program.

**FL 3.3**
2016/Renewed
**Prairie Dogs**

WHEREAS, any restrictions on management of grazing federal lands could have adverse effects on an agriculture-based economy, and

WHEREAS, the black-tailed prairie dog has not been officially listed under the *Endangered Species Act*, and there is conflicting data as to whether the species merits listing, and

WHEREAS, pressure imposed by environmental groups has apparently caused the Bureau of Land Management and U.S. Forest Service to make a decision prior to obtaining public input or conducting an appropriate environmental analysis,

**THEREFORE BE IT RESOLVED,** NCBA oppose the decision of the Bureau of Land Management and U.S. Forest Service to restrict poisoning or shooting of the black-tailed prairie dog on federal lands.
BE IT FURTHER RESOLVED, this restriction be removed from Bureau of Land Management and U.S. Forest Service policy based on the determination that the species listing is not warranted.

BE IT FURTHER RESOLVED, NCBA support integrated and coordinated prairie dog management programs which provide for private property and business interests and ecological and public health considerations.

FL 3.4
2017/Renewed
Desert Tortoises

BE IT RESOLVED, NCBA supports delisting of the desert tortoise,

BE IT FURTHER RESOLVED, NCBA recommends the Secretary of the Interior direct that, in desert tortoise habitat, traditional uses of the federal lands continue until adequate information on population status and the impacts of the multiple uses are characterized,

BE IT FURTHER RESOLVED, NCBA supports the inter-agency effort to develop a database on the desert tortoise, including its vegetative requirements.

FL 3.5
2017/Renewed
Delisting of Wolves and Grizzly Bears

BE IT RESOLVED, NCBA supports petitioning United States Fish and Wildlife Service to delist the grizzly and the wolf, across its entire range, and return the management of those two species to the states,

BE IT FURTHER RESOLVED, in the event delisting is not accomplished, NCBA remains strongly opposed to any expansion of existing parks or designations of “eco-systems” that give priority to grizzly bear and wolf recovery efforts over economic values.

FL 3.6
2016/Amended
Landowner Action for Wolf Depredation on Private and Federal Lands

BE IT RESOLVED, NCBA supports ranchers’ efforts to obtain the authority to control wolf depredation through lethal and non-lethal methods as needed on private and federal lands on which they have a grazing permit.

FL 3.7
2017/Renewed
Sage Grouse Recovery

WHEREAS, sage grouse recovery is vital to the industry’s interests in keeping the species from being listed as endangered,

THEREFORE BE IT RESOLVED, NCBA will monitor and engage in sage grouse-related activities on behalf of permittees and landowners throughout the range of Greater Sage Grouse and Gunnison Sage Grouse,

BE IT FURTHER RESOLVED, NCBA supports the development of grazing-friendly programs for rangeland restoration and protection that also support the economic viability of the livestock industry,

BE IT FURTHER RESOLVED, NCBA will take an active role in the development of these programs to promote the industry’s interests.

FL 3.8
2014/Renewed
Mexican Gray Wolf

WHEREAS, NCBA has examined the reintroduction of the Mexican Gray Wolf in Arizona and New Mexico and has determined the following:

1. The genetic purity and health of the released wolves is suspect,
2. The preferred wild prey base is declining and has been for several years,
3. The program is socially and economically indefensible and unsustainable,

WHEREAS, Mexican Gray Wolves have necessitated the construction of cages for children at
rural school bus stops to protect children from roaming dangerous wolves,

THEREFORE BE IT RESOLVED, NCBA insists the current recovery area not be expanded, and recommends the wolf re-introduction program be terminated and all released wolves and all of their pups be captured and removed.

FL 3.9
2018/Renewed
Livestock/Wildlife Interactions:

WHEREAS, federal agency wildlife management decisions involving bighorn sheep and elk, among other species not listed under the Endangered Species Act (ESA) adversely affect grazing decisions, and

WHEREAS, federal agencies claim authority over management of non-ESA wildlife under their statutes and regulations,

THEREFORE BE IT RESOLVED, NCBA supports the enactment of legislation that minimizes the potential adverse impacts of federal wildlife management decisions on grazing operations that do not involve species listed under the ESA and also seeks to maintain a balance of multiple uses on federal lands.

FL 3.10
2014/Renewed
Charles M. Russell (CMR) Federal Wildlife Refuge Bison Reintroduction

BE IT RESOLVED, NCBA opposes any bison, wild or domesticated, from any private entities, federal or state parks, to be imported and set free to graze within the boundaries of the CMR Federal Wildlife Refuge.

FL 3.11
2016/New
Federal Management of Non-Listed Species

WHEREAS, these federal agencies are increasingly asserting management jurisdiction of non-listed or not warranted species whose management belongs to state wildlife management agencies, and

WHEREAS, grazing is an essential element for effective species conservation, and

WHEREAS, this inappropriate action often interferes with voluntary state and local conservation efforts and limits cattle producers,

THEREFORE BE IT RESOLVED, NCBA will actively oppose any federal management plan or land use plan amendment that seeks to manage a non-listed or not warranted species.

FL 3.12
2017/New
Species and Habitat Conservation Action Planning and Implementation

WHEREAS, NCBA strongly supports principles of multiple use that provides for livestock grazing, recreation, mineral development, wildlife and natural resources, etc., and

WHEREAS, NCBA supports voluntary, incentivized conservation measures that achieve scientifically-based outcomes and multiple uses, and

WHEREAS, NCBA supports federalism approaches that empower stakeholders, states, and local governments to manage species and habitats in outcome based approaches, and

WHEREAS, species and resource issues are best handled in order to limit, if not prevent, litigation due to the robust and defendable nature of advanced and legally defensible planning,

THEREFORE BE IT RESOLVED, NCBA insist on species and habitat action plans that fully consider multiple uses and does not elevate any use over livestock grazing,

BE IT FURTHER RESOLVED, NCBA and its affiliates work with the Administration to find the required balance and implementation of programs/approaches in advance of regulatory implementation,

BE IT FURTHER RESOLVED, planning improves certainty and efficiency for landowners,
lessees, permittees and project developers by providing an avoidance, then minimization, and ultimately a mitigation approach that is reasonable and sustainable related to conservation and economic norms.

BE IT FURTHER RESOLVED, planning fosters transparency, accountability, credibility and continuous improvement to be implemented in a timely, process based fashion,

BE IT FURTHER RESOLVED, NCBA work with its affiliates to detail and offer formal regulatory constructs that strikes a balance for timely implementation of species and natural resource management planning in lieu of heavy regulatory approaches or litigation.

4. RESOURCE ISSUES

FL 4.1 2017/Renewed  
Fire Resistant Plant Species

BE IT RESOLVED, NCBA strongly urges the Bureau of Land Management and other land management agencies to seed more fire-resistant plant species, including native and non-native edible browse and grasses, following a fire to reduce the spread of undesirable plants, future suppression costs, fire size, wildlife, and private property losses, when necessary.

FL 4.2 2018/Amended  
Land Use Monitoring

WHEREAS, federal agencies are currently using highly subjective numeric grazing utilization and stubble height standards as measures of rangeland health threshold triggers to justify reductions in animal unit months (AUMs), and

WHEREAS, in some instances the agencies are now instituting new numeric stream bank trampling standards for the same purposes, and

WHEREAS, other factors such as herbivory by non-domestic species, duration, intensity, season, and rest periods impact rangeland health and tend to be ignored in favor of utilization or stubble height, and

WHEREAS, one-time utilization level assessments do not accurately portray rangeland health, and cannot indicate trends,

THEREFORE BE IT RESOLVED, NCBA strongly urges the agencies to look beyond these numeric standards as their only monitoring tool, and consider the factors that are most important: primarily, measuring trend over the long-term, followed by timing of grazing and rest periods,

BE IT FURTHER RESOLVED, NCBA urges the agencies to use on-the-ground and site specific monitoring techniques which utilize science-based practices and principles that establish long-term trend condition,

BE IT FURTHER RESOLVED, NCBA actively opposes the implementation by agencies of new non-scientific numeric standards, such as stream bank trampling standards, which have not been accepted by all the scientific community and do not measure trend and resource health.

FL 4.3 2018/Renewed  
Rangeland Improvement and Betterment Funds

WHEREAS, federal land ranchers believe rangeland improvements are long overdue and have a high priority for funding, and

WHEREAS, range betterment funds on United States Forest Service (USFS) lands and range improvement funds on Bureau of Land Management (BLM) lands are being allocated to non-rangeland improvement uses at an ever-increasing rate, and

WHEREAS, BLM Section 8l00 and USFS range betterment funds should not be used for administrative purposes,

THEREFORE BE IT RESOLVED, NCBA pursue needed allocation of range improvement and betterment funds, prioritized by and for grazing permittees, by the land management agencies for critical improvements,
BE IT FURTHER RESOLVED, NCBA urge Congress to make funds available as authorized by the provisions of the Rangelands Improvement Act and urge the Administration to make every effort to expedite Congressional action,

BE IT FURTHER RESOLVED, NCBA urge land management agency acknowledgment of good faith permittee efforts to rebuild, construct, repair, and enhance allotment improvements by withholding punitive actions against permitted grazing users when deteriorated improvements are of concern,

BE IT FURTHER RESOLVED, NCBA call for continuous accounting of all BLM Section 8100 and USFS range betterment funds to determine whether said funds have been and continue to be spent for on-the-ground improvements.

WHEREAS, there is a need for a monitoring system for rangelands across the United States that establishes condition and trend over time as an index of rangeland health and establishes a uniform set of standards by which monitoring can be carried out in a consistent and predictable manner, and

WHEREAS, pursuant to the direction of the Congress of the United States it is critical to monitor and document the current condition and over time determine the trend in condition as an indicator of the health of American rangelands, and

WHEREAS, such knowledge of the biological and physical processes on rangelands is vital for designing and evaluating the impacts of management alternatives on the environmental and economic efficacy of rangeland livestock production operations and concurrent wildlife habitat, water, and riparian systems, and

WHEREAS, such knowledge will be gathered in a practical, economically feasible manner, and interpreted and stored in a functioning information system that serves the decision-making process, and

WHEREAS, due to the concerns of various interest groups and governmental agencies, livestock production operations are increasingly being held to varying and arbitrary standards of environmental stewardship, and uniform standards for assessing the health of rangelands do not exist. Ranchers are being held accountable without the means of accounting for the environmental consequences of their actions. A science-based information procedure for assessing and monitoring the health of rangelands is essential for the development of sustainable policies for the management of rangelands for all uses. If ranchers are to bear the responsibility for the environmental health of rangelands, they must be empowered with science-based and practical technology to assess and report the health of the rangelands used in their livestock production operations. The needs and knowledge base of the range livestock industry and wildlife interests must be incorporated in the development of such a monitoring system, and ranchers and wildlife interests must play an appropriate role in its development and application,

THEREFORE BE IT RESOLVED, NCBA works with the Congress of the United States to direct the U.S. Department of Agriculture, Agricultural Research Service (USDA ARS), in consultation with knowledgeable experts from the range livestock industry, including permittees, to undertake the development of innovative methods to assess the condition and trend of rangelands on an ecological site basis over time and space as an index of the processes that constitute rangeland health and to fully fund this effort through a budget line item on an annual and sustainable basis.

WHEREAS, such knowledge will be gathered in a practical, economically feasible manner, and interpreted and stored in a functioning information system that serves the decision-making process, and

WHEREAS, due to the concerns of various interest groups and governmental agencies, livestock production operations are increasingly being held to varying and arbitrary standards of environmental stewardship, and uniform standards for assessing the health of rangelands do not exist. Ranchers are being held accountable without the means of accounting for the environmental consequences of their actions. A science-based information procedure for assessing and monitoring the health of rangelands is essential for the development of sustainable policies for the management of rangelands for all uses. If ranchers are to bear the responsibility for the environmental health of rangelands, they must be empowered with science-based and practical technology to assess and report the health of the rangelands used in their livestock production operations. The needs and knowledge base of the range livestock industry and wildlife interests must be incorporated in the development of such a monitoring system, and ranchers and wildlife interests must play an appropriate role in its development and application,

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BE IT FURTHER RESOLVED, NCBA urges Congress to direct USDA ARS , in consultation with knowledgeable experts from the range livestock industry, including permittees, to assess the validity of land management agency’s scientific methods, standards, and monitoring practices, undertake the development of innovative methods to assess the condition and trend of rangelands on an ecological site basis over time and space as an index of the processes that constitute rangeland condition, and fully fund this effort through a budget line item on an annual and sustainable basis.

BE IT FURTHER RESOLVED, NCBA urges the USFS and BLM to define a process which will allow for the acceptance of permittee monitoring data as recognized data.
Control of Grasshoppers, Crickets and Other Damaging Insects on Federal Lands

WHEREAS, crickets, grasshoppers, and other damaging insects are not only a nuisance but pose a significant threat to rangeland health and wildlife habitat, and

WHEREAS, when not controlled, these insects migrate from federal lands to private lands and cause considerable damage to private croplands and rangelands,

THEREFORE BE IT RESOLVED, NCBA will work with federal agencies, including the United States Department of Agriculture’s Animal and Plant Health Inspection Service, Bureau of Land Management, and United States Forest Service, to ensure that they are properly prepared to control crickets, grasshoppers, and other damaging insects on their lands in a timely manner and prior to the populations reaching epidemic proportions.

Rehabilitation of Sage Brush Habitat from Fire and other Disturbances

WHEREAS, fire and other disturbed site rehabilitation are becoming extremely critical, and

WHEREAS, sage brush management for sage grouse conservation, as well as for the conservation of other sage brush dependent species, is of increasing concern, and

WHEREAS, budgets for post-fire rehabilitation are becoming increasingly stretched, and

WHEREAS, the seeding of native plant species tends to be more expensive than non-native plant species, and

WHEREAS, the rate of failure of native plant seedings is higher than that of non-native plant species,

THEREFORE BE IT RESOLVED, when post-disturbance rehabilitation is deemed appropriate, NCBA encourages all agencies involved in post-fire rehabilitation to adopt a two-stage process for rehabilitation; initially, by utilizing quick establishing plant species such as crested wheatgrass (*Agropyron cristatum*) and forage kochia (*Kochia prostrata*) until such times that plant communities and watersheds have stabilized and, when necessary, followed by additional species.

Categorical Exclusions (CX)

WHEREAS, a Categorical Exclusion (CX or CE) is a category of actions which do not individually or cumulatively have a significant effect on the environment and which have been found to have no such effect in procedures adopted by a federal agency in implementation of these regulations and for which, therefore, neither an environmental assessment nor an environmental impact statement is required, and

WHEREAS, federal land management agencies utilize CX/CE’s to more efficiently manage time and resources to issue grazing permits for public land users in an efficient, evidence-based manner,

WHEREAS, the Grazing Improvement Act provisions passed during the 113th Congress expressly provide for the use of CX/CE’s by both the BLM and USFS,

THEREFORE BE IT RESOLVED, NCBA supports the continued and increased use of CX/CE’s by federal land management agencies.

PROPERTY RIGHTS

U.S. Fish and Wildlife Service and National Marine Fisheries Service

WHEREAS, the Endangered Species Act gives absolute power to the federal government to reduce or eliminate the use and value of private property, state property and federally managed property to protect any one of over 1,500 listed threatened and endangered species, and

WHEREAS, the Fifth Amendment of the U.S. Constitution, numerous Supreme Court cases (including *Nolan v. California Coastal Commission* and *First Evangelical Lutheran Church of Glendale v. County of Los Angeles*), Presidential Executive Order 12630 and its Department of the Interior implementing regulations entitled “Attorney
General’s Supplemental Guidelines to Evaluate Risk and Avoid Unanticipated Takings for the U.S. Department of the Interior” mandate that the diminution in value of private property, private property rights, and investment backed expectations be evaluated to ascertain the economic impacts associated with the listing and protection of endangered species under the Endangered Species Act, and

WHEREAS, the above named laws also require just compensation be paid for those federal actions, rules, and regulations that diminish the value of private property, private property rights, and investment backed expectations, including actions taken under authority of the Endangered Species Act,

THEREFORE BE IT RESOLVED, NCBA requests that Congressional oversight hearings be held to ascertain that U.S. Fish and Wildlife Service and National Marine Fisheries Service are in compliance with the above named laws which protect private property, private property rights, and investment backed expectations from being taken without just compensation.

FL 5.2
2014/Renewed
Government Water Filings

WHEREAS, the McCarran Amendment created a limited waiver of federal sovereign immunity which allows the United States to be joined as a party in a state’s stream adjudications and in a state’s administration of established water rights,

THEREFORE BE IT RESOLVED, NCBA supports the doctrine that states control and administer the water within their borders and that all federal agencies shall comply with state water law.

FL 5.3
2017/Renewed
Water Rights

WHEREAS, NCBA permittees are being forced to transfer part of their assets (water) to obtain a permit from the United States Forest Service and permission from the Bureau of Land Management to make water improvements on public lands,

THEREFORE BE IT RESOLVED, NCBA is strongly opposed to the forced transfer of water rights in order to obtain permission for water developments on public land.

FL 5.4
2018/Renewed
Legislation Principles Regarding Federal Lands Grazing

BE IT RESOLVED, NCBA insists that any potential federal legislation be extensively monitored to ensure the legislation does not jeopardize prior existing rights and property, beneficial legislation and court decisions, or the concepts of the Taylor Grazing Act.

FL 5.5
2014/Amended
Range Monitor Funding

WHEREAS, all range management decisions are, or will soon be, based upon monitoring,

THEREFORE BE IT RESOLVED, Congress be requested to fund a budget line item to be used solely for monitoring.

BE IT FURTHER RESOLVED, monitoring of resource conditions and trends be performed only by qualified persons (i.e. federal, state and local government, grazing permittees and lessees, university personnel, and trained general public).

BE IT FURTHER RESOLVED, such monitoring shall be conducted according to regional or state criteria and protocols selected by the secretary concerned.

BE IT FURTHER RESOLVED, monitoring protocols shall be site-specific, scientifically valid, and subject to peer review, and monitoring data shall be periodically verified with cooperation between the agency and permittees.

FL 5.6
2018/Renewed
Livestock Impoundment

WHEREAS, NCBA opposes grazing practices that lead to rangeland degradation; and furthermore, does not support those few who refuse to pay their grazing fees, and

WHEREAS, the seizing and selling of a person’s livestock against their will constitutes a taking of their livelihood, which violates the “ takings clause” of the 5th amendment to the United States Constitution, and
WHEREAS, the Bureau of Land Management (BLM) and United States Forest Service (USFS) are impounding and selling trespass livestock without any judicial review to determine whether the BLM or USFS is in compliance with state brand inspection laws,

THEREFORE BE IT RESOLVED, NCBA urges the BLM or USFS to seek a state district court order authorizing any livestock impoundment or seizure, prior to any such action.

FL 5.7
2017/Amended
Water Rights on Federal Lands

WHEREAS, Congress and case law have consistently reaffirmed the various states’ primacy governing waters within their borders and the right to use those waters, and

WHEREAS, when a private or municipal water right is located on federal or state land, that right has been affirmed by the courts to include the owner’s right of access to the source of the water and to any element of the distribution system necessary for delivery, including wells, springs, streams, rivers, stock ponds, agricultural ditches, canals, pipes, and other conveyance mechanisms for maintenance purposes, and

WHEREAS, denial of such access effectively constitutes an illegal, de facto, taking of the water right,

THEREFORE BE IT RESOLVED, NCBA opposes use of federal law or federal agency action to usurp, seize, restrict, impede or take state governed, regulated, granted, or assigned water rights, or treaty water rights owned by any person or governmental entity with the legal right to use such water, as granted by a state.

6. SPECIFIC INITIATIVES

FL 6.1
2014/Renewed
Wild and Scenic Rivers

BE IT RESOLVED, NCBA opposes any Wild & Scenic River designations that could jeopardize the use and enjoyment of one’s land, infringe on a landowner’s property or water rights, place any private property under bureaucratic management, or take any action that would otherwise diminish existing water rights and land use practices historical to the involved areas.

BE IT FURTHER RESOLVED, NCBA supports livestock grazing as a necessary and viable use of Wild and Scenic River corridors.

FL 6.2
2018/Amended
National Park Service Resource Management Review

WHEREAS, the Department of the Interior clearly has established a double standard for resource conditions and management on federal lands, one for livestock grazing on multiple use lands, and one for wildlife grazing within the National Park System, and

WHEREAS, there is little difference in the impact on natural resources when comparing unmanaged livestock grazing and unmanaged wildlife grazing,

THEREFORE BE IT RESOLVED, NCBA works to establish a congressionally-funded independent scientific review and interpretation of the resource management policies and practices of the National Park Service within National Park System lands, and the effect these policies and practices have on the ecological resources within the National Park System and surrounding lands.

FL 6.3
2018/Amended
Voluntary Mitigation Plans

WHEREAS, NCBA supports increased incentives and streamlined procedures for federal, state, local, and private efforts to conserve sensitive and listed species, including voluntary participation in management and mitigation agreements, and

WHEREAS, NCBA supports non-regulatory solutions based on proactive species conservation partnerships that reduce the burden of the Endangered Species Act (ESA) on public and private land ranchers by precluding the need for protection under the ESA, and

WHEREAS, NCBA believes that conservation and recovery of sensitive and listed species using state supported voluntary incentives and associated programs should be the highest
WHEREAS, states have created individual plans and programs aimed at providing meaningful incentives to landowners and moving sensitive and listed species toward recovery and conserving other species, and

WHEREAS, management consistent with state plans and systems based on dependable revenue for improved habitats has the best chance of success,

THEREFORE BE IT RESOLVED, NCBA endorses the management of federal lands within a state to be consistent with plans and programs adopted by that state for the management, conservation, and recovery of sensitive and/or listed species and habitats,

BE IT FURTHER RESOLVED, NCBA shall consult with state affiliates regarding state management plans and programs.

FL 6.4
2014/Renewed
Off-Road Vehicles

WHEREAS, NCBA believes that the use of Off-Road Vehicles (ORVs) including motorcycles, 4-Wheelers and Multi-Purpose Vehicles (MPVs) in the daily operations of ranches, the maintenance of range improvements and the herding of livestock is appropriate and necessary for the federal land ranchers, and

WHEREAS, these are among the tools essential in modern day ranching to do the required maintenance and herding that is needed to accomplish multiple-use benefits while keeping the ranches economically competitive, and

WHEREAS, these tools enable ranchers to respond in a timely manner to the needs of both livestock and the rangeland resource,

THEREFORE BE IT RESOLVED, NCBA urge ranchers to adopt the following principles and practices in order to reduce the visibility from roads and the possibility of creating a road or trail:

- Varying the track or route when accessing a site on numerous occasions,
- Utilizing existing roads and trails when available,
- Limiting travel on soft or wet ground,
- Utilizing brush or shrubs to obscure tracks,
- Avoiding when practical travel on highly erosive soils and sites such as steep hillside, and
- Controlling speeds or altering routes to minimize disturbance of big game animals.

BE IT FURTHER RESOLVED, NCBA must emphasize the fact that no one effort or practice will fit all situations and there will and should be exceptions to any of these practices.

BE IT FURTHER RESOLVED, NCBA recognizes that ranchers need to go off road in all kinds of conditions to check and treat sick livestock, tend to cows and sheep that are calving and lambing or to locate dead cattle and sheep to confirm predator losses.

FL 6.5
2017/Amended
Catastrophic Wildfire

WHEREAS, vegetation fuel loads, drought, poorly planned backfires, and inaccessible areas have led to catastrophic wildfires, creating an emergency situation, and

WHEREAS, catastrophic wildfire poses a constant threat to human life and property on federal lands and private lands, including those managed under the Conservation Reserve Program (CRP), and

WHEREAS, the risk of catastrophic wildfires is compounded by federal lands management policy, including the requirements imposed by the National Environmental Policy Act (NEPA), and by Endangered Species Act (ESA) restrictions, and

WHEREAS, private lands are similarly affected by ESA restrictions, and

WHEREAS, catastrophic wildfires cause significant damage to the natural resources, especially timber, forage availability, water quality, and wildlife habitat, and

WHEREAS, suppression and restoration costs to taxpayers can be in the billions of dollars annually, as can the value of timber lost,
THEREFORE BE IT RESOLVED, NCBA supports efforts to reevaluate and improve land management to prevent similar catastrophic wildfires in years to come. This would include legislative and regulatory changes that require managers of all federal lands, lands managed under the CRP, and lands managed under ESA prescriptions, to use multiple-use activities such as grazing, thinning, and timber harvesting so as to prevent the build-up of fuel loads that can lead to catastrophic fire.

BE IT FURTHER RESOLVED, NCBA supports “categorical exclusions” for NEPA requirements and waivers for ESA management in cases of land management for catastrophic wildfire prevention.

BE IT FURTHER RESOLVED, NCBA supports efforts to better coordinate fire suppression efforts between local, state, and federal officials along with private landowners, such as local wildfire support groups and Rangeland Fire Protection Associations, that are trained and sanctioned by the federal agencies.

BE IT FURTHER RESOLVED, NCBA supports full funding of user-friendly emergency relief and rehabilitation programs.

BE IT FURTHER RESOLVED, NCBA strongly urges immediate rehabilitation measures that are based on site-specific conditions and a multiple use philosophy.

BE IT FURTHER RESOLVED, NCBA continue efforts to publicize the important role that both forest thinning and livestock grazing can, and do, play in vegetation management to reduce fuel loads and to prevent the spread of uncontrolled wildfires.

BE IT FURTHER RESOLVED, NCBA continue to closely coordinate with affiliated states, affected members, elected officials, and any other potential ally on these important efforts.

FL 6.6
2014/Amended
Consideration of Local Economy and Lifestyle in Public Land Management Decisions

BE IT RESOLVED, NCBA draw the attention of public land administrators, congressional delegations, environmental organizations, and the general public to the importance of rural local economies and rural lifestyles, social amenities, and cattle grazing in all future public land management decisions.

FL 6.7
2016/Renewed
Livestock Grazing as a Primary Tool

WHEREAS, livestock grazing has demonstrated effectiveness as a tool for managing rangeland vegetation, and

WHEREAS, livestock grazing is an integral part of the use of native range and improved pasture lands, and

WHEREAS, achieving desired plant communities on rangeland is important to all aspects of our environment, and

WHEREAS, the goals of quality habitat for wildlife, fish, and productive watersheds are shared by the livestock industry, and

WHEREAS, proper livestock grazing benefits rangelands by reducing fire hazards,

THEREFORE BE IT RESOLVED, NCBA publicly support and promote the continuing use of livestock grazing as a tool to manage rangeland vegetation and achieve a desired plant community on our federal lands.

BE IT FURTHER RESOLVED, NCBA encourage all local, state, and federal agencies to seriously consider utilizing livestock grazing as a first alternative for fuel load reduction, reducing wildfire potential, increasing water yield, increasing public safety, improving livestock and wildlife habitat, and increasing vegetative diversity.

FL 6.8
2014/Renewed
Shared Stewardship

WHEREAS, ranch operations in the West have been part of the economic and cultural fabric of the land for generations, and

WHEREAS, ranchers understand how a community works together to keep the land healthy and the operations profitable, and
WHEREAS, shared stewardship is a concept that is present in the agencies and can, if interpreted and implemented correctly, be beneficial to ranchers,

THEREFORE BE IT RESOLVED, NCBA supports a shared stewardship program in which:

1. Rancher participation in shared stewardship activities would be strictly voluntary,
2. Shared stewardship policies maintain existing or increase numbers of Animal Unit Months (AUMs),
3. Shared stewardship policies support retention of preference attached to base property,
4. Shared stewardship policies support retention of water rights for ranchers,
5. Implementation of shared stewardship policies must support private property rights of landowners, and
6. Land or property owned or controlled by a federal grazing permittee may be included within the area of shared stewardship activities only with the written consent of the owner/permittee of the land or property.

BE IT FURTHER RESOLVED, NCBA seeks to include permittee/agency monitoring, and pooled forage arrangements for grazing that give priority to existing ranching operations, new ranchers or associations of ranchers, and

BE IT FURTHER RESOLVED, NCBA seeks to include stewardship contracts for grazing and collaborative stewardship of public lands.

FL 6.9
2017/Renewed
Recreation Campaign

WHEREAS, conflicts on federal land between motorized recreation and grazing are increasing across the West, and

WHEREAS, permittees are responsible for the conditions of their allotment, regardless of the cause of those conditions,

THEREFORE BE IT RESOLVED, NCBA supports the promotion of a campaign to decrease recreation conflicts on federal lands,

BE IT FURTHER RESOLVED, this campaign will partner with motorized recreation associations, other affected users’ associations and interests, and the federal agencies to execute the following:

1. Education of permittees, recreation users, and law enforcement officials to:
   a. Promote awareness of multiple uses, differing impacts by seasons of use, use of trails for recreation, and involvement in agency planning.
   b. Develop education materials.
   c. Develop a signage system to post on federal lands.
   d. Contribute articles to livestock and recreation trade publications.
   e. Train spokespersons.
2. Promotion of local law enforcement solutions for user conflicts.
3. Involvement in recreation and travel planning.
## INTERNATIONAL TRADE COMMITTEE

Missy Bonds, TX – Chair          Gene Copenhaver, VA – Vice Chair  
Kent Bacus - Staff

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I. GENERAL TRADE

IT 1.1
2018/Renewed
Grading Reciprocity

WHEREAS, the United States Department of Agriculture’s (USDA) beef grading system and grade stamp is recognized worldwide as the symbol of the highest beef quality,

THEREFORE BE IT RESOLVED, NCBA opposes any reciprocity of standards and services of the USDA beef grade outside of the United States,

BE IT FURTHER RESOLVED, NCBA opposes any effort in other countries to utilize the USDA beef grading system or its associated terms.

IT 1.2
2014/Renewed
USDA-FAS

WHEREAS, the USDA-Foreign Agriculture Service (FAS) works with NCBA and the U.S. Meat Export Federation to expand foreign market opportunities for U.S. beef, and

WHEREAS, this long term relationship has been extremely useful to the progress achieved in developing and growing foreign markets through such programs as the Meat Promotion Program and the Cooperative Program,

THEREFORE BE IT RESOLVED, NCBA opposes any attempt to reduce the effectiveness of the USDA-FAS through the transfer of any jurisdiction to other government agencies.

IT 1.3
2014/Renewed
MAP Funding

BE IT RESOLVED, NCBA is in favor of adequate funding of the Market Access Program, or any successor program, and is strongly in favor of making funds available for export promotions of beef and beef products.

IT 1.4
2014/Renewed
Department of Defense Commissary Purchases

BE IT RESOLVED, NCBA urges the U.S. Department of Defense to purchase U.S. beef for all of its commissary programs.

IT 1.5
2016/Renewed
North American Free Trade Agreement

WHEREAS, there is a North American Free Trade Agreement (NAFTA) between the United States, Mexico, and Canada,

THEREFORE BE IT RESOLVED, NCBA monitors and undertakes all means possible to enforce NAFTA provisions relating to strong regulatory enforcement for animal health, environment, and food safety standards.

BE IT FURTHER RESOLVED, NCBA monitors North American trade flows to assure that trade is fair and equitable in accordance with trade regulations and that economic analyses of trade impacts on the beef industry be continued in a timely and accurate manner, and consistent data be published.

BE IT FURTHER RESOLVED, NCBA obtains weekly reports on import and export market information for beef, pork, poultry, and feed grains from the appropriate government agencies.

BE IT FURTHER RESOLVED, NCBA be actively involved in monitoring NAFTA through member participation in private sector advisory committees including the Advisory Committee on Trade Policy and Negotiations (ACTPN), the Agricultural Policy Advisory Committee (APAC), the Agricultural Technical Advisory Committee (ATAC), and the NAFTA Beef Working Group.

IT 1.6
2016/Renewed
U.S. Meat Export Federation

WHEREAS, NCBA recognizes the necessity of increased beef and beef product exports to the well-being of the cattle industry, and

WHEREAS, NCBA is a charter member of the U.S. Meat Export Federation (USMEF) and
strongly supports its efforts in overseas market development and product promotion,

THEREFORE BE IT RESOLVED, NCBA encourages increased financial support from the private sector, the state beef commissions, and from the Cattlemen’s Beef Board for USMEF.

BE IT FURTHER RESOLVED, NCBA supports USDA-Foreign Agricultural Service foreign market programming on the basis of joint venture matching fund participation with private sector cooperators.

IT 1.7
2018/Renewed
Support of U.S. Meat Export Federation

WHEREAS, the U.S. Meat Export Federation (USMEF) has made an outstanding and long-term contribution to the development to beef export markets worldwide, and

WHEREAS, USMEF has the overwhelming support not only of the Foreign Agricultural Service (FAS), but also of the international business community, and

WHEREAS, beef export markets represent the greatest opportunity to meet the goal of increasing beef demand and thereby increasing producer profitability, and

WHEREAS, Market Access Programs (MAP) funds are based on performance and industry investment,

THEREFORE BE IT RESOLVED, NCBA supports high priority be given to funding of foreign marketing initiatives through USMEF, including developing growth in markets.

BE IT FURTHER RESOLVED, NCBA supports and commends USMEF on outstanding results.

IT 1.8
2014/Renewed
International Markets

WHEREAS, over 95% of the world’s consumers live outside the United States, and today, Mexico and Canada are the leading importers of U.S. beef, and

WHEREAS, NCBA supports free trade agreements that enhance trade to countries that have formerly restricted U.S. beef exports with trade sanctions and tariffs,

THEREFORE BE IT RESOLVED, NCBA shall continually monitor international trade issues to assure U.S. beef producers have fair and equal access to the markets of competing exporting countries.

BE IT FURTHER RESOLVED, NCBA urges that all imported meat be subject to an inspection standard that is equal to that prescribed for domestically produced meat.

IT 1.9
2014/Renewed
Enforcement of Trade Laws

BE IT RESOLVED, NCBA actively pursues enforcement of U.S. trade laws.

IT 1.10
2014/Renewed
Definition of Beef Dumping

WHEREAS, the beef industry is market driven by supply and demand, and the market price is determined by these forces, and

WHEREAS, a supply and demand market traditionally runs in cycles, and

WHEREAS, most beef producers during low-price/high production periods of cycles sell below the cost of production (at a loss), and

WHEREAS, this cyclical low price and producer loss situation in the beef industry meets the definition of a dumping situation under World Trade Organization (WTO) rules even in the absence of evidence of predatory behavior, intention to monopolize, or any other intentional efforts to drive competitors out of business, and

WHEREAS, dumping cases filed using (below) cost of production criteria cause the beef industry in the exporting country to incur huge legal fees to defend themselves and violates the spirit of free trade,

THEREFORE BE IT RESOLVED, NCBA shall work to change WTO rules that define the definition of beef dumping as selling below the cost of production.
IT 1.11
2016/Renewed
Trade Quotas

WHEREAS, there is an effort by various beef industry groups and importing countries to eliminate quotas, and

WHEREAS, there is a similar effort to weaken trade laws,

THEREFORE BE IT RESOLVED, NCBA actively support maintaining equitable import quotas on beef and maintaining trade laws.

IT 1.12
2018/Amended
Country-of-Origin Labeling Implementation

WHEREAS, there are serious concerns about mandatory Country-of-Origin Labeling (COOL), and

WHEREAS, there is increasing recognition about the many adverse aspects of Country-of-Origin Labeling including the costs, benefits, and impact of Country-of-Origin Labeling relative to tracking, auditing, verification, and compliance, and

WHEREAS, NCBA opposes mandatory labeling but remains in support of Country-of-Origin Labeling that is voluntary and industry-driven, and

WHEREAS, the World Trade Organization declared the implementation of the previous mandatory Country-of-Origin Labeling law to be in violation of international trade laws, subjecting the United States to severe retaliatory tariffs unless it was repealed, and

WHEREAS, the implementation of the previous federal Country-of-Origin Labeling law placed a great burden on domestic producers and disrupted the beef market,

THEREFORE BE IT RESOLVED, NCBA shall continue to oppose mandatory Country-of-Origin Labeling laws or regulations that may violate international trade laws, and NCBA will work with Congress and United States Department of Agriculture (USDA) to ensure that Country-of-Origin Labeling laws or regulations for red meat products allow maximum benefits and minimal market disruptions to the United States beef and cattle industry.

IT 1.13
2017/Amended
Live Cattle Imports

WHEREAS, the safety of the food supply for U.S. consumers is a top priority for the cattle industry, and

WHEREAS, keeping out foreign animal diseases that could seriously damage the cattle industry is of concern, and

WHEREAS, USDA has developed a list of science-based factors to be used to evaluate the Bovine Spongiform Encephalopathy (BSE) risk from a region or country and to classify a region or country as a minimal BSE risk area,

THEREFORE BE IT RESOLVED, NCBA shall work to ensure USDA bases trade agreements with all beef trading partners on the World Organization for Animal Health (OIE) standards to re-establish beef and beef by-product trade.

IT 1.14
2014/Renewed
Inclusion of Products in Trade Agreements

WHEREAS, the United States should not establish as precedent in trade agreements that certain sectors or products can be left out of the agreement, and

WHEREAS, such a precedent could be used against the U.S. in future agreements to the detriment of the U.S. beef and cattle industry,

THEREFORE BE IT RESOLVED, as the United States negotiates trade agreements, NCBA supports inclusion of all products in all sectors by all parties to the agreement.

BE IT FURTHER RESOLVED, NCBA will oppose negotiations or legislative proposals that will have the effect of excluding products or similarly limiting our negotiators’ flexibility.

IT 1.15
2016/Renewed
BSE Trade Action

WHEREAS, the United States has taken a leadership role in advocating sound science policies for the trade of beef products in global markets based
on World Organization for Animal Health (OIE) guidelines, and

WHEREAS, several countries immediately closed their borders to the importation of U.S. beef and beef products with no valid scientific basis or consideration of OIE guidelines, as a result of recent Bovine Spongiform Encephalopathy (BSE) discoveries, and

WHEREAS, such action has resulted in major disruptions in global beef trade including billions of dollars in lost U.S. beef and beef products exports,

THEREFORE BE IT RESOLVED, NCBA request the Administration pursue all available options, including trade action at the World Trade Organization (WTO) or trade sanctions, to reestablish trade in beef and beef products with all countries based upon sound science and the OIE guidelines.

IT 1.16
2017/Renewed

U.S. Processed Beef for U.S. Troops Serving Overseas

WHEREAS, United States (U.S.) troops are serving overseas to protect domestic and international interests of the U.S., and

WHEREAS, contractors may not always use U.S. processed beef for supplying troops in Iraq and other U.S. bases overseas,

THEREFORE BE IT RESOLVED, NCBA will work to require suppliers for U.S. troops worldwide to provide beef that is product of the U.S.

2. ACCESS AND CREDIT

IT 2.1
2018/Renewed

Government Commodity Programs

WHEREAS, livestock producers sell their products on a free market with no subsidized price support, and

WHEREAS, excessive government price supports or supply control programs for other commodities often have an adverse impact on livestock markets,

THEREFORE BE IT RESOLVED, NCBA supports efforts in foreign trade negotiations to eliminate unfair farm subsidies in competing countries and believes USDA programs should move toward less government involvement.

IT 2.2
2018/Renewed

International Treaties

WHEREAS, international treaties, such as but not limited to the proposed treaties dealing with global warming and natural resources, often tend to require developed countries to assume the greatest share of burden to accomplish arbitrary goals, and

WHEREAS, imposing greater burden on developed counties often drives certain enterprises that would incur these greater costs to lesser developed countries that have fewer and less burdensome regulations, and

WHEREAS, because these lesser developed countries with fewer environmental regulations would then contribute in an increased capacity to the global environmental problems that the treaties are attempting to control,

THEREFORE BE IT RESOLVED, NCBA works to ensure that all international treaties are equal and fair to all parties involved.

IT 2.3
2014/Amended

Export of Beef from Non-Hormone Treated Cattle

WHEREAS, an international market does exist for beef from non-hormone treated cattle, and our goal as beef producers is to meet consumer demand, and

WHEREAS, the current infrastructure for marketing beef from non-hormone treated cattle is inequitable and challenging,

THEREFORE BE IT RESOLVED, NCBA shall assist U.S. beef producers in facilitating the marketing channels to encourage exports of source-verified beef from non-hormone treated cattle by working to resolve international inspection inequities and other technical barriers, prevent additional barriers from developing, and continue to work for the export of all beef.
IT 2.4
2017/Renewed
Trade and Retaliatory Measures

WHEREAS, the United States (U.S.) trade
deficit continues to grow, and

WHEREAS, other countries have closed
their borders to U.S. beef products due to either
unscientific food safety concerns or incorrect
paperwork, and

WHEREAS, a single U.S. shipment bound
for export that fails to meet agreed upon requirements
should not be grounds for excluding U.S. beef and
beef products,

THEREFORE BE IT RESOLVED, NCBA
shall use all necessary means to lobby the U.S.
Congress and Administration to pursue swift and
appropriate trade retaliatory measures against
countries that implement such trade practices.

IT 2.5
2017/Amended
Support for Trade

BE IT RESOLVED, NCBA endorses the
Administration’s efforts to obtain a commercially
meaningful trade deal that creates a level playing
field for agriculture,

BE IT FURTHER RESOLVED, NCBA
supports Trade Promotion Authority.

IT 2.6
2014/Renewed
International Beef Trade

WHEREAS, international beef trade is very
important to long-term profitability for the U.S. beef
industry, and

WHEREAS, United States beef trade has
been severely hindered since December 2003, and

WHEREAS, consistently the vast majority
of U.S. fed beef is under 30 months of age at harvest,

THEREFORE BE IT RESOLVED, NCBA
supports the opening of international beef markets
utilizing policy that allows bone-in beef product from
cattle under 30 months of age as part of a stair-step
effort to eventually reach full OIE compliance.

BE IT FURTHER RESOLVED, NCBA
calls for the immediate adoption of this policy with
all interested global trading partners.

IT 2.7
2017/Amended
International Beef Trade - Trans-Pacific
Partnership (TPP)

WHEREAS, TPP will be a multilateral trade
agreement that will enhance trade and investment
among the TPP partner countries, promote
innovation, economic growth and development, and
support the creation and retention of jobs,

THEREFORE BE IT RESOLVED, NCBA
supports the United States (U.S.) re-entering the TPP
which removes tariff and non-tariff trade barriers to
U.S. beef exports to participating countries,

BE IT FURTHER RESOLVED, NCBA
insists that all countries that participate in the TPP
abide by full World Organization for Animal Health
(OIE) guidelines,

BE IT FURTHER RESOLVED, NCBA
insists that the U.S. require all participating TPP
countries to lift tariff and non-tariff trade barriers on
U.S. beef once the TPP agreement is enacted,

BE IT FURTHER RESOLVED, NCBA
insists that the addition of any country to the TPP be
conditioned on that country agreeing to lift remaining
restrictions on U.S. beef and abide by full OIE
guidelines prior to joining the TPP,

BE IT FURTHER RESOLVED, NCBA
encourages the Administration to restore the U.S. to
the TPP, and if it is not the policy of the U.S. to
participate in the TPP, then NCBA strongly
courages the Administration and Congress to
prioritize the timely negotiation and implementation
of bilateral free trade agreements with TPP countries.
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I. INDUSTRY STRUCTURE/PRICE DISCOVERY

M 1.1
2014/Renewed
Amendment of the Packers & Stockyard Act

WHEREAS, there is need for continuous review of the Packers & Stockyard Act (P&S Act) to assure the agency is in step with the regulatory needs of a rapidly changing cattle industry,

THEREFORE BE IT RESOLVED, NCBA believes that if the P&S Act is opened the following points should be implemented:

1. Provide for a statutory “Dealer Trust” similar to the existing “Packer Trust.”
2. Deny registration to any applicant for registration under the P&S Act with a prior conviction of fraud, theft or embezzlement.
3. Seek alternative ways to enhance P&S Act authority to expeditiously obtain injunctions.
4. Eliminate reparation authority from the P&S Act.
5. Strike the Secretary’s authority over rate reasonableness.
6. Enable the agency to file suit to enforce the Statutory Trust provisions of 7 USC 196.

BE IT FURTHER RESOLVED, NCBA protects prompt payment and packer trust provisions in the event that the P&S Act is amended.

BE IT FURTHER RESOLVED, NCBA opposes any federal legislative or regulatory attempt to deny the Secretary of Agriculture the authority to delegate brand inspection to qualified and duly-organized livestock associations of any state.

BE IT FURTHER RESOLVED, NCBA endorses and supports the inspection of brands, marks, and other identifying characteristics of livestock sold at all public markets, including satellite and video auctions.

M 1.2
2015/Renewed
P&SA User Fees

BE IT RESOLVED, NCBA opposes user fees for Packers and Stockyard Administration activities and services.

M 1.3
2016/Renewed
Value-Based Marketing

WHEREAS, there has been substantial interest in moving towards a value-based marketing system and strategic alliances,

THEREFORE BE IT RESOLVED, NCBA opposes any regulations, legislation, or policies that limit methods of marketing cattle.

M 1.4
2017/Renewed
Feedlot Registration

WHEREAS, most custom feedlots are not dealers in the normal sense of the term and do not charge commissions for selling or showing their customers’ cattle,

THEREFORE BE IT RESOLVED, NCBA staunchly opposes blanket Packers & Stockyard Administration registration of all custom feedlots.

M 1.5
2017/Renewed
Law Enforcement

BE IT RESOLVED, NCBA encourages the Justice Department to enforce antitrust laws and asks USDA to enforce current provisions of the Packers and Stockyards Act of 1921 in order to maintain a free and open cattle market.

M 1.6
2015/Renewed
Packer Ownership/Control

WHEREAS, the beef industry has made progress in producing a more consistent product, and

WHEREAS, value based pricing procedures link flow of information between beef packers and processors to cattle producers regarding product quality, and

WHEREAS, the packer’s ability to purchase or manage their supply more than 14 days prior to delivery sustains an adequate supply of a consistent, quality product, and
WHEREAS, it is important to have numerous risk management tools available to beef producers,

THEREFORE BE IT RESOLVED, NCBA opposes federal legislation which would eliminate packer ownership and/or control of livestock because the legislation would eliminate value based pricing, reduces risk management options, and/or eliminates a significant number of buyers of cattle in the United States.

M 1.7 2014/Renewed
Livestock Weights for Sale

WHEREAS, the availability of local scale facilities is essential for the orderly purchase and sale of livestock, and

WHEREAS, it is critical that certified scale facilities be inspected by an official licensing agency, and

WHEREAS, scale certification renewal is required on an annual cycle by most state licensing agencies, and

WHEREAS, the Packer & Stockyard Administration currently mandates that livestock weights for purchase and sale must be from a scale certified twice per calendar year,

THEREFORE BE IT RESOLVED, the Packer & Stockyard Administration be urged to modify their rules to allow all channels of trade by certified scales officially inspected in accordance with individual state statutes.

BE IT FURTHER RESOLVED, the Packer & Stockyard Administration be urged to allow the use of state certified scales whether or not it has a printer or stamped ticket capability as long as it is agreed upon by buyer and seller.

M 1.8 2016/New
Electronic Funds Transfer & Lien Release

WHEREAS, the slowdown in the speed of commerce and inefficiencies in the market are leading to an increasing percentage of business in the cattle industry being transacted via various forms of electronic funds transfer, and

WHEREAS, rules and regulations regarding transfer of title and the release of liens on livestock and commodities purchased and sold via transactions using electronic funds transfer are unclear, and

WHEREAS, we have an emerging commercial practice that is hampered by an outdated regulatory system, and

WHEREAS, we recognize the best practice in conducting these transactions is to first identify who you are legally doing business with, then identify the legal lienholder either through a central filing or direct notification method, and finally make prompt payment to the legal entity and corresponding lienholder,

THEREFORE BE IT RESOLVED, NCBA will work with other state and national commodity organizations as well as regulatory agencies and financial institutions in an effort to clarify and standardize regulations governing transfer of title and release of liens when transactions are completed using electronic funds transfer,

BE IT FURTHER RESOLVED, NCBA shall continue to support the ability of individual states to choose whether to adopt a central filing system under section 1324 of the Food Security Act of 1985 or retain the direct notification method to notify buyers of farm products in the ordinary course of business of an existing security interest created by the seller.

M 1.9 2016/New
Grain Inspection Packers and Stockyards Act Reform

WHEREAS livestock markets provide a safe, secure, and transparent marketing option for cattle producers, and

WHEREAS technology advances have afforded new livestock marketing options such as online and video auctions, and

WHEREAS the Packers and Stockyards Act does not formally protect cattle producers who sell through online or video auctions and does not allow modern forms of electronic payment such as automated clearing house (ACH), and

WHEREAS the Livestock Marketing Association (LMA) has conducted nine listening sessions across the United States and hosted a meeting of national livestock organizations, including the
NCBA, on updating Packers and Stockyards Act requirements,

THEREFORE BE IT RESOLVED NCBA will work with LMA to update the Packers and Stockyards Act in the following two areas:

1. Extend Packers and Stockyard Act protections (such as custodial account, prompt payment, and bonding) to producers who sell their cattle through online and video auctions which sell livestock on a commission or other fee basis and handle or offer to handle the proceeds.

2. That modern forms of electronic payment, such as ACH payments, are a permissible option if they fall within the prompt payment timeframe.

M 1.10
2017/Amended
Fed Cattle Price Discovery

WHEREAS, all fed cattle producers have a shared incentive to maintain an efficient price discovery process that determines fair market value, and

WHEREAS, properly functioning cash and futures markets require substantive negotiated trade and transparent distribution of market information, and

WHEREAS, the bid-and-offer cash fed cattle trade remains the primary base factor for fed cattle value determination on a nationwide basis, including those transacted on alternative marketing mechanisms, and

WHEREAS, all fed cattle producers have a shared incentive to contribute to accurate price discovery,

THEREFORE BE IT RESOLVED, NCBA pursues market-driven initiatives that encourage and increase frequent and transparent negotiated trade to a regionally-appropriate level in all major cattle feeding regions.

2. FUTURES

M 2.1
2017/Amnded
Futures Trading

WHEREAS, NCBA supports viable futures exchanges to facilitate effective risk management opportunities for the livestock industry, and

WHEREAS, the primary purpose of futures and options markets is to perform the functions of price discovery and risk transfer, and

WHEREAS, a healthy price discovery and risk transfer mechanism requires transparency, participation of numerous agents on both the buy and sell side, and equal access to transactions and information for all participants, and

WHEREAS, NCBA recognizes the traditional role of the CME Group as the primary market venue for the trading of futures and options on Live Cattle and Feeder Cattle contracts, and

WHEREAS, NCBA will continue to monitor any pending rule or regulatory changes that may impact the ability of the futures markets to provide a meaningful risk management function, and

WHEREAS, it is absolutely imperative that all markets operate in a responsible manner, free and clear of market abuse, and

WHEREAS, contract specifications should match industry needs and facilitate convergence of futures prices with the cash market to ensure a useful risk management function is provided,

THEREFORE BE IT RESOLVED, NCBA support initiatives between cattle producers, the CME Group, and other market participants to increase transparency, level access to information and transactions, and foster an environment that builds confidence in the ability of the hedging community to effectively manage forward price risk using futures and options on Live Cattle and Feeder Cattle contracts,

BE IT FURTHER RESOLVED, NCBA supports the following:

1. Educational Activity: Coordinate various groups to develop and initiate comprehensive programs for NCBA members on the mechanics of the commodity futures and options markets,
the application of those risk management tools to individual operations and management objectives.

2. Law and Compliance: Support enforcement of the law and compliance of the regulations of the Commodity Futures Trading Commission (CFTC), the National Futures Association, and the CME Group to protect the integrity of agricultural futures markets.

3. Market Research: Encourage the cooperation of government, private agencies, and universities, to allocate resources for basic commodity futures market research and to explore the market potential for new risk management products.

4. Margin Authority: Support continued authority of commodity futures exchanges to have explicit frontline responsibility for setting futures contracts’ and options’ initial and maintenance margin requirements with improved CFTC oversight.

5. Exclusivity: Support reauthorization to maintain the CFTC as the independent and autonomous regulatory agency of the commodity futures trading industry.

6. Protection of customer funds: Support efforts to safeguard funds held on deposit at brokerage houses on behalf of customer-segregated accounts.

7. Delivery points: Support the existence of numerous well-designed and efficient physical delivery points to which cattle may be delivered.

WHEREAS, the CME Feeder Cattle contract’s primary purpose is to serve as a viable risk management mechanism for producers, and

WHEREAS, the CME Feeder Cattle futures contract is often used as a vehicle to aid in price discovery of the cash feeder cattle market, and

WHEREAS, the CME Feeder Cattle contract is a cash settled contract, and

WHEREAS, a narrower range of weights included in the index results in a more clearly defined and more representative cash index, and

WHEREAS, the contract is meant to represent steer cattle that are destined to be placed directly into feedyards to be finished to harvest weight, and

WHEREAS, the current cash index parameters for the CME Feeder Cattle contract tend to include many cattle that are destined to go back to grass or into backgrounding facilities while excluding many cattle that are being placed directly into feedyards, and

WHEREAS, the current CME Feeder Cattle index composition lists a number of exclusions based upon body and/or flesh condition and breed type, and

WHEREAS, NCBA believes the CME Feeder Cattle index may not be fully representative of the cash market,

THEREFORE BE IT RESOLVED, NCBA supports ongoing evaluation of the CME Feeder Cattle Index parameters to ensure the index is representative of the cash market for the cattle that are destined to be placed directly into feedyards to be finished to harvest weight,

BE IT FURTHER RESOLVED, NCBA supports implementing any subsequent CME Feeder Cattle contract changes to coincide with the November issue of the contract in subsequent years,

BE IT FURTHER RESOLVED, NCBA supports the industry’s involvement in increasing the volume of direct trade reported to USDA Market News,

BE IT FURTHER RESOLVED, NCBA work with other industry stakeholders (CME Group, United States Department of Agriculture, etc.) to initiate university research and determine the feasibility and expected impacts of the following actions:

1. Including in the CME Feeder Cattle Index transactions from currently unreported feeder cattle auctions through a systematic electronic reporting process that is audited and verified by the USDA in combination with.

2. Including all excluded feeder cattle due to condition (fancy, full, fleshy, gaunt and thin) and all cash sales of feeder cattle which are predominately of beef breeding reported in the CME Feeder Cattle Index via a combination of
USDA-reported and unreported feeder cattle auctions through a systematic electronic reporting process that is audited and verified by the USDA.

3. Removing market outlier transactions that are reported via a combination of USDA reported and unreported feeder cattle auctions through a systematic electronic reporting process that is audited and verified by the USDA through a process of statistically eliminating the transactions with extreme prices (very high prices and very low prices) relative to the total distribution.

4. Including feeder cattle from other regions in the CME Feeder Cattle Index with potential adjustments for transportation costs and other relevant factors.

WHEREAS, many cattle and beef producers and other agricultural entities endure negative financial impacts as a result of the bankruptcy of commodity brokerage and clearing firms, and

WHEREAS, customer “segregated funds” on deposit in futures margin accounts are not secured.

THEREFORE BE IT RESOLVED, NCBA urge the development of an insurance program for FCMs (similar to FDIC and/or SIPC insurance) that would protect the value of excess customer funds on deposit in futures margin accounts.

WHEREAS, the CME Group Feeder Cattle futures contract is often used as a vehicle to aid in price discovery of the cash feeder cattle market, and

WHEREAS, the CME Group Feeder Cattle contract is a cash settled contract, and

WHEREAS, the cash feeder cattle market index acts as an objective target for the CME Group Feeder Cattle contract to settle to, and

WHEREAS, the current index composition lists a number of exclusions based upon body and/or flesh condition in addition to breed type, and

THEREFORE BE IT RESOLVED, NCBA work with other industry stakeholders (CME Group, United States Department of Agriculture, etc.) to initiate university research and determine the feasibility and expected impacts of:

1. Including in the CME Group Feeder Cattle Index transactions from currently unreported feeder cattle auctions through a systematic electronic reporting process that is audited and verified by the USDA in combination with,

2. The inclusion of all excluded feeder cattle due to condition (fancy, full, fleshy, gaunt and thin) and all cash sales of feeder cattle which are predominately of beef breeding reported in the CME Group Feeder Cattle Index via a combination of USDA reported and unreported feeder cattle auctions through a systematic electronic reporting process that is audited and verified by the USDA,

3. Removing market outlier transactions that are reported via a combination of USDA reported and unreported feeder cattle auctions through a systematic electronic reporting process that is audited and verified by the USDA.
through a process of statistically eliminating the transactions with extreme prices (very high prices and very low prices) relative to the total distribution, and

4. Inclusion of feeder cattle from other regions in the Index with potential adjustments for transportation costs and other relevant factors.

M 2.6
2017/Amended
Algorithmic / High Frequency Futures Trading

WHEREAS, algorithmic / high frequency trading has become a disruptive force in the futures markets, causing artificial volatility not based on fundamentals which is eroding price discovery and negatively impacting the ability of cattle producers to manage risk, and

WHEREAS, the speed with which algorithmic / high frequency trading occurs puts fundamental traders at a competitive disadvantage, and

WHEREAS, NCBA supports viable futures exchanges to facilitate effective risk management opportunities and to enhance price discovery for the livestock industry, and

WHEREAS, it is imperative that all markets operate in a responsible manner, free and clear of market abuse, and

WHEREAS, many cattle producers are concerned about the integrity of the current futures markets, specifically spoofing, order flow, and market maker programs,

THEREFORE BE IT RESOLVED, NCBA supports the following CME actions concerning algorithmic / high frequency trading to address concerns about market volatility and transparency:

1. Monitor, measure, and control livestock contracts through the CME Globex Messaging Efficiency Program.
2. Implement latency between trade actions (cancel, cancel/replace, etc.).
3. Implement proactive procedures to more quickly identify, monitor, and address spoofing, layering, and quote stuffing / excessive messaging.
4. Develop and implement robust procedures for monitoring market manipulation, acting on violations, and reporting violations to stakeholders.
5. Release annual audit trail data for independent analysis, which includes firm-level generic identification while maintaining confidentiality of individual trades and traders.
6. Evaluate effectiveness of market maker and trading incentive programs.

M 2.7
2018/Amended
CME Live Cattle Physical Delivery

WHEREAS, the CME Live Cattle contract is an important risk management tool for the cattle industry, and

WHEREAS, physical delivery on the Live Cattle contract is a necessary function to facilitate convergence of futures prices with the cash market, and

WHEREAS, variable timing, availability, and accuracy of reports of cash market trades used in a Live Cattle cash settlement index could create additional volatility, and

WHEREAS, additional research, study and industry agreement is needed before adopting a Live Cattle cash settlement index, and

WHEREAS, the Live Cattle delivery process serves to promote convergence of cash and futures prices and producer a more consistent basis,

THEREFORE BE IT RESOLVED, NCBA supports physical delivery of live cattle as early as possible upon expiration of the contract,

BE IT FURTHER RESOLVED, NCBA opposes any changes to the Live Cattle contract by the CME that would create a Live Cattle cash settlement index or process in place of physical delivery for live cattle,

BE IT FURTHER RESOLVED, NCBA works with industry stakeholders to consider possible improvements in the delivery process to embrace new technologies and increase efficiencies.
M 2.8
2016/New
CME Group’s Live Cattle and Feeder Cattle Futures

WHEREAS, NCBA recognizes the importance of the availability of effective risk management tools for members to use for offsetting price risk, and

WHEREAS, NCBA recognizes the traditional role of the CME Group as the primary market venue for the trading of futures and options on Live Cattle and Feeder Cattle contracts, and

WHEREAS, the primary purpose of futures and options markets is to perform the functions of price discovery and risk transfer, and

WHEREAS, a healthy price discovery and risk transfer mechanism requires transparency, participation of numerous agents on both the buy and sell side, and equal access to transactions and information for all participants,

THEREFORE BE IT RESOLVED, NCBA supports initiatives between cattle producers, the CME Group, and other market participants to increase transparency, level access to information and transactions, and foster an environment that builds confidence in the ability of the hedging community to effectively manage forward price risk using futures and options on Live Cattle and Feeder Cattle contracts.

M 2.9
2017/Amended
CME Group’s Live Cattle Contract Specifications

WHEREAS, NCBA views an effectively functioning futures contract as the most preferable form of risk management mechanism for the cattle feeding industry, and

WHEREAS, CME Live Cattle and Feeder Cattle contract specifications must be balanced to the needs of both hedgers of the underlying commodity and speculative participants and market makers for such contracts to remain viable, and

WHEREAS, it is imperative that the CME Live Cattle and Feeder Cattle contracts have daily price limits which are appropriate to allow the market to function efficiently in times of high volatility regardless of prevailing price levels,

THEREFORE BE IT RESOLVED, NCBA supports CME Live Cattle contract specifications that equally incentivize both short and long participation in the marketplace and the existence of numerous well designed and efficient physical delivery points to which cattle may be delivered.

M 2.10
2017/Amended
CME Live Cattle & Feeder Cattle Futures Contracts Price Limits

WHEREAS, the current daily price limit for Live Cattle is $3.00 and Feeder Cattle is $4.50, and

WHEREAS, the current rules allow for daily limits to expand to $4.50 on Live Cattle and $6.75 on Feeder Cattle on the next day following a limit’s close, and

WHEREAS, the current limits and expanded limits have on most occasions allowed the market to function and trade on the second day, and

WHEREAS, the CME has the ability to temporarily expand daily price limits in times of extreme market conditions,

THEREFORE BE IT RESOLVED, NCBA supports the current daily limits and would oppose any increase in daily price limits to Live Cattle and Feeder Cattle.

3. REPORTING

M 3.1
2016/Amended
Mandatory Price Reporting (MPR)

BE IT RESOLVED, NCBA shall take appropriate action with United States Department of Agriculture (USDA) and Congress to require that any packer controlling or harvesting 125,000 head or more annually of federally inspected slaughter be required to report price and terms of purchase of all cattle purchased within 24 hours of purchase,

BE IT FURTHER RESOLVED, immediate mandatory volume and price reporting be achieved for boxed beef and beef exports,

BE IT FURTHER RESOLVED, NCBA support reporting of both cattle and boxed beef,
BE IT FURTHER RESOLVED, MPR be reauthorized with full funding incorporating recommendations from the 2005 Government Accountability Office (GAO) report and recommend the Secretary of Agriculture to increase scrutiny of, and penalties for, perpetual and/or chronically late reports being filed, including both daily and weekly reports.

WHEREAS, Mandatory Price Reporting will expire on September 30, 2015, and
WHEREAS, industry practices have changed since enactment of the law, and
WHEREAS, reauthorization of the law is expected and new implementation rules will be necessary, and
WHEREAS, improvements are needed to ensure that cattle producers have access to timely, accurate, and useful pricing information,

THEREFORE BE IT RESOLVED, NCBA will work to implement the following changes to the Mandatory Price Reporting statute and rules:

1. Review existing reports and definitions and make necessary modifications as well as create new reports that the industry needs,
2. Provide the Agricultural Marketing Service (AMS) with the flexibility to request additional information, as needed, to identify seasonal considerations and special circumstances. This change will allow AMS to develop more useful data for producers, such as discounts on Mexican or Canadian cattle, discounts on identified characteristics, and the discount on 30 month cattle,
3. Strip Economic Research Service of its responsibility to collect retail price scan data, transfer that responsibility to AMS, and provide them with adequate funding to collect, analyze, and report this information,
4. Continue to monitor and request needed changes to report the appropriate industry standard carcass weight premium and discount categories,
5. Develop a system through which USDA can collect, analyze, and report market price data relevant to mandatory country-of-origin labeling for feeder cattle, live cattle, wholesale beef, and hotel, restaurant, and institutional beef sales, and
6. Include fed cow prices under the Mandatory Price Reporting umbrella.

4. GRADING

WHEREAS, consumers expect high quality and consistent beef products, and
WHEREAS, today’s United States Department of Agriculture (USDA) grading system relies upon individual subjective evaluations, which in itself causes great inconsistency between regions, packing plants, and graders, and
WHEREAS, recent and future technological advancements make it possible to use instrument grading technologies that more accurately identify and quantify beef quality traits, and
WHEREAS, the “Marbling Standards Task Force” has been established to develop the standards for instrument grading,

THEREFORE BE IT RESOLVED, NCBA request USDA support the use of instrument vision grading technologies, therefore assisting the industry towards an improved objective, consistent system for evaluating beef quality characteristics.

WHEREAS, United States Department of Agriculture (USDA) Quality Grades of Prime, Choice, and Select have a long history in the beef industry to indicate quality of beef products and have become an inherent part of the beef marketing system in the United States (U.S.), and
WHEREAS, the U.S. consumer uses beef quality grades for product selection, and

WHEREAS, utilizing paralleled terminology when grading meat domestically will cause consumer confusion much like the recent retail cut nomenclature changes,

THEREFORE BE IT RESOLVED, NCBA supports the use of the terms Prime, Choice, and Select exclusively by the beef industry to indicate level of quality and market product.

5. TRANSPORTATION

M 5.1
2015/Amended
Livestock Transportation

WHEREAS, cattle producers often have to transport their livestock hundreds of miles to pasture, feedyards, or market increasing overall cost of production due to freight costs, and

WHEREAS, there is variance in state laws regulating the maximum weight and length limits on trucks, causing inconvenience, confusion, and economic loss to truckers, shippers, and cattle producers, and

WHEREAS, these variances make it impossible for livestock haulers to maximize their load capacity, which causes more trucks to be on the road, and

WHEREAS, having fewer trucks on the road will increase safety, reduce environmental impacts, and spread freight costs across a greater number of cattle, therefore reducing average freight costs per head,

THEREFORE BE IT RESOLVED, NCBA and the Livestock Marketing Council (LMC) support the American Trucking Associations in their efforts to standardize truck length and weights for vehicles used on federal, state, and county public roads that are constructed with federal funds to allow gross-weight over 98,000 lbs. for livestock haulers and kingpin to rear axle lengths that allow standard livestock semi-trailers to enter every state,

BE IT FURTHER RESOLVED, NCBA and the LMC support adding additional axles to livestock semi-trailers to increase the braking power and improve weight distribution; thereby increasing both public safety and livestock safety while reducing stress on the roadways.

M 5.2
2014/Renewed
Transportation Standardization and Efficiency

WHEREAS, transportation of cattle affects the beef industry’s ability to do day-to-day operations, and

WHEREAS, exorbitant transportation costs are detrimental to the profitability and the livelihood of cattle marketers and producers, and

WHEREAS, laws differing drastically from state to state on transportation of all types of cargo including cattle cause added difficulties and costs to the transportation of cattle,

THEREFORE BE IT RESOLVED, NCBA support state cattlemen’s organizations in developing and executing policy that will help alleviate the added cost of transportation due to increased fuel prices and laws that allow for inefficient transportation of cattle and other cargo by providing information to develop policy that helps all agricultural states adopt efficient and uniform transportation laws that increase allowable weight, length, and trailer requirements.

M 5.3
2014/Renewed
Shipment of Cattle from Hawaii

WHEREAS, the Hawaii cattlemen ship 50,000 head of calves to the mainland annually, and

WHEREAS, the most efficient and practical method of humane livestock shipment is the use of livestock carriers and there are no such U.S. carriers, therefore foreign livestock carriers must be used, and

WHEREAS, the Jones Act prohibits the use of these foreign livestock carriers between Hawaii and the U.S. mainland,

THEREFORE BE IT RESOLVED, NCBA supports reform of the Jones Act to allow the use of foreign owned or built livestock carriers to ship cattle between Hawaii and the U.S. mainland.
WHEREAS, NCBA is concerned about the increased costs of producing and transporting livestock, and

WHEREAS, the cost of transporting livestock has increased dramatically in the last two years, and

WHEREAS, the livestock industry involves the transportation of livestock across state lines, and

WHEREAS, the lack of uniformity of weight limits for vehicles hauling livestock between states causes confusion and added expense to producers,

THEREFORE BE IT RESOLVED, NCBA sponsor legislation that would standardize and increase weight limits for vehicles hauling livestock intrastate and interstate.

WHEREAS, livestock haulers must adhere to Hours of Service standards that regulate how long a single individual can operate a truck before taking a mandatory rest period, and

WHEREAS, strict enforcement of the Hours of Service standards will compromise animal welfare by forcing livestock to be transferred between trucks or remain on a trailer for an extended period of time while the driver rests, and

WHEREAS NCBA opposes any policy on enforcement of extended layovers of livestock on trailers due to transportation regulations, and supports an hours of service exemption to allow cattle to be transported to their final destination where they may receive proper care, feed, and water, and

WHEREAS, cattle producers often need to transport livestock distances further than currently allowed by the Hours of Service standards, and will incur increased costs and/or decreased cash prices as a result,

THEREFORE BE IT RESOLVED, NCBA work with Congress and the United States Department of Transportation to create a permanent exception from the Hours of Service mandate for the transportation of livestock and exempt all not-for-hire and for-hire intra-state commercial agriculture hauling from the mandatory use of an Electronic Logging Device (ELD),

BE IT FURTHER RESOLVED, NCBA recognizes the priority objective shall be a full exemption from the Hours of Service mandate for the transportation of livestock, but should that exemption not be achievable, to seek other forms of regulatory relief which will avoid situations:

1. Where animal welfare may be jeopardized.
2. Which increase costs to cattle producers for the transportation of livestock.
3. Which results in a shortage of trucks available to haul cattle.

BE IT FURTHER RESOLVED, NCBA coordinates with the American Trucking Association, American Farm Bureau Federation, Livestock Marketing Association, NCBA’s Livestock Marketing Council, National Pork Producers Council, National Milk Producers Federation, state affiliates, and other livestock organizations deemed appropriate to identify revisions to the Hours of Service regulation that will benefit the livestock industry.
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### 4 ENDEANGERED SPECIES

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1. GENERAL

PR/EM 1.1
2015/Renewed
Livestock Production and Resource Stewardship

WHEREAS, productive natural resources are vital for the well-being not only of the individual farmer, rancher, or feeder, but also for the local, state, and national economy and society as a whole. Healthy natural resources provide a healthy watershed and a renewable source of feed for domestic animals and wildlife. Farming and ranching sustains open spaces and aesthetic features which contribute to recreational opportunities,

THEREFORE BE IT RESOLVED, NCBA shall promote the prudent use of natural resources and offers the following Resource Stewardship recommendations. NCBA further recognizes the value and benefit of periodic input and revision to keep the commitment to resource stewardship alive.

BE IT FURTHER RESOLVED, NCBA shall not be compelled to defend anyone in the beef cattle industry who has clearly acted to abuse grazing, water or air resources. To achieve these goals, the following environmental stewardship code is recognized by the industry:

1. Recognize the environment for its varying and distinct properties.
2. Manage for the whole resource, including climate, soil, topography, plant and animal communities.
3. Realize that natural resources are ever-changing, and management must adapt.
4. Recognize and appreciate the interdependence of ecosystems.
5. Recognize that management practices should be site- and situation-specific, and must be locally designed and applied.
6. Recognize that successful management is an ongoing, long term process and commit to sound stewardship, economic success, and business continuity.
7. Strive to develop a management framework that involves family, employees, and business associates so that the entire team is committed to common goals.
9. Never knowingly cause or permit abuses that result in permanent damage on public or private land.
10. Develop ways to communicate and share the vast practical experience of other resource stewards.
11. Become involved in organizations that provide an effective way to educate and support individuals.
12. Solicit input from a variety of sources on a regular basis as a means to improve the art and science of resource management.
13. Help develop public and private research projects to enhance the current body of knowledge.
14. Recognize that individual improvement is the basis for any change.
15. Communicate with diverse interests to resolve resource management issues.

PR/EM 1.2
2018/Amended
NCBA’s Environmental Platform

WHEREAS, cattlemen have a special appreciation of the natural world as individuals producing food and fiber from renewable natural resources, while conserving and improving these resources on an ecologically and economically sound, sustainable basis, and

WHEREAS, private property rights, property values, and management flexibility should be enhanced because beef should be recognized as an environmentally friendly product and sound beef production as an integral component of environmental management, and

WHEREAS, to protect private property rights, enhance and preserve property values, maintain flexibility in the prudent management of natural resources, and improve and promote consumer demand for beef, cattlemen must implement a bold, creative strategy on environmental issues, and

WHEREAS, beef production should be represented and recognized as one of the most vital and environmentally sustainable components of American agriculture and should be correctly perceived by consumers as an environmentally friendly product, and

WHEREAS, cattlemen should be more widely recognized as expert, responsible stewards of our nation’s natural resources, including those of soil, water, air, vegetation, and wildlife,
THEREFORE BE IT RESOLVED, NCBA shall continue to support comprehensive research programs to thoroughly assess the condition of the resources utilized in the production of beef and producer education programs that disseminate both current and innovative technologies and management techniques and encourage prudent use and management of natural resources,

BE IT FURTHER RESOLVED, NCBA shall expand its informational, political, and legal tools to protect cattlemen and the environment from ill-advised legislation and regulations which restrict management options, reduce land values, reduce economic incentives for prudent resource management, and increase government ownership or control of natural resources,

BE IT FURTHER RESOLVED, NCBA shall support progressive and innovative environmental approaches that demonstrate to the public that privately owned and managed natural resources are more effectively conserved and protected than resources owned or controlled by government,

BE IT FURTHER RESOLVED, NCBA shall form action-based alliances that promote the importance of private ownership of land, productive use of natural resources, and the environmental effectiveness of the private sector,

BE IT FURTHER RESOLVED, NCBA shall initiate an informational and cooperative dialogue, and coordinate to the most practical and political extent, a consolidated effort between other segments of animal agriculture, and will strongly encourage reciprocal dialogue, assistance, and advisement between NCBA and affiliate organizations regarding local, state, and national initiatives affecting animal agriculture,

BE IT FURTHER RESOLVED, NCBA shall strive to position beef in its true role as an environmentally friendly product with diverse audiences of opinion leaders, public influencers, and consumers.

PR/EM 1.3
2017/Amended

General Policy for Private Lands and Water

WHEREAS, the right of an individual to own property is protected by the federal and various state constitutions together with rights of life and liberty, and

WHEREAS, government policy should enhance the individual right of free choice in land, water, soil, and energy use, development, and conservation, and

WHEREAS, government policy should be carried out by all branches and levels of governments,

THEREFORE BE IT RESOLVED, NCBA shall take the following positions:

1. Private Land Ownership: NCBA opposes any loss of private lands or water rights including waters arising or claimed on federal lands without specific procedures of due process of law and just compensation (as provided in the V and XIV amendments of the U.S. Constitution). Agreements involving individual private land and water rights shall be solely a decision of individual private property owners.

2. Cooperative Federalism: NCBA opposes federal efforts to seek the establishment of instream flows on any river or stream in any state, inter-basin, or interstate transfer of water except as freely agreed upon between the states or basins affected. NCBA also opposes federal interferences with existing ditches and structures in connection with any water right on either private, state, or federal lands and federal preemption or interference with an individual filing on water rights under state law, except in full compliance with the law of the state. The laws and policy of state and local governments and private rights should be paramount in governing the use and ownership of water and natural resources. The authority of each sovereign state to allocate quantities of water within its jurisdiction shall not be superseded, abrogated, or otherwise impaired by governmental action. Rights to use surface and ground water established under state law are private property rights, constitutionally recognized, and protected.

3. Federal Reserved Water Rights: NCBA supports that the water rights claimed by the United States and the Indian Tribes under the Federal Reserved Water Rights Doctrine (Winters Doctrine) should be determined and administered under state procedures or by agreement with the several states. Such water rights should be restricted to the expressed purpose for which the
reservation was originally set aside as of the date of creation and in the amounts then contemplated. The United States, specific Indian Tribes, and states should take prompt action to quantify reserved water rights.

4. No Non-Reserved Water Rights: NCBA supports the concept that federal non-reserved rights shall not be recognized, but the United States may acquire new water rights pursuant to state law.

5. Indian Water Claims: NCBA believes and supports that the trust obligation of the United States to Indians can be fairly and justly met by alternate means, without divesting the owners of their established water rights and without prejudging the Indian water rights claims or without prejudice to their justice. In connection with federal encouragement and recognition, private water rights have been acquired in accordance with state laws to which Congress has invariably deferred. Substantial investments have been made in reliance on these water rights.

6. Groundwater: NCBA supports the goal of minimal degradation of groundwater; but until adequate research is completed upon which to base decisions, we urge restraint in developing rules to achieve this goal.

7. Wilderness Legislation: NCBA opposes any wilderness legislation until such time as the question of reserved water rights on federal land is resolved in a manner ensuring such additional designations to the National Wilderness Preservation System shall not, directly or indirectly, reserve or otherwise create a right to the appropriation, diversion, use, or flow of water to or by the United States. NCBA opposes expansion of the Wild and Scenic River System. NCBA supports the following language: “No provisions of this Act or any other act of Congress designating areas as part of the National Wilderness Preservation System, nor any guidelines, rules, or regulations issued hereunder, shall constitute the establishment of an expressed or implied right to the acquisition, diversion, appropriation, use, or flow of water to the federal government because of the designation except in full compliance with states’ water laws.”

8. Wetlands: NCBA recognizes the importance of traditional wetlands in providing fish and wildlife habitat and ensuring quality water. NCBA supports wetlands management in those traditional areas only when those activities do not infringe upon the rights of the individual and the respective states to determine the uses of their land and water resources.

9. Federal Regulations and Restraints: NCBA does not believe any department or agency of the United States Government shall diminish the value of a water right by unreasonable restraint or regulation. No federal, regional, or multi-state water entity shall in any way diminish, alter, or in any manner affect private water rights or a state’s legal right to allocate and administer water.

10. Riparian Areas: NCBA opposes regulations by federal or state agencies to fence riparian areas except when the proposed sites are studied in full cooperation with the private livestock operator and where a comprehensive cooperative agreement, with recognition of stock water rights, is voluntarily entered into between the agency and livestock operator or permittee.

11. Sustainability: NCBA believes that cattle production is an efficient and environmentally sound use of renewable natural resources (air, water, soil, and vegetation). Successful, sustainable cattle production depends on the prudent management of renewable natural resources with long-term, productive, multiple use benefits. These resources such as air, water, soil, vegetation, forest, and fish are dynamic, resilient, renewable resources and respond positively to prudent management. Management practices which best sustain and enhance natural resources are site- and situation-specific. The most environmentally effective and productive management of natural resources occurs through private ownership and individual management which maximizes flexibility and choice.
PR/EM 1.4
2018/Amended
Defining Regulatory Authority over Waters of the United States

WHEREAS, wetlands and non-navigable waters are found on a large portion of agricultural lands, and we believe farmers and ranchers should be able to use their land for production to the greatest extent,

THEREFORE BE IT RESOLVED, NCBA shall seek regulations and/or legislation to prevent the expansion of federal jurisdiction under the Clean Water Act,

BE IT FURTHER RESOLVED, NCBA shall work with Congress and the federal agencies to rescind and replace the 2015 Waters of the United States rule and restore jurisdiction of non-federal waters to the states.

PR/EM 1.5
2014/Renewed
Public Interest Lawsuits

WHEREAS, the so-called “citizen suits” provisions in many federal environmental statutes have been abused to destroy traditional concepts of standing to sue, leading to unnecessary and expensive litigation, and

WHEREAS, this has led to courts establishing policy instead of the legislature,

THEREFORE BE IT RESOLVED, NCBA shall support language that requires:

1. A pecuniary interest in an amount equal to or greater than the jurisdictional amount of the court,
2. Residency within the jurisdiction of the court,
3. Posting a bond adequate to meet preliminary injunction or temporary restraining order damages.

PR/EM 1.6
2018/Amended
Unauthorized Land and Water Initiatives

BE IT RESOLVED, NCBA shall oppose any federal land and/or water initiatives unauthorized by Congress and/or pursued without landowners’ consent that could infringe upon the rights of private property owners. Such initiatives include the American Heritage Rivers Initiative.

PR/EM 1.7
2014/Renewed
Public Access to Private Land

BE IT RESOLVED, NCBA shall oppose including public access to private property as a condition of, or in the prioritization process for, receiving federal cost share funds for conservation and other farm programs.

PR/EM 1.8
2015/Amended
Conservation Stewardship Program

BE IT RESOLVED, NCBA shall support an increase in Conservation Stewardship Program funding so that all eligible producers who wish to participate in the Program will be able to, payment rates will be sufficient to encourage producer participation, and cost share will be made available for all practices listed in the Farm Bill statute.

BE IT FURTHER RESOLVED, NCBA shall support a simplified Conservation Stewardship Program which shall be based on outcomes and adaptive management rather than a prescribed set of management practices.

BE IT FURTHER RESOLVED, NCBA shall prioritize increased funding in the Environmental Quality Incentives Program over increased funding in the Conservation Stewardship Program.

PR/EM 1.9
2016/Renewed
Grazing Land Conservation

WHEREAS, rangelands include a rich and varied landscape of grasslands, oak woodlands, vernal pools, riparian areas, and wetlands which support numerous imperiled and native plant and animal species, and

WHEREAS, many rangelands are today at significant risk of conversion to development and other uses, and

WHEREAS, these rangelands and the
species that rely on these habitats largely persist today
due to grazing and other land stewardship practices of
the ranchers that have owned and managed these lands
and are committed to their health, and

WHEREAS, these rangelands are a critical
foundation of the economic and social fabric of the
U.S. ranching industry and rural communities and will
only continue to provide these societal benefits if
rangelands remain in ranching,

THEREFORE BE IT RESOLVED, NCBA
shall work aggressively to accomplish the following:

• Educate the public regarding the
environmental benefits associated with
grazing and rangeland agriculture.
• Streamline processes regarding
consultations and other regulatory
requirements to eliminate current
disincentives to voluntary conservation
efforts.
• Provide tax incentives and other benefits
to those ranchers actively working to
benefit the environment.
• To pursue the expansion of the use of safe
harbor agreements, exclusion of critical
habitat, and use of the 4(d) rule for the
listing of habitat and species.

BE IT FURTHER RESOLVED, NCBA shall
work on a national level to partner with state affiliates,
conservation, and agricultural organizations to achieve
these goals.

PR/EM 1.10
2015/Amended
Environmental Quality Incentives Program
(EQIP) Penalties

BE IT RESOLVED, NCBA shall oppose
unreasonable penalties associated with cancellation of
an EQIP contract.

BE IT FURTHER RESOLVED, NCBA shall
hold that Natural Resources Conservation Service
(NRCS) shall not require an applicant to sign a contract
until the final cost of the contract is known to, and
approved by, the applicant.

BE IT FURTHER RESOLVED, NCBA shall
support allowing producers who enter into an EQIP
contract with NRCS the ability to periodically revise
the terms of a multiple-year contract to adjust for rising
costs over time. Such revision shall include raising the
contract cost share by an amount equal to an increase
in the inflation rate.

BE IT FURTHER RESOLVED, any penalty
for cancellation shall be disclosed to the applicant
prior to signing the contract.

PR/EM 1.11
2017/Renewed
Support for the Environmental Quality Incentives
Program (EQIP)

WHEREAS, the Environmental Quality
Incentives Program (EQIP) has proven to be an
effective tool for ranchers implementing sound
conservation practices on rangeland,

THEREFORE BE IT RESOLVED, NCBA
shall support efforts to maintain and enhance EQIP at
sixty percent or greater allocation for livestock-
related applications for all sizes of ranching and
feeding operations.

PR/EM 1.12
2017/Amended
Environmental and Economic Implications of
Government-Mandated Renewable Fuels
Production

BE IT RESOLVED, NCBA shall support:

1. Continued federally-funded research
programs to evaluate the potential
economic implications on the cost of
food production, as well as the
environmental implications, both on air
and water quality, of feeding distillers
grain co-products to beef cattle.
2. Legislative and regulatory
environmental relief for cattle
operations that are appropriately
utilizing and feeding the co-product of
the renewable energy industry.

PR/EM 1.13
2014/Renewed
Coalition Building

BE IT RECOMMENDED, the leadership of
NCBA shall carefully consider forming coalitions
with other groups with similar interests in an effort to
strengthen our voice politically and enhance NCBA’s
position on issues of importance to our members.
BE IT FURTHER RECOMMENDED, NCBA leadership shall work to enter into an agreement creating the Coalition for Conservation through Ranching and give leadership flexibility to sign that agreement as they deem appropriate.

BE IT FURTHER RECOMMENDED, NCBA shall withdraw from such coalitions if deemed necessary or if any group has an anti-grazing mission.

PR/EM 1.14
2015/Amended
Life Cycle Analysis

WHEREAS, claims about the environmental impacts of beef production are prominent in both public and policy discussions, and

WHEREAS, these claims have the potential to negatively affect consumer demand for beef and foster burdensome regulation that negatively affects the profitability of beef production, and

WHEREAS, the beef industry has led the development of a Life Cycle Analysis of the beef value chain, which was originally certified by NSF in 2013 and has become an important benchmark,

THEREFORE BE IT RESOLVED, NCBA shall continue to expand the credibility and validity of the Life Cycle Analysis, through regional data collection, periodic updates and re-certification of the primary data.

PR/EM 1.15
2015/Amended
Equal Access to Justice Act (EAJA)

WHEREAS, the Equal Access to Justice Act (EAJA) and other fee-shifting statutes provide for the award of attorney fees and other expenses to parties in litigation against the government, and

WHEREAS, an eligible party may receive an award when it prevails over the government, and

WHEREAS, the Congressional intent of EAJA and other fee-shifting statutes was to overcome the inability of many Americans, to combat the vast resources of the federal government in administrative and federal court adjudications and to redress the imbalance between the government acting in its discretionary capacity and the individual, and

WHEREAS, non-profit environmental groups continue to file lawsuits and in turn the federal government has paid out billions in taxpayer dollars in settlements and legal fees under EAJA and other fee-shifting statutes in cases against the U.S. government, and

WHEREAS, there is no significant accounting or oversight as to how the money is being allocated,

THEREFORE BE IT RESOLVED, NCBA shall support more stringent oversight as to how awards made available through EAJA and other fee-shifting statutes are accounted.

BE IT FURTHER RESOLVED, NCBA shall support specific Congressional initiatives to reform EAJA and other fee shifting statutes.

BE IT FURTHER RESOLVED, NCBA shall urge Congress to conduct hearings to ascertain the extent of the misuse of these fees and expense awards.

BE IT FURTHER RESOLVED, NCBA shall urge Congress to require an annual report of EAJA awards to the relevant committees in the House and Senate.

BE IT FURTHER RESOLVED, NCBA shall urge the federal government to limit the abuse of EAJA and other fee-shifting statutes by groups who seek only to profit from its purpose.

PR/EM 1.16
2015/Renewed
Public Access to Obtain Public Funding

WHEREAS, the public has the sentiment that public dollars used for conservation easements requires tangible public benefits, such as access,

THEREFORE BE IT RESOLVED, NCBA shall oppose any requirement for public access to obtain public funding or qualification for conservation benefit,

BE IT FURTHER RESOLVED, the definition of a tangible benefit should only include preservation of agricultural activities and preservation of open space.
PR/EM 1.17
2016/Renewed
Permit Coordination

BE IT RESOLVED, NCBA shall continue to work on legislation and regulations so as to provide permit and regulation coordination and streamlining.

PR/EM 1.18
2015/Amended
Beef Sustainability

WHEREAS, NCBA has adopted a Sustainability Statement of Principles to protect and improve our industry for future generations, that includes a statement of belief, definition, and guiding principles, and

WHEREAS, a beef sustainability program should be voluntary, market-driven, and science-based, and

WHEREAS, major food service and retail customers have committed to sourcing beef that is sustainably produced, and

WHEREAS, there are several entities and organizations attempting to define beef sustainability and evaluate beef suppliers using metrics that were developed with limited input from the beef supply chain, and

WHEREAS, the U.S. beef industry has completed a U.S. beef sustainability assessment, certified by a third party (NSF), to benchmark the beef supply chain, and provide a means to periodically assess progress in the beef value chain over time,

WHEREAS, NCBA successfully led the development of the U.S. Roundtable for Sustainable Beef, inclusive of the beef value chain and stakeholders, that addresses continued advancement in areas such as economic viability, production efficiencies, animal care and handling, environmental conservation, human resources, and community support.

WHEREAS, it is critical for NCBA to represent the interests of NCBA members at the U.S. Roundtable for Sustainable Beef,

THEREFORE BE IT RESOLVED, NCBA shall continue to lead and expand sustainability research, education and policy initiatives to protect the interests of NCBA members.

2. NATURAL RESOURCES

PR/EM 2.1
2014/Renewed
Wild and Scenic Rivers and Scenic Highways and Byways Bills

WHEREAS, National Wild and Scenic Rivers, and scenic highways and byways, bills, or state water designations, are being proposed in several states that will include private as well as federal lands within their areas, and

WHEREAS, livestock producers rely in some degree on federal, as well as private, lands for grazing and water for livestock, and

WHEREAS, the bills will contain condemnation provisions for the private lands as well as condemnation of scenic, access’ and other easements which provisions may be used to jeopardize previously vested water rights and require management of adjacent lands, and

WHEREAS, the bills have the potential to require new water pollution controls throughout the watershed including prohibition of the use of pesticides within the national Wild and Scenic River System and scenic highways and byways, and

WHEREAS, the bills historically contain no specific language to ensure that grazing and agricultural practices may continue unregulated under these types of bills,

THEREFORE BE IT RESOLVED, because such bills carry with them the potential of fatal disruption of ranching units, NCBA shall strongly oppose them.

PR/EM 2.2
2015/Renewed
Wetlands: No Net Loss

WHEREAS, the federal government’s current policy of “no net loss” of wetlands affects the use, value, and private property rights of millions of acres of privately owned agricultural land, and

WHEREAS, the cattle industry is directly affected when pasture land, rangeland, and cropland are designated wetlands, and

WHEREAS, the “Federal Manual on Identifying and Delineating Jurisdictional Wetlands”
as the federal government’s official method of delineating wetlands is gravely flawed and leads to wetlands delineation of millions of acres of ranch and farm land which should not realistically be considered wetlands.

WHEREAS, the major instruments of this federal policy are not authorized by federal law and have not been subject to public review through the formal rulemaking process required by the Administrative Procedure Act (APA), and

WHEREAS, the U.S. Fish and Wildlife Service seeks to acquire thousands of acres of wetlands, many of which are on ranch and farm land, and

WHEREAS, cattle grazing is a beneficial, maintenance use of wet areas and thereby protects natural wetland values,

THEREFORE BE IT RESOLVED, NCBA shall work to accomplish a change in the current federal wetlands policy by a statutorily codified definition of wetlands that stipulates the simultaneous actual presence of three criteria: hydric soils, hydrophytic vegetation, and surface inundation for a significant portion of the growing season of every year under normal precipitation and that excludes all man-made wet areas from any governmental authority.

BE IT FURTHER RESOLVED, revisions in the Federal Manual that reflect this definition shall be subject to the full rulemaking procedures of the Administrative Procedure Act with hearings and a public comment period.

BE IT FURTHER RESOLVED, NCBA shall urge the Environmental Protection Agency (EPA) and the Corps of Engineers to issue in writing a formal specification of the “normal agricultural activity exemption” from Section 404 of the Clean Water Act as it pertains to pasture, range, and improved and native hay lands so that it clearly exempts all normal, usual, and established maintenance practices.

BE IT FURTHER RESOLVED, NCBA shall urge that all jurisdictional wetlands delineated include scientific documentation of the exact environmental function and value of each wetland with a ranking of the relative importance, to include a minimal value category which is fully exempt from all governmental jurisdiction.

BE IT FURTHER RESOLVED, legislation or regulations that ensure approval from one federal agency regarding wetlands should not be overruled or changed by other federal agencies.

BE IT FURTHER RESOLVED, federal agencies should fully comply with Executive Order 12630 on Takings in all wetland policy, programs, and action by government.

BE IT FURTHER RESOLVED, all federal policies, actions, and laws on wetlands should be subject to state water laws and private water rights and all private property rights.

BE IT FURTHER RESOLVED, NCBA shall support the recognition in the permitting process of benefits created by agricultural and recreational activities which impact wetlands.

BE IT FURTHER RESOLVED, NCBA shall support the consolidation of local, state, and federal permitting processes into one comprehensive and affordable permit issued in a prompt manner.

PR/EM 2.3
2014/Renewed
Bureau of Reclamation

WHEREAS, the Bureau of Reclamation has built and continues to operate many water resource projects, and

WHEREAS, many communities rely on tax bases, custom, and culture, developed as a result of the government’s building these projects, and

WHEREAS, the Bureau continues to change its mission and responsibility, and

WHEREAS, Bureau water rights are held in private ownership and subject to state law,

THEREFORE BE IT RESOLVED, Congress shall be asked to require that these waters be administered according to the various state water laws and/or court decrees, before the sale, transfer, or new uses of any bureau projects or water stored within, are considered.

BE IT FURTHER RESOLVED, NCBA shall support the elimination of all provisions of the reclamation act which unilaterally change provisions of existing federal contracts.
PR/EM 2.4
2015/Amended
Role of Natural Resources Conservation Service (NRCS) on Privately Owned Lands

BE IT RESOLVED, NCBA shall seek assurance from Congress that NRCS, working through local conservation districts, has sole United States Department of Agriculture (USDA) responsibility for all natural resource conservation programs within USDA and activities on privately owned lands.

PR/EM 2.5
2015/Renewed
Liability for Government Mandated Programs

BE IT RESOLVED, NCBA shall work to require that the federal government release present and past landowners and operators from liability and cost of cleanup or damages resulting from, and in compliance with, federal- or state- mandated programs, such as the dipping vat program.

PR/EM 2.6
2016/Amended
Superfund and Resource Conservation & Recovery Act Exemption for Livestock Manure

WHEREAS, livestock manure is a naturally occurring substance that is used very effectively as a fertilizer for pasture and cropland, and

WHEREAS, classification of livestock manure as a hazardous substance or pollutant under the Superfund law would cause significant harm to all segments of the beef industry,

THEREFORE BE IT RESOLVED, NCBA shall support scientific research efforts to ascertain the effect of surface activities on groundwater pollution.

BE IT FURTHER RESOLVED, NCBA shall support accurate scientific assessments of ground water pollution prior to development of any new restrictions or regulations.

PR/EM 2.8
2014/Amended
Grazing Lands Conservation Initiative

WHEREAS, the Agricultural Act of 2014 was signed into law in 2014, and

WHEREAS, Title II, Section 2501 of that law contains The Conservation of Private Grazing Land program, which is designed to provide a voluntary technical assistance program through the Natural Resources Conservation Service (NRCS), and

WHEREAS, this assistance is used by livestock producers to enhance their conservation efforts, promote environmental stewardship on private property, and support the individual’s right of self-determination on his or her own property,

THEREFORE BE IT RESOLVED, NCBA shall encourage every state beef cattle association to maintain an active position on their state’s National Grazing Lands Coalition (NatGLC), formerly the Grazing Lands Conservation Initiative (GLCI), steering committee.

BE IT FURTHER RESOLVED, NCBA and every state beef cattle association shall endeavor to provide direction to the conservation partners involved in the formulation and implementation of environmental conservation policies that will affect the ranching and livestock industry in the United States to insure that private property rights and the individual’s right of self-determination on his or her own property be preserved.

BE IT FURTHER RESOLVED, NCBA shall endorse the proposed NatGLC policy for research and education.

BE IT FURTHER RESOLVED, NCBA shall work to ensure that the primary focus is that NatGLC should be providing high quality technical assistance to private landowners.
WHEREAS, members of NCBA use prescribed burning as a tool to manage their resources,

THEREFORE BE IT RESOLVED, NCBA shall adopt the following position statement on prescribed burning:

Fire is an integral part of many natural ecosystems and other forage management programs. Prescribed/controlled burning is an economically and environmentally sound tool for the management of many forage resources. Prescribed/controlled burning may be used to reduce wildfire fuel load, aid in wildfire management, control noxious vegetation, release minerals, stimulate desirable foliar growth, improve forage quality and livestock distribution, enhance secondary plant succession, and improve wildlife habitat. Benefits of prescribed/controlled burning may also include enhanced watershed function, aesthetic values, and carbon sequestration. The prescribed use of fire entails developing management strategies and objectives for burning. NCBA endorses prescribed burning as a management tool.

WHEREAS, the Environmental Quality Incentives Program (EQIP) within the Farm Bill is designed to offer federal support for technical and financial assistance to the agricultural community for environmental conservation, and

WHEREAS, EQIP was designed to incorporate local control and stakeholder participation, and

WHEREAS, the Federal Office of Management and Budget maintains the ability to restrict the amount of Commodity Credit Funds that can be used by the Natural Resources Conservation Service (NRCS) for technical assistance for EQIP which will limit producers’ access to NRCS technical field representatives, and

WHEREAS, the NRCS has the duty of assisting livestock operations when applying for EQIP funding for upgrading of livestock facilities to comply with the Environmental Protection Agency (EPA) feedlot rules, and

WHEREAS, some NRCS offices, the EPA, and its affiliates are not consistent or in agreement on rulings,

THEREFORE BE IT RESOLVED, NCBA shall work with Congress and agencies to prevent erosion of federal financial support for locally driven conservation efforts on private lands.

BE IT FURTHER RESOLVED, NCBA shall encourage every state beef cattle association to maintain a position on their State Technical Committee.

BE IT FURTHER RESOLVED, NCBA and every state beef cattle association shall endeavor to provide direction to these committees in the formulation and implementation of environmental conservation policies that will affect the livestock industry in the United States to ensure that private property rights and the individual’s right of self-determination on his or her own property is preserved.

BE IT FURTHER RESOLVED, NCBA shall work toward the use of EQIP money for all sizes of operations for the best use of the funds available and/or the development of new cost sharing and technical assistance programs that would allow for the participation of all sizes of livestock operations.

WHEREAS, even though the Environmental Protection Agency has canceled and/or suspended use or uses of specific agri-chemicals pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act as amended, and

WHEREAS, the residues of such canceled and/or suspended agri-chemical used prior to suspension and/or cancellation may be detected sometime after official State or Federal cancellation and/or suspension in agricultural products,
THEREFORE BE IT RESOLVED, NCBA shall support that when such chemicals are/were applied or disposed of in accordance with label instructions in effect at the time of their use, the Federal Government be encouraged to take action to exempt from legal action private citizens who properly followed the label for use and/or disposal.

PR/EM 2.12
2014/Renewed
Livestock Manure

WHEREAS, livestock manure, has many beneficial uses, such as being a natural, organic nutrient which improves soil fertility and condition, and as an alternative energy source, and, when applied to lands at accurate agronomic rates, will not degrade surface or ground water supplies, and

WHEREAS, the U.S. Court of Appeals for the Second Circuit (New York) recently ruled in Concerned Area Residents for the Environment (CARE) v. Southview Farm that runoff from animal waste applied through a center-pivot irrigation system, manure-spreader truck, or front-end loader is a point source of pollution, and

WHEREAS, federal and state regulatory agencies have proposed that individuals applying organic nutrients to land not owned or controlled by a livestock production facility must obtain permits and keep extensive records, and that such regulations will put manure at a competitive disadvantage to commercial fertilizer, reduce demand and increase liability for livestock production facilities,

THEREFORE BE IT RESOLVED, NCBA shall seek to remove any disincentives and create new incentives in federal programs to increase the utilization of manure for soil fertilization, conservation, and greenhouse gas reduction.

BE IT FURTHER RESOLVED, NCBA shall support actions to continue the definition of animal manure applied to the land through accepted agricultural practices as a nonpoint source.

BE IT FURTHER RESOLVED, NCBA shall oppose any and all efforts to regulate natural, organic nutrients as a toxic or hazardous waste.

PR/EM 2.13
2018/Amended
Air Quality Standards

WHEREAS, emissions from feedlot pens and retention ponds are not regulated under Title V of the Clean Air Act (CAA), Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), or the Emergency Planning and Community Right to Know Act (EPCRA),

WHEREAS, continued attempts to regulate animal agriculture under the CAA, EPCRA, and CERCLA have the potential to negatively impact farms and ranches across the country and expose them to possible liability,

THEREFORE BE IT RESOLVED, NCBA shall recognize the potential significant impacts National Ambient Air Quality Standards (NAAQS) have on livestock operations and that additional legislative, legal, regulatory, and research resources may need to be expended to protect the interests of NCBA members,

BE IT FURTHER RESOLVED, NCBA shall oppose federal reporting requirements and further regulation under the CAA, CERCLA, and EPCRA for livestock operations, support legislation to clarify that the CAA, CERCLA, and EPCRA do not require such reporting, and encourage the Environmental Protection Agency to oppose or minimize the imposition of any such federal reporting requirements.

PR/EM 2.14
2018/Amended
Brush and Noxious Plant Management

WHEREAS, the management of brush and noxious weeds is essential to food and fiber and wildlife production,

THEREFORE BE IT RESOLVED, NCBA shall oppose unreasonable restrictions upon herbicide use and prescribed burning by federal government which prohibit the use of brush and noxious plant control and management as viable production tools for animal agriculture.

BE IT FURTHER RESOLVED, NCBA shall support and recommend funding to research “biological control” and the use of prescribed burning of brush and noxious plants and that funding be secured from multiple sources, including state and federal sources.
BE IT FURTHER RESOLVED, NCBA, for public benefit, shall request that local, state, and federal governments control noxious weeds on federal lands, highways, and public rights-of-way as mandated by public law(s) and that all government agencies use only seed that has been certified as noxious weed free.

BE IT FURTHER RESOLVED, NCBA shall encourage and assist all levels of government to develop programs for control procedures of noxious plants through research, education, and eradication, where necessary.

PR/EM 2.15
2014/Amended
Climate Change

WHEREAS, national and international publications on modern livestock production, environmental activists, and animal rights activists have accused animal agriculture of being a primary contributor of greenhouse gas emissions, and

WHEREAS, some states have promulgated regulations to mandate reductions of greenhouse gas emissions, and

WHEREAS, Environmental Protection Agency (EPA) greenhouse gas emission inventories have shown that agriculture is a minor source of U.S. greenhouse gas emissions, and

WHEREAS, agriculture offers a readily available, low-cost source of offsets that reduces greenhouse gas emissions and provides cost containment in a cap-and-trade system, in addition to other environmental and societal benefits that improve air and water quality and enhance wildlife habitat,

THEREFORE BE IT RESOLVED, NCBA shall support the development of accurate greenhouse gas emissions data for domestic cattle production systems based on sound science, and

BE IT FURTHER RESOLVED, NCBA shall work to eliminate or minimize the effects of legislation or regulation that regulates or requires reporting of agricultural greenhouse gas emissions, including international treaties or agreements negotiated by the Executive Branch, and

BE IT FURTHER RESOLVED, NCBA shall oppose efforts to regulate greenhouse gases under the Clean Air Act, and

BE IT FURTHER RESOLVED, NCBA shall oppose the listing of species or habitat under the Endangered Species Act based on climate change, and

BE IT FURTHER RESOLVED, NCBA shall oppose efforts by environmental and animal rights activists or other entities to decrease consumer demand for animal protein and agricultural products based on an alleged and unsubstantiated amount of greenhouse gas emissions emitted from the domestic livestock industry.

PR/EM 2.16
2018/Amended
Noise and Air Quality

WHEREAS, air quality, noise, dust, and odor are issues of concern to the public,

THEREFORE BE IT RESOLVED, any move on the part of state or federal government to regulate odors, noise, gaseous emissions, and/or dust from livestock facilities must be based on sound science and the best available technology.

BE IT FURTHER RESOLVED, owners’ rights of pre-existing facilities should be given due and fair consideration when surrounding land is developed for use other than agricultural production.

BE IT FURTHER RESOLVED, NCBA shall oppose any new regulations that pertain to agricultural odors, noise, or air that will unreasonably hinder the production, preparation, and harvesting of crops and the production of livestock.

BE IT FURTHER RESOLVED, NCBA shall oppose any new regulations that pertain to changing the class and quality of air on pastures, grasslands, and desert ranges that inhibit current practices of beef production on these lands.
PR/EM 2.17
2014/Renewed
Animal Feeding Operation

WHEREAS, NCBA should be proactive in addressing animal feeding operation issues,

THEREFORE BE IT RESOLVED, NCBA shall support local administration of rules, regulations, research, and the development of local standards on a state basis and that NCBA encourages producers to be active in the development of state and national rules and strategies pertaining to animal feeding operations.

PR/EM 2.18
2014/Renewed
Universal Soil Loss Equation (USLE)

WHEREAS, the USLE is a model developed for USDA in 1954 by Purdue University to measure sheet and rill erosion from cultivated fields in the United States east of the Rocky Mountains based upon reference comparisons to a plot 72.6 feet long with a 9% slope, and

WHEREAS, the Society of Range Management (SRM) and Natural Resource Conservation Service (NRCS) oppose use of the USLE models as a determinant of rangeland resource condition, treatment needs, treatment effectiveness, program funding, stocking rates, or any other management or regulatory decisions, and

WHEREAS, SRM and NRCS find the refinement of data inadequate, thus use of the model is inappropriate to detect the subtle changes in the resource that indicate a need for management changes, and operations and concentrated animal feeding operations to comply with state and federal regulations.

THEREFORE BE IT RESOLVED, NCBA opposes the application of USLE and Revised Universal Soil Loss Equation (RUSLE, RUSLE 2) when considering rangeland conditions.

PR/EM 2.19
2016/Renewed
Funding for Technical Assistance

WHEREAS, funding and technical services to bring animal feeding operations and concentrated animal feeding operations into compliance with state Departments of Environment and Natural Resources and Environmental Protection Agency regulations are limited for operations smaller than 1000 animal units and non-existent for operations over 1000 animal units.

THEREFORE BE IT RESOLVED, NCBA shall work to establish federal funding sources and technical services to assist all animal feeding operations and concentrated animal feeding operations to comply with state and federal regulations.

PR/EM 2.20
2017/Amended
Alternative Technologies for Feedlots

WHEREAS, climate and feedlot size differences across the country make “a one size fits all” approach in the Environmental Protection Agency’s prescribed technology economically unachievable for many feedlots,

THEREFORE BE IT RESOLVED, NCBA shall encourage federal officials to allow producers to employ the best practicable control technologies currently available and that enforcement action not be taken during the implementation and testing period for those technologies.

PR/EM 2.21
2018/Amended
NRCS Conservation Issues

WHEREAS, NCBA members depend on technical help with conservation issues from the NRCS,

WHEREAS, SRM and NRCS determine that plant composition should be used to indicate early changes in resource condition in these rangeland ecosystems,

THEREFORE BE IT RESOLVED, NCBA shall oppose the application of USLE and Revised Universal Soil Loss Equation (RUSLE, RUSLE 2) when considering rangeland conditions.

THEREFORE BE IT RESOLVED, NCBA shall strongly request that the U.S. Congress use all available means, including appropriations and appropriations language, to maintain conservation assistance at the local “grassroots” level.
ECOLOGICAL SITE DESCRIPTIONS

WHEREAS, an ecological site is a distinctive type of land with specific physical characteristics that differ from other types of land in its ability to produce a distinctive kind and amount of vegetation, and

WHEREAS, it is the product of all the environmental factors responsible for its development, and has a set of key characteristics that are included in the ecological site description, and

WHEREAS, soils with like properties that produce and support a characteristic plant community are grouped in the same ecological site, and

WHEREAS, the ecological site concept developed by the Natural Resources Conservation Service has not replaced, but has built upon, the former Soil Conservation Service’s existing range site concept for rangelands and woodland suitability for forestland, and

WHEREAS, the existing range site descriptions and woodland suitability group descriptions may be utilized as a base to develop ecological site descriptions that will be located in the local field office technical guides to assist ranchers in the development of ranch management plans, and

WHEREAS, the ecological site descriptions will contain information critical to the development of management alternatives to achieve the land manager’s desired objectives in an ecologically and economically sound manner,

THEREFORE BE IT RESOLVED, NCBA shall support the development and uniform use of ecological site descriptions for inventory, evaluation and management of all public and private rangelands and forests.

USDA REORGANIZATION

WHEREAS, new Administrations often attempt to reorganize important agencies within the USDA such as the Farm Service Agency, the Natural Resources Conservation Service, and the Rural Development Agency, and

THEREFORE, such reorganizations are often detrimental to cattle producers,

THEREFORE BE IT RESOLVED, NCBA shall strongly oppose closing USDA field offices, which will adversely impact the ability of our members to have access to USDA programs.

BE IT FURTHER RESOLVED, NCBA shall very strongly oppose the co-joining of computer technology functions, which can compromise confidentiality of private information.

NATURAL RESOURCES CONSERVATION SERVICE (NRCS) CONSERVATIONS PROGRAM SIMPLIFICATION

BE IT RESOLVED, NCBA shall work to eliminate as many requirements for participation in all NRCS conservation programs as possible and ensure the programs remain consistent with the goal of achieving their statutory purposes.

SUPPORT FOR FUNDING OF VOLUNTARY, LOCALLY LED CONSERVATION EFFORTS THROUGH RESOURCE CONSERVATION DISTRICTS AND THE USDA NATURAL RESOURCES CONSERVATION SERVICE (NRCS)

WHEREAS, demands on the ranching community to meet stringent water quality and environmental quality regulations on rangelands have increased, and

WHEREAS, funding for, and availability of, technical assistance to support voluntary, locally led conservation efforts has seriously declined,

THEREFORE BE IT RESOLVED, NCBA shall support the National Association of Conservation Districts initiative to increase the annual national technical assistance funding to the USDA NRCS.

CARBON SEQUESTRATION ON GRASSLANDS

BE IT RESOLVED, NCBA shall encourage the Natural Resources Conservation Service (NRCS) to continue investigating current research and models
used to calculate carbon sequestration on rangeland and pastureland in order to provide a factual and reliable estimation of carbon sequestration at various management levels and rangeland conditions to facilitate the free exchange of environmental carbon credits.

BE IT FURTHER RESOLVED, NCBA shall encourage NRCS to research and investigate the marketability of implementing carbon sequestration practices on range and pastureland.

PR/EM 2.27  
2017/Amended  
Waiver of Fees for Projects

WHEREAS, NCBA supports landowners’ efforts in restoration projects on private property, and

WHEREAS, a completed restoration project adds to the value of the property and promotes a healthy environment,

THEREFORE BE IT RESOLVED, NCBA shall support landowners who engage in restoration projects that benefit water quality, wildlife, or the public,

BE IT FURTHER RESOLVED, NCBA shall encourage all federal, state, and local government agencies that have oversight over a voluntary restoration project on private land to waive any and all administrative fees associated with obtaining and implementing the requisite permits associated with such restoration projects.

PR/EM 2.28  
2018/New  
Groundwater Regulation Under the Clean Water Act

WHEREAS, Environmental Protection Agency (EPA) regulation of discharges to surface water via groundwater and other naturally flowing subsurface waterbodies has the potential to negatively affect numerous cattle operations, and

WHEREAS, the EPA’s direct hydrologic connection theory directly conflicts with Congress’ clear intent that the Clean Water Act regulate only surface water discharges, and

WHEREAS, such discharges are effectively managed through existing state and federal regulatory programs,

THEREFORE BE IT RESOLVED, NCBA shall oppose any regulation of surface water discharges via groundwater under the Clean Water Act.

3. PROPERTY RIGHTS

PR/EM 3.1  
2014/Renewed  
Emergency Replacement and Repair of Private Property

WHEREAS, current state and federal permitting processes do not allow for timely reaction to resource management in emergency situations, and

WHEREAS, resources and private property rights are being destroyed because of this elongated permitting process, and

WHEREAS, permit streamlining and protection of private property rights are recognized as being important for economic recovery in all states of the United States of America,

THEREFORE BE IT RESOLVED, NCBA shall work to pass legislation at the state and federal levels that will:

1. Allow landowners to take immediate action to replace and repair any land lost by catastrophic events such as floods, hurricanes, fires, earthquakes, or other natural disasters;
2. Allow that the private property owner will have the authority in each case to return the lands lost to the pre-event topography within 9 months of the event, or as soon as natural conditions allow;
3. Provide that the private property owner will be able to use and/or move materials within the area or import clean upland materials to replace the land lost during the event;
4. Require that all permitting requirements will be waived with regards to replacing property lost and that notification to one lead agency will serve as proper notification to allow the land owner to proceed with the project;
5. Require the lead agency to respond within ten calendar days upon notification from the landowner regarding guidelines, if any, for the
protection of endangered species, as long as those guidelines place no additional encumbrance or duty of care on the landowner;
6. Eliminate mitigation for action necessary to replace land lost during such catastrophic events;
7. Exempt temporary access roads, culverted crossings, diversion of flows, or other activity to facilitate reconstruction as needed;
8. Determine the pre-event topography through use of field acreage maps, prior surveys, photos, aerials and/or existing topography; and
9. Eliminate any delays in the emergency replacement and repair of private property created by federal agency permitting requirements.

PR/EM 3.2
2018/Amended
Venue Legislation

WHEREAS, many federal court actions involving environmental issues and natural resource matters have been tried in judicial districts removed from the location of the actual conflict,

BE IT RESOLVED, NCBA shall support legislation which requires legal cases be tried in the federal judicial district geographically tied to the underlying issue.

PR/EM 3.3
2015/Renewed
Indirect Acquisition

WHEREAS, governmental interference with the right and ability of private landowners to manage, preserve, conserve, and enjoy their land has long been opposed by NCBA, which believes that the best steward of our nation’s most basic productive resources is the person with a vested interest in its future, and

WHEREAS, governmental intervention in the natural functioning of rural America continues to take new forms, all of which distort the values of the land and its economic productivity, and

WHEREAS, federal and state governmental entities have increasingly resorted to indirect means of acquisition, interference, and intervention,

THEREFORE BE IT RESOLVED, NCBA shall vigorously oppose the use of government agencies or private organizations as conduits for increased acquisition of land and private property rights by federal and state governments.

PR/EM 3.4
2016/Amended
Beef Producer Representation on Environmental Agency Commissions and Committees

WHEREAS, the federal government and many states have organized or are re-organizing environmental control agencies and/or commissions,

THEREFORE BE IT RESOLVED, NCBA and its affiliated state organizations shall ensure that beef producers are adequately represented on these agencies and commissions.

PR/EM 3.5
2016/Renewed
Eminent Domain

WHEREAS, in recent years, municipalities have used the “eminent domain” process to condemn and seize private property for private economic development and re-sale to the private sector, and

WHEREAS, a recent U.S. Supreme Court ruling upheld the ability of government entities to forcibly take private property from a citizen and then convey that seized property to other citizens or private corporations in the name of economic development,

THEREFORE BE IT RESOLVED, NCBA shall support federal and state legislation that prevents government entities from taking private property through the eminent domain process for the purpose of conveying that property to other private individuals or entities.

BE IT FURTHER RESOLVED, NCBA shall support legislation to change the appraisal standards for federal and state appraisals to include fair market value based on highest economic value for the compensation for the taking of private property.

BE IT FURTHER RESOLVED, NCBA shall vigorously oppose the use of eminent domain for private use.
WHEREAS, private land and water rights should be defended by the federal government, and

WHEREAS, NCBA strongly supports private land ownership and private property rights,

THEREFORE BE IT RESOLVED, NCBA shall hold that:

1. Land patents issued by the federal government and states shall be recognized and defended.
2. Access to private lands including streams and banks be by consent of the landowner only.
3. The federal government shall not interfere with administration or control of private water rights, and/or established water infrastructure across federal lands.

WHEREAS, trespass and environmental problems are caused by public agencies using abandoned utility rights-of-way, such as but not limited to railroad easements, for public recreation areas,

THEREFORE BE IT RESOLVED, NCBA shall oppose such use and support the adjacent landowner’s right of first refusal.

WHEREAS, government entities may attempt to impose certain land use or management restrictions on private property owners as a condition of the issuance of any legitimate and appropriate permit, and

WHEREAS, such restrictions constitute an effective “taking” of private property and result in a decrease in property value,

THEREFORE BE IT RESOLVED, NCBA shall oppose any attempts by government entities to impose restrictions on private property or require conveyance of property rights as a condition of the issuance of a legitimate and appropriate permit.
fuel load, beneficial water use and attempts to eliminate livestock grazing in the affected areas, and

WHEREAS, while NCBA recognizes the right of a landowner to sell his or her property to the highest bidder, we are concerned over the ability of government agencies to manage any acquired property, and

WHEREAS, acquisition of private lands or impairment of property rights by local, state and federal governmental agencies or entities is having serious detrimental effects on local governments, local economies, adjacent landowners and livestock producers generally,

THEREFORE BE IT RESOLVED, NCBA shall oppose any further acquisitions and/or interagency transfers of property by government agencies or other actions that may impair property rights and any acquisition or transfer should be subject to and not exempt from environmental review and documentation under state and federal environmental laws.

BE IT FURTHER RESOLVED, NCBA shall pursue efforts which will require all land and other resource management agencies of state and federal government to provide for landowners and the affected public to participate in the development of any studies required to determine eligibility for legislated acquisition or regulated restriction of private land.

BE IT FURTHER RESOLVED, NCBA shall pursue efforts which will require all land and other resource management agencies of state and federal government to develop a management plan prior to approval of any future land acquisitions.

BE IT FURTHER RESOLVED, development of a management plan should include local public hearings to allow affected landowners to comment and that a plan for mitigation of any adverse economic, social or environmental effects, whether upon an individual, business or unit of government should be required prior to any acquisitions of land.

BE IT FURTHER RESOLVED, NCBA shall support legislation requiring government property, upon being transferred to another government body, be required to be put to public use, which may not be in competition with private enterprise.

BE IT FURTHER RESOLVED, NCBA shall oppose efforts of state and federal governments to become further involved in the purchase and management of agricultural lands, by unfriendly condemnation (e.g. further establishment or extension of the National Trails System and Prairie Parks) other than in established parks, monuments or wilderness areas and the expansion of military installations.

BE IT FURTHER RESOLVED, NCBA shall oppose all private land acquisition by federal and state governments unless land of equal value be transferred into private ownership within the same taxable jurisdiction.

PR/EM 3.11
2014/Renewed
Rails to Trails

WHEREAS, in 1922, Congress passed legislation designating landowners adjacent to railroad corridors hold reversion rights to railroad right-of-way land, and

WHEREAS, in 1983 Congress amended the National Trails System Act and established procedures for state/local government and private groups to intervene in a railroad abandonment and convert the right-of-way to a recreational trail (railbanking) without approval of adjacent landowners, and

WHEREAS, over 600 “rails to trails” have been established in the United States and approximately 600 more proposals are pending.

THEREFORE BE IT RESOLVED, NCBA shall hold that the federal railbanking laws constitute a taking of private property without compensation.

BE IT FURTHER RESOLVED, NCBA shall support federal legislation strengthening reversionary property rights for landowners adjacent to abandoned railroad corridors.

BE IT FURTHER RESOLVED, NCBA shall vigorously oppose any legislation that would circumvent current laws as such a change would result in the diminution of the rights of property owners along abandoned railroad easements and put them at increased risk.

BE IT FURTHER RESOLVED, NCBA shall support litigation on behalf of owners of land along railroad rights-of-way that have been converted to trails for public use.
Voluntary Conservation Easements

WHEREAS, our nation is losing productive farm and ranch land to non-agricultural uses (including residential development and government acquisition), and

WHEREAS, the voluntary sale or donation of conservation easements is consistent with private property rights and can protect the availability of land for agricultural uses for the production of food and fiber, thereby supporting those landowners' efforts to preserve rural communities, and

WHEREAS, conservation easements can be a valuable tool in many property owners’ financial plans and can significantly affect income taxes, property taxes, and income flow, thereby easing the task of transferring land to younger generations,

THEREFORE BE IT RESOLVED, NCBA shall support voluntary conservation easements (permanent and term) that protect agricultural land.

BE IT FURTHER RESOLVED, NCBA shall oppose federal laws and policies that stipulate conservation easements as the only or preferred method of protecting natural resources.

BE IT FURTHER RESOLVED, NCBA shall oppose federal laws and policies that impose conservation easements on landowners or utilize conservation easements in a way that causes economic harm to rural communities.

Open Range

WHEREAS, federal agencies have often failed to follow state law, including fencing,

THEREFORE BE IT RESOLVED, NCBA shall ask that government owned lands comply with the same fence laws and traditional fencing practices as private property owners.

Federal Lands Acquisition

WHEREAS, the United States Constitution (Article 1, Section 8, Clause 17) directs Congress to require the agencies of the federal government to obtain consent of the state legislature prior to purchasing property within their respective state, if the federal government wishes to have exclusive legislative authority (which means they would not have to adhere to state laws) over such property,

THEREFORE BE IT RESOLVED, NCBA shall support and encourage state affiliates to require enforcement of the aforementioned section of the U.S. Constitution, which would allow cattle producers to work with their state legislators to voice their concerns about additional properties being purchased by the federal government.

BE IT FURTHER RESOLVED, NCBA shall make Congress aware that federal agencies must adhere to the U.S. Constitution and the rights of the states prior to purchase of property within any particular state.

Disclosure of Information by Government Agencies

BE IT RESOLVED, NCBA shall oppose the disclosure of personal, proprietary, financial, and other information obtained by local, state, or federal agencies.

Military Aviation Training Missions

WHEREAS, there need to be adequate safeguards established to prevent the valid needs of national defense from unnecessarily impacting the safety, health, and environmental quality of private land, its owners, their employees, their stock, and native wildlife, and

WHEREAS, the military already controls extensive air space,

THEREFORE BE IT RESOLVED, NCBA shall ask that the following principles be observed in planning and scheduling military aviation training missions:
1. Low-level operations should be scheduled over existing military training areas rather than private property.

2. All military aircraft operating over private lands should comply with Federal Aviation Administration (FAA) regulations for commercial aircraft.

PR/EM 3.17
2018/Amended

Strengthening Conservation and Technical Assistance

WHEREAS, conservation and environmental issues have received favorable attention and major funding from the United States Congress when separated from other issues, and

WHEREAS, both political parties and all agricultural organizations need a strong environmental record in real action, and

WHEREAS, there is an ever-increasing need for technical assistance for conservation planning, program implementation, and regulatory compliance while funds and personnel for conservation technical assistance already are inadequate to meet present needs, and the Farm Service Agency (FSA) does not have adequate capability to implement conservation programs,

THEREFORE BE IT RESOLVED, NCBA shall work to encourage practices that strengthen stewardship of private property. Provisions should:

1. Increase Natural Resources Conservation Service (NRCS) staffing for technical assistance on the ground.

2. Increase research in soil, water, plant, and wildlife science, (i.e., assessing accurate data for Total Maximum Daily Loads).

3. Establish short courses for both producers and agency personnel in soil, water, plant, livestock, and wildlife management.

4. Provide practice-based incentive payments for conservation based on developing, implementing, and maintaining a comprehensive conservation plan over a ten-year contract period.

5. Ensure confidentiality of private business information between land owner and the state and federal government, not subject to open records access.

BE IT FURTHER RESOLVED, NCBA shall vigorously oppose any abolishment of NRCS or combining NRCS under FSA and support adequate funding for NRCS technical assistance to meet science-based, ecologically, and economically sound conservation needs.

PR/EM 3.18
2018/Amended

Trespass and Unmanned Surveillance

WHEREAS, federal regulatory agencies have delegated to most states the authority to enforce various environmental regulatory schemes, and

WHEREAS, states routinely conduct inspections and have current working relationships with regulated facilities, and

WHEREAS, there is growing risk of lawsuits to landowners who allow people on their property, and

WHEREAS, lawsuits are being initiated by uninvited guests and trespassers, and

WHEREAS, more people are using private lands for recreation and other uses, and many effective methods of stopping this entry to private land may lead to increased landowner liability, and

WHEREAS, people can trespass onto private property via unmanned aerial vehicles (UAVs or “drones”) or other surveillance equipment without being physically present on the land,

THEREFORE BE IT RESOLVED, NCBA shall ask for the immediate cessation of unmanned surveillance being conducted by federal regulatory agencies as a blatant violation of private property rights of businesses, residents, and adjoining property owners,

THEREFORE BE IT RESOLVED, NCBA shall support legislation to protect private landowners from lawsuits by both uninvited guests and trespassers through expanded immunity and trespass laws.
Aerial Surveillance

WHEREAS, the Environmental Protection Agency (EPA) has delegated to most states the authority to enforce the Clean Water Act, and

WHEREAS, states routinely conduct inspections and have current working relationships with regulated facilities, and

WHEREAS, aerial surveillance conducted for Clean Water Act inspections only allows assumptions to be made and accurate information can only be obtained by conducting on-site inspections, and

WHEREAS, aerial surveillance by EPA is unwarranted because there are other means to collect information that would be a more efficient use of taxpayer dollars,

THEREFORE BE IT RESOLVED, NCBA shall ask for the immediate cessation of aerial surveillance being conducted by the EPA as a blatant violation of private property rights of businesses, residents, and adjoining businesses and residents,

BE IT FURTHER RESOLVED, NCBA shall support on-site inspections as the sole means of inspection when required under the Clean Water Act.

Opposition to National Heritage Areas

WHEREAS, NCBA has existing land use policy which states, in part, that NCBA shall oppose state and federal land planning schemes, but support local land planning, and

WHEREAS, NCBA is concerned that National Heritage Areas will negatively impact private property owners’ rights and abilities to manage their private property because of government regulations that limit agricultural activities,

THEREFORE BE IT RESOLVED, NCBA shall vigorously oppose National Heritage Areas.

Wildlife Services Program

WHEREAS, NCBA supports a strong Wildlife Services program administered by the USDA Animal and Plant Health Inspection Service (APHIS), and

THEREFORE BE IT RESOLVED, NCBA shall support full funding for Wildlife Services to control all predators and other harmful species detrimental to the cattle industry.

Convention on Biological Diversity

BE IT RESOLVED, NCBA shall oppose the Convention on Biological Diversity insofar as it impacts the ability of cattle producers to manage their land.

Animal Damage Control

BE IT RESOLVED, NCBA shall support the federal and state cooperative funding of animal damage control programs to protect economic loss and to ensure public health and safety.

BE IT FURTHER RESOLVED, NCBA shall support effective animal damage control efforts on private and public lands that employ appropriate lethal and non-lethal means, including aerial control.

BE IT FURTHER RESOLVED, NCBA shall seek national legislation to create a program to compensate livestock operators for predation by protected species.

BE IT FURTHER RESOLVED, NCBA shall seek national legislation creating a program to compensate livestock operators for damages caused by wildlife species that are known to carry a reportable animal disease.
WHEREAS, NCBA supports the continued existence of viable populations of plants and animals but finds the current Endangered Species Act (ESA) to be ineffective at achieving this goal, and

WHEREAS, cattlemen own and manage most of the lands impacted by the ESA, and the ESA has more potential authority to restrict or eliminate cattle production than any other federal environmental law, and

WHEREAS, the federal agencies responsible for implementing the ESA are unable to perform ESA-mandated tasks due to the overwhelming demands brought by constant ESA-related litigation, Freedom of Information Act requests, court rulings, increasing demands for regulatory oversight, and other pressures.

THEREFORE BE IT RESOLVED, NCBA shall urge Congress to amend and revise the Endangered Species Act in a manner to provide balance, recognizing the need for economic benefit and the importance of private property rights, and to provide a mechanism to ensure that these balanced considerations are maintained,

BE IT FURTHER RESOLVED, NCBA shall seek an immediate change to the current ESA that incorporates the following principles:

1. Require preparation of an economic impact analysis and an environmental impact statement that considers impacts from the time the species was listed before land uses are regulated due to the presence, movement, or relocation of a threatened or endangered species. Such analysis should include an assessment of the impacts these regulations or relocations will have on local, county, state, and national economies, custom and culture.
2. Require that any ESA regulation affecting water resources protect and recognize both the states’ right to allocate quantities of water and individuals’ rights acquired under state law.
3. Strengthen the scientific requirement for listing species and designating critical habitat in compliance with, but not limited to, the Federal Data Quality Act, including blind peer review of proposed decisions and field testing whereby mechanisms are created to avoid unfounded listings.
4. Strengthen the recovery planning process to provide specific guidance for species conservation, economic impacts, likelihood of recovery, biological significance, options for recovery goals, and clear delisting criteria.
5. Increase incentives and streamline procedures for federal, state, local, and private efforts to conserve species, including voluntary management agreements.
6. Conduct a peer review of biological data.
7. Allow additional time between petitioning and listing.
8. Ensure the jeopardy standard in the Section 7 consultation process is measured by the death of a threatened or endangered species, not simply the modification of critical habitat.
9. Eliminate the current inequity that imposes more burdensome standards and procedures on private landowners than on government agencies.
10. Recognize ESA’s impacts on private property rights and provide compensation for “takings.”
11. Clarify the prohibition against a “take” of a listed species to provide legal immunity to a landowner complying with a recovery plan and to better distinguish between threatened and endangered species.
12. Ensure that releases or introductions of experimental populations lead to the conservation of the species and do not result in adverse impacts on established land uses and public welfare.
13. Provide for cooperative efforts managed at the state and local level as an alternative to listing.
14. Expand status review committee to include representatives from impacted natural resource user groups, state and local government, and land grant universities.
15. Require specific, original, achievable recovery goals and automatic delisting when these goals have been met.
16. Strengthen the requirement that the ESA is implemented in coordination with the organic act requirements of the
17. Streamline implementation of the delisting process. Include a federal budget line-item appropriation for the funding of recovery and delisting species.

18. Remove the Citizen Suit Provision reflecting the requirements of the Equal Access to Justice Act (EAJA), thereby removing the incentive for frivolous suits, and amend the EAJA to be consistent with the Citizen Suit Provision in the Endangered Species Act.

19. Require that information or references to the presence of plant or animal species on private property without the written consent of the landowner or his duly authorized agent be excluded from consideration by the United States Fish and Wildlife Service (FWS) in connection with listings or determinations of threatened or endangered species.

20. Require that scientific data be presented and/or studies be conducted that conclusively demonstrate what the species’ historic range was, how the range has changed, and if that range is still suitable habitat for the species in question.

21. Require the federal agencies to work as partners with the states in developing measurable recovery goals for every listed species to ensure a higher likelihood of program success, and urge federal agencies to develop and extend partnerships with the states and state agencies regarding the recovery of species.

PR/EM 4.5
2018/Amended
Special Status Species

WHEREAS, arbitrary special status designations impose land use restrictions on producers while circumventing the full ESA status assessment and listing process,

THEREFORE BE IT RESOLVED, NCBA shall oppose the use of special status designations.

PR/EM 4.6
2016/Amended
Reintroduction of Grizzly Bears into Montana/Idaho

WHEREAS, opposition to the reintroduction efforts of the U.S. Fish and Wildlife Service of the grizzly bear into the Selway/Bitterroot area of Western Montana and Northern Idaho is widespread among citizens of the area, and

WHEREAS, any such reintroduction has potential adverse ramifications for livestock producers, private property owners, recreationalists, and federal land users in any areas where grizzly bear reintroduction is contemplated by the U.S. Fish and Wildlife Service, and

WHEREAS, the grizzly bear is a known predator of cattle populations, and has an adverse impact on the livelihood of livestock producers,

THEREFORE BE IT RESOLVED, NCBA shall oppose the continued reintroduction efforts by the U.S. Fish and Wildlife Service of the grizzly bear to the Selway/Bitterroot area of Montana and Idaho, and other affected grizzly habitat areas.

BE IT FURTHER RESOLVED, NCBA shall oppose the continued management of the grizzly bear by the U.S. Fish and Wildlife Service, and that NCBA shall assist state affiliates in efforts to have the grizzly bear removed from the Endangered Species List and seek management of the grizzly bear by the appropriate state wildlife management agency.

PR/EM 4.7
2018/Amended
Wildlife-International Treaty

BE IT RESOLVED, NCBA shall oppose any international treaty which impacts any private, reservation, or state lands or waters without full disclosure by, and just compensation to such private citizens, recognized Indian tribes, or states, for any property rights thereby diminished.

PR/EM 4.8
2017/Renewed
Delisting Threatened and Endangered Species

WHEREAS, wherever a listed species has reached established recovery levels through
management and regulation, multiplied to the point of no longer needing the protection of the Endangered Species Act within the preferred habitat, and

WHEREAS, the mechanism for delisting a recovered species is cumbersome,

THEREFORE BE IT RESOLVED, NCBA shall encourage streamlining and implementing the delisting process,

BE IT FURTHER RESOLVED, NCBA shall recommend that the federal budget include a line-item appropriation for the funding of delisting species.

PR/EM 4.9
2017/Renewed
Biological Diversity

WHEREAS, the phrase “biological diversity” has been advanced in federal legislation of major concern to NCBA members but this phrase has not been clearly defined,

THEREFORE BE IT RESOLVED, NCBA shall oppose legislation that establishes a national policy and authorizes government action on “biological diversity” until there is a clearer, accepted scientific definition of “biological diversity” and until the environmental, social, and human values of preserving “biological diversity” are more concretely specified.

PR/EM 4.10
2018/Amended
Sage Grouse

WHEREAS, in 2015 the FWS found the greater sage grouse not warranted for listing as a threatened or endangered species, and

WHEREAS, states across the range of the greater sage grouse have crafted conservation plans to address habitat and species needs at a local level,

THEREFORE BE IT RESOLVED, NCBA shall encourage the U.S. Fish and Wildlife Service (FWS) and state wildlife agencies to continue working with ranchers, states, and local governments through their respective greater sage grouse conservation plans to avoid any future listing of the greater sage grouse as an endangered species.

BE IT FURTHER RESOLVED, NCBA shall continue to focus on this issue in its Endangered Species Act (ESA) agenda because this is a western states priority.

PR/EM 4.11
2015/Renewed
Wolf Recovery Delisting Goal

BE IT RESOLVED, NCBA shall insist that upon the completion of management plans and attainment of population goals, wolves shall be delisted from protection under the Endangered Species Act.

BE IT FURTHER RESOLVED, NCBA shall seek legislation requiring the federal government to provide full funding for all wolf management costs including monitoring, depredation, and all other related costs.

PR/EM 4.12
2014/Renewed
Species Recovery and Introduction

WHEREAS, the Endangered Species Act (ESA) does not provide proper incentives for species recovery and, in many instances, limits and/or intrudes on the property rights of private landowners for the purpose of species habitat preservation, and

WHEREAS, these limitations and intrusions on the free use of private property often restrict economic use of land and, in some cases, actually diminish property value, and

WHEREAS, non-regulatory solutions, based on a proactive species conservation partnership, should be found to ease the burden of the ESA on public and private land ranchers, and

WHEREAS, NCBA believes that recovery using voluntary incentives and, ultimately, delisting of species covered by the ESA should be the highest priority of the ESA,

THEREFORE BE IT RESOLVED, NCBA shall promote recovery as an avenue of reform to the ESA, and that federal funding for the ESA should be prioritized to reflect this priority.

BE IT FURTHER RESOLVED, NCBA shall insist that scientific data be presented and/or studies be conducted that conclusively demonstrate
what the species’ historic range was, how the demographic of that present day historic range has changed, and if it is still suitable habitat for the species in question.

BE IT FURTHER RESOLVED, NCBA shall strongly oppose species introductions, experimental or otherwise, under the ESA until changes are made to listing mechanisms, including Section 10J, to limit scope and reduce regulatory burdens to producers.

BE IT FURTHER RESOLVED, NCBA shall urge federal agencies to work as partners with the states in developing measurable recovery goals for every listed species in order to ensure a higher likelihood of program success, and shall urge federal agencies to develop and extend partnerships with the states and state agencies regarding the recovery of species.

PR/EM 4.13
2015/Amended
Predator Control

WHEREAS, cattle producers are faced with many predators that prey on cattle and inflict a severe economic impact on production costs,

THEREFORE BE IT RESOLVED, NCBA shall support legislation to “fast track” permits and to give the Fish and Wildlife Service, or other appropriate entities, the authority to issue nuisance permits.

PR/EM 4.14
2017/Renewed
Voluntary Species Recovery Credit System

WHEREAS, NCBA supports increased incentives and streamlined procedures for federal, state, local, and private efforts to conserve species, including voluntary management agreements, and

WHEREAS, non-regulatory solutions, based on proactive species conservation partnerships, should be found to ease the burden of the Endangered Species Act (ESA) on public and private lands, and

WHEREAS, NCBA believes that recovery using voluntary incentives and, ultimately, delisting of species covered by the ESA should be a high priority of the United States Fish and Wildlife Service,

THEREFORE BE IT RESOLVED, NCBA shall support the implementation of a species recovery credit system that:

1. Provides assurances to the seller and buyer of credits.
2. Applies on both private and federal lands.
3. Allows for transfer of excess credits beyond those needed by the buyer.
4. Allows the use of governmental and private funding sources for credit generation and purchase.
5. Embraces the concept that a temporary taking can be offset with term agreements.
TAX AND CREDIT COMMITTEE
Scott Peterson, NE – Chair                  Leroy Startz, TX – Vice Chair
Danielle Beck, Staff

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I. GENERAL

T 1.1  2017/Renewed
1031 Exchange

WHEREAS, NCBA recognizes the increased demand and activity in the agricultural and production real estate markets and the increased demand this places on title companies, surveyors, appraisers, etc., and

WHEREAS, NCBA recognizes the constraints that the current Internal Revenue Service (IRS) Code section 1031 g(1) places upon individuals and companies that are utilizing this law for tax deferment when selling family ranches and businesses,

THEREFORE BE IT RESOLVED, NCBA support change of the current IRS Code section 1031 g(1) to generally provide:

A taxpayer selling farm, ranch, or other agricultural production property shall have 180 days (rather than the current 45 day limit) to identify a maximum of six replacement properties (rather than the current number of three) regardless of value to be received in exchange as “like kind” after the date on which the taxpayer transfers the relinquished property in the exchange, and such property is received not more than 365 days (rather than the current 180 day limit) after the date on which the taxpayer transfers the property relinquished in the exchange, regardless of the taxable year in which the transfer of the relinquished property occurs.

T 1.2  2018/Amended
Conservation Easements

WHEREAS, conservation easements are a valuable tool for estate planning and allow tax benefits to the donor of the easement, and

WHEREAS, currently the tax code is intended to provide tax benefits over a long enough period to allow the average farmer or rancher to use the benefit,

WHEREAS, conservation incentive tax policy must provide for the ability of landowners to enter into a bargain sale of a conservation easement without the revenue from such sale jeopardizing the ability to fully utilize the tax benefit of a donated value,

THEREFORE BE IT RESOLVED, NCBA supports legislation to give the donor of a conservation easement the ability to use 100% of the tax deduction and not be penalized by the income from a bargain sale of the conservation easement.

T 1.3  2017/Amended
Health Care Reform

WHEREAS, the United States should maintain the best medical care available for its citizens,

THEREFORE BE IT RESOLVED, NCBA encourages the following principles be retained in any health care reform legislation:

1. Adequate Medicare and Medicaid reimbursement to rural providers and rural critical access hospitals to assure their viability.
2. Insurance offered in a more market-based, traditional manner.
3. One hundred percent deductibility of health insurance costs, or a full tax credit, for self-employed persons.
4. Make rural areas more competitive in attracting health professionals and freedom for these professionals to use their expertise in health care decisions.
5. Patient choice of caregivers and the ability to cross state lines for health care.

T 1.4  2015/Renewed
Valid IRS Conservation Purposes

WHEREAS, the Internal Revenue Service (IRS) Code, relative to conservation easements, does not list agriculture as a valid, stand-alone, conservation purpose,

BE IT RESOLVED, NCBA pursues an addition to the IRS Code, relative to Conservation Easements, naming modern agriculture as a valid, stand-alone conservation practice for conservation easement purposes.

BE IT FURTHER RESOLVED, the extinguishment of any part or portion of non-agricultural commercial development be recognized as a conservation benefit.
WHEREAS, the current IRS Code conflicts on its interpretation of extraction of surface natural resources allowances in conjunction with conservation easements, and

WHEREAS, this conflict could actually impair the ability for establishment of conservation easements,

THEREFORE BE IT RESOLVED, NCBA support the inclusion of limited surface extraction, in conjunction with conservation easements, as long as there is no long term damage to conservation resources or it is beneficial to conservation resources.

T 1.6 2017/Renewed
Tax Deductibility of Fence Replacement Costs

WHEREAS, natural disasters can destroy livestock, productive grazing lands, and ranch facilities, including fences, and

WHEREAS, current Internal Revenue Service (IRS) rules do not allow fence replacement costs to be fully expensed and deducted in the year of replacement, except on a restricted basis, and

WHEREAS, this limitation places an unnecessary and undue burden on ranchers who have been devastated by natural disasters and who need to rebuild and restock their ranching operations,

THEREFORE BE IT RESOLVED, NCBA support federal legislation and/or rulemaking which would allow the costs of replacing fences, which have been destroyed by natural disasters, to be fully tax deductible in the year such costs are incurred.

T 1.7 2017/New
Tax Exemption for Disaster Assistance

WHEREAS, large scale agricultural disaster payments are rare and do not make the producer whole, but provide resources necessary to make essential expenditures during a disaster, and

WHEREAS, only in agriculture is disaster relief taxed as income by the federal government,

THEREFORE BE IT RESOLVED, NCBA will push for livestock disaster assistance to be tax exempt from federal income tax and not affect benefits from other federal programs, similar to assistance provided by the Federal Emergency Management Agency (FEMA) and other disaster programs, which are not taxable income.

T 1.8 2018/New
Beef Consumption Tax

WHEREAS, beef is a healthy and nutritious food source, and

WHEREAS, NCBA believes beef should be readily available without undue added costs,

THEREFORE BE IT RESOLVED, NCBA oppose any type of usage, or consumption tax, to be set up by local, state, or federal governments on beef.

2. ESTATE TAXES

T 2.1 2014/Renewed
Taxes—Sub-Chapter “S” Corporations

BE IT RESOLVED, NCBA continues to support amendments to the laws and regulations of Sub-Chapter “S” Corporations which would increase their usefulness to farms and ranches in estate planning and operation of family-type farms and ranches.

T 2.2 2018/Amended
Death Tax

WHEREAS, federal estate and gift taxes continue to be a major burden on family farms, ranches, and small businesses, and

WHEREAS, the Tax Cuts and Jobs Act temporarily extended estate tax relief with an exemption level at $10 million per individual ($20 million per couple) indexed for inflation with a top tax rate of 40% and preserved the stepped-up basis and the spousal transfer,
THEREFORE BE IT RESOLVED, NCBA:

- Support, first and foremost, full and permanent repeal of the Death Tax,
- Oppose any proposal to increase the gift or estate tax liability of farmers and ranchers,
- Oppose any proposal to repeal the stepped-up basis provisions not tied to repeal of the estate tax, and
- Support passage of estate and gift tax legislation which will eliminate or significantly reduce the burden of estate and gift taxes on family farms, ranches, and small businesses.

T 2.3  
2018/Amended  
Special Use Valuations-Estate Taxes

WHEREAS, federal estate and gift taxes continue to be a major burden on family farms, ranches, and small businesses, and

WHEREAS, Internal Revenue Code Section 2032A establishes a productive value of the land based upon the actual agricultural production potential of the land and is a valuable tool for farmers and ranchers,

THEREFORE BE IT RESOLVED, NCBA seek either an increase in limitations or the complete removal of any limitation on the aggregate reduction in fair market value as provided by the special use valuation for federal estate valuation purposes.

T 2.4  
2018/Renewed  
Gift Exemption

WHEREAS, it has become increasingly difficult to own and operate a small business or family farm in this country, and

WHEREAS, the transfer of ownership of these vital businesses has been restricted for years,

THEREFORE BE IT RESOLVED, NCBA supports raising the annual gift exemption, and that it be indexed to inflation for the future.

T 2.5  
2014/Renewed  
Death Tax Ag Production Exemption

BE IT RESOLVED, NCBA urge Congress that a new section of the Internal Revenue Code on inheritance taxes be adopted to include the elective option of passing on a productive ranch or farm enterprise to succeeding generations’ tax free as long as the entity remains in agricultural production.

3. CAPITAL GAINS AND ALTERNATIVE MINIMUM TAXES

T 3.1  
2015/Renewed  
Taxes—Alternative Minimum Tax

WHEREAS, the Alternative Minimum Tax has resulted in an increased income tax burden on farmers, ranchers, and owners of other closely held businesses who have long-term capital gains on the sale of lands and other business assets,

THEREFORE BE IT RESOLVED, NCBA supports the abolition of the Alternative Minimum Tax.

T 3.2  
2016/Renewed  
Capital Gains Rollover

WHEREAS, many farmers and ranchers are dependent on their land to fund their retirement, and

WHEREAS, the accumulated estate is significantly reduced by income taxes upon liquidation,

THEREFORE BE IT RESOLVED, NCBA supports tax law changes to allow agricultural operators a one-time tax free capital gains rollover from the sale of agricultural land and/or rights into an Individual Retirement Account (IRA), Keogh Plan, or similar retirement account to be taxed at time of withdrawal or allow a one-time exemption from tax on the sale of certain agricultural land and/or rights.
T 3.3
2017/Amended
Income Taxes, Capital Expensing, and Business Deductions

WHEREAS, the rates of income taxes are too high at the federal level, and

WHEREAS, the costs of capital inputs for farmers and ranchers are significant, and

WHEREAS, business deductions are necessary expenditures and should remain deductible,

THEREFORE BE IT RESOLVED, NCBA supports the lowering of the rate of income tax on individuals and entities,

BE IT FURTHER RESOLVED, NCBA supports unlimited expensing of capital purchases and that Section 179 type expensing and bonus depreciation be expanded,

BE IT FURTHER RESOLVED, NCBA supports retaining and expanding the deductibility of all business expense deductions.

T 3.4
2014/Renewed
Capital Gains: Conservation Easements

BE IT RESOLVED, NCBA support the premise that sales of conservation easements and conservation easement credits be considered capital gains sales for tax purposes.

4. INCOME TAXES AND SOCIAL SECURITY

T 4.1
2014/Renewed
Cash Accounting

WHEREAS, Cash Basis accounting is utilized by many farmers and ranchers, as a simple, effective, cost-efficient method of record keeping, and

WHEREAS, due to the volatility of market prices, weather and levels of farm income in addition to the cyclical nature of agricultural financing, cash accounting is a vital and necessary management tool for farmers and ranchers,

THEREFORE BE IT RESOLVED, NCBA opposes any legislation, ruling, regulation, or proposal that restricts the availability of cash accounting based on the type of business structure or any type of arbitrary cap based on gross receipts.

T 4.2
2015/Renewed
Taxes—Social Security

WHEREAS, current Social Security laws impose increasing and burdensome taxes on farmers, ranchers, and other taxpayers, and

WHEREAS, such laws require the payment of Social Security Tax on wages of part-time agricultural employees, and

WHEREAS, Social Security regulations discriminate against retired farmers and ranchers who lease all or part of their operation by classifying such rental income as self-employment earnings and thus reducing or eliminating Social Security benefits, if the farmer or rancher assists in the management and inspection of the property being rented,

THEREFORE BE IT RESOLVED, NCBA supports legislation to decrease the current high rate of Social Security Tax or, in the alternative, explore acceptable alternatives to the Social Security Tax which will not discriminate against agriculture.

BE IT FURTHER RESOLVED, NCBA supports changes in existing law to raise the amount an agricultural employee may earn before the wage is subject to Social Security Tax.

BE IT FURTHER RESOLVED, NCBA supports efforts to amend the Social Security laws to allow farmers and ranchers to participate in the management and inspection of their rented property without having the rental income earned from the property being subject to the self-employment earnings tax and without having Social Security benefits reduced or eliminated.

T 4.3
2015/Renewed
Unemployment Taxes

WHEREAS, the Federal Unemployment Tax Act has imposed a substantial financial burden on family farms,

THEREFORE BE IT RESOLVED, NCBA seeks federal legislation that exempts officers of family farm corporations and all other forms of farm
and ranch ownership, such as partnerships and so forth, from the requirements of the Federal Unemployment Tax laws and Occupational Safety and Hazard Administration (OSHA) requirements.

T 4.4
2012/Renewed
Social Security Tax on Farmland Rent

WHEREAS, the Internal Revenue Service (IRS) is attempting to place Social Security tax rules on agriculture which are different from those faced by any other segment of the economy,

THEREFORE BE IT RESOLVED, income received as rent on agricultural property shall not be subject to Social Security taxation.

T 4.5
2016/Amended
Social Security Exemption on Conservation Program Payments

WHEREAS, corporate entities and inactive farmers are not subject to a social security tax on income received from participation in conservation programs, but individual active farmers may be subject to the tax, and

WHEREAS, longstanding federal policy encourages farmers to participate in conservation programs,

THEREFORE BE IT RESOLVED, as a matter of fairness to active farmers and non-corporate farmers, and as a method of increasing effectiveness in achieving widely supported federal farm policy goals, NCBA requests Congress grant a complete exemption from social security taxes on income received by farmers from participation in conservation programs.

T 4.6
2016/Amended
Social Security Exemption on Co-Op Distributions

WHEREAS, corporate entities which are members of cooperatives are not subject to social security tax on income they receive from earnings distributed to them by a cooperative, but individual farmer-members are subject to the tax, and

WHEREAS, longstanding federal policy encourages farmers to band together in cooperatives, particularly now in “value-added” cooperatives,

THEREFORE BE IT RESOLVED, as a matter of fairness to active farmers and non-corporate farmers, and as a method of increasing effectiveness in achieving widely supported federal farm policy goals, NCBA requests Congress grant a complete exemption from income received from earnings distributed to them by cooperatives.

BE IT FURTHER RESOLVED, NCBA works for an equitable solution to the social security tax on earnings distributed by cooperatives.

T 4.7
2015/Renewed
Income Tax Accounting Policies

WHEREAS, ranchers and farmers historically have had the option to choose whatever method of accounting that best suits their operation, and

WHEREAS, ranchers may have widely fluctuating income from year to year,

THEREFORE BE IT RESOLVED, NCBA takes whatever action necessary to ensure ranchers a free choice with respect to using the cash, accrual, or hybrid methods of accounting.

BE IT FURTHER RESOLVED, NCBA supports income tax averaging for ranchers on federal and state tax returns.

T 4.8
2018/New
Minority Interest in Property

WHEREAS, the basis for fractional interests discounts of real property and interests in entities reflects actual diminution of values and historically has been reflected in Treasury Regulations, Tax Court decisions, and Internal Revenue Service Revenue Rulings, and

WHEREAS, there is significant interest in simplifying discounts for lack of marketability, lack of control, and other discounts related to fractional interests,

THEREFORE BE IT RESOLVED, NCBA supports codification of significant discounts for lack of marketability, lack of control, and other discounts related to fractional interests into the Internal Revenue Code,
BE IT FURTHER RESOLVED, NCBA opposes any attempt by code, regulation, or otherwise to reduce or eliminate discounts available for fractional interests.

5. BUSINESS TAXES

T 5.1
2015/Renewed
Corporate Structure for Agriculture

WHEREAS, the corporate structure provides a useful tool for farmers as well as other businesses,

THEREFORE BE IT RESOLVED, NCBA strongly opposes any special limitations which would restrict farmers’ access to the use of the corporation form of business.

T 5.2
2015/Renewed
Taxes—Limitation on Certain Business Deductions

WHEREAS, the 1978 Tax Act included a provision denying the deduction for entertainment facilities, including hunting lodges, and such denial may limit the deduction of rental paid to lease farm and ranch land for hunting or other sporting purposes, and

WHEREAS, proposals have, from time to time, been introduced in Congress to eliminate or significantly reduce the deduction for meals for business purposes,

THEREFORE BE IT RESOLVED, NCBA encourages the immediate reinstatement of the deduction of business meals as a fully deductible business expense.

T 5.3
2015/Amended
Conservation Tax Incentives

WHEREAS, the high cost of implementing conservation programs is a burden on the landowner, and

WHEREAS, the national benefits of these programs are equal to or exceed those received by the landowner,

THEREFORE BE IT RESOLVED, NCBA seeks federal legislation that would provide incentives for private landowners to implement conservation and erosion control programs.

T 5.4
2015/Renewed
Taxes—Double Taxation

WHEREAS, a double tax burden is imposed on income generated by a family farm, ranch, or other closely held business corporations where such income is distributed in the form of dividends to shareholders, and

WHEREAS, such double taxation has created inequities and burdens on family owned businesses operating in corporate form, which cannot or may not be able to elect to be taxed as a Sub-Chapter “S” corporation,

THEREFORE BE IT RESOLVED, NCBA supports proposals to eliminate the double income tax burden on corporate earnings generated by a family farm, ranch, or other closely held business corporation where such income is distributed in the form of dividends to shareholders.

T 5.5
2014/Amended
Tax Treatment of General Permit Process Mandated Expenditures

WHEREAS, tax code modifications were put in place to help corporations pay for equipment, plant modifications, employee education, and other related costs when pollution control measures were mandated, and

WHEREAS, these tax code modifications greatly helped corporations to accomplish the mandated pollution control measures in a timely manner without severely affecting the bottom line of the affected corporations, and

WHEREAS, these tax code changes were targeted for corporations only,

THEREFORE BE IT RESOLVED, NCBA supports efforts to allow accelerated depreciation schedules and tax credits for private individuals and other non-corporate business entities, as well as corporations, that are mandated to install pollution control measures (such as those mandated by the
General Permit process) to help offset the costs associated with the installation of some of these mandated facilities and equipment.

T 5.6
2015/New
**Bonus Depreciation**

WHEREAS, recent changes to the tax code allow businesses to take a special depreciation allowance to recover part of the cost of qualified property placed in service during the tax year, and

WHEREAS, the allowance applies only for the first year the property is placed in service, and

WHEREAS, bonus depreciation is the additional amount of deductible depreciation that is awarded above and beyond what would normally be available,

THEREFORE BE IT RESOLVED, NCBA supports the inclusion of bonus depreciation as part of the United States tax code.

T 5.7
2017/New
**Agriculture Standalone Conservation Purpose**

BE IT RESOLVED, NCBA seek legislative changes to make agriculture a standalone conservation purpose within the Tax Code and Treasury Regulations and to allow for alternative valuation methods to be used to value conservation easements.

6. **FEDERAL BUDGET**

T 6.1
2015/Renewed
**Federal Budget**

BE IT RESOLVED, NCBA urges Congress and the Administration to continue a realistic examination of spending priorities in order to make real and significant budget and tax cuts and to further develop a balanced budget.

7. **BANKING AND CREDIT**

T 7.1
2015/Renewed
**Taxes—Modification of “At Risk” Rule**

WHEREAS, the future of many young farmers is dependent upon extension of credit from family members or the guarantee of financial institution debt by a family member,

THEREFORE BE IT RESOLVED, NCBA seeks to exempt loans from family members or guarantees by family members from the provisions of the At-Risk Law (Code Section 465) as long as such loans are used for agricultural purposes.

T 7.2
2015/Renewed
**Credit—Government Subsidies**

WHEREAS, NCBA has policy against involving livestock and/or meat directly in government subsidies,

THEREFORE BE IT RESOLVED, NCBA affirms this position with respect to credit and similar areas, except for emergency loans and companion measures in connection with losses due to natural disasters.

T 7.3
2015/Renewed
**Credit—Farm Credit System**

WHEREAS, credit is a critical input for our nation’s agricultural sector and assists farmers in the production of abundant food and fiber, and

WHEREAS, the Cooperative Farm Credit System is a proven and dependable source for agricultural credit at competitive rates and has demonstrated its ability to serve as a prime vehicle for moving investor capital into rural America,

THEREFORE BE IT RESOLVED, NCBA opposes actions that would in any way impede the farm credit system access to the nation’s money markets and encourages cooperation of all suppliers of agricultural credit to enhance the availability of credit at competitive rates.
WHEREAS, the current financial situation for agriculture is critical, and

WHEREAS, many proposals to resolve the agricultural credit problem will be forthcoming.

THEREFORE BE IT RESOLVED, NCBA support the concept that government agricultural credit programs should not compete with conventional private sources of credit.

WHEREAS, community and rural banks are an important source of credit for the agriculture industry and play a vital role by providing loans to rural businesses, and

WHEREAS, the Dodd-Frank Act has placed a disproportionate financial burden on community and rural banks by making them meet the same onerous regulatory standards as large banks, and

WHEREAS, the burden on community and rural banks to comply with the regulations created by Dodd-Frank jeopardizes the livelihood of these important financial institutions,

THEREFORE BE IT RESOLVED, NCBA opposes the implementation of new regulations under Dodd-Frank or similar policies that disproportionately impact community and rural banks and encourages the repeal of implemented policies that have created unnecessary burdens on our rural financial institutions.

WHEREAS, the average age of a farmer and rancher in the country is nearing 60 years of age and less than 5 percent of all farmers and ranchers are under 35 years old, making the need to repopulate the land with beginning farmers and ranchers apparent, and