



# **2025 Policy Book**

**National Cattlemen's Beef Association**

Updated: January 2025

# NATIONAL CATTLEMEN’S BEEF ASSOCIATION

## 2025 Policy Book

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### INDEX

<u><b>NCBA POLICY COMMITTEES</b></u>	<u><b>PAGE</b></u>
Agriculture & Food Policy.....	3
Cattle Health and Well Being.....	29
Federal Lands.....	61
International Trade .....	90
Live Cattle Marketing.....	96
Property Rights & Environmental Management .....	107
Tax & Credit.....	136
ADDENDUM – Interim Policy from 2025 Convention.....	147

# AGRICULTURE & FOOD POLICY COMMITTEE

Jeff Schafer, ND – Chair

Eric Jennings, SD – Vice Chair

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## **1 GENERAL POLICY**

- 1.1 2021 NCBA Agricultural Policy Statement
- 1.2 2023 Biosecurity (*cross-referenced to CH 8.7- Border Security: Theft and Health Emergency*)
- 1.3 2023 Beef Checkoff
- 1.4 2020 Horse Harvesting and Processing
- 1.5 2020 Renewable Fuels
- 1.6 2021 Domestic Energy Policy
- 1.7 2021 National Beef Cattle Evaluation Consortium
- 1.8 2023 Definition of Beef
- 1.9 2020 Herbicide Use
- 1.10 2020 Electoral College
- 1.11 2020 Support for Programs to Mitigate Price Risk for Cow-Calf Producers
- 1.12 2020 Rural Broadband
- 1.13 2022 Vaccine Requirements
- 1.14 2023 GMO Feed Ingredients
- 1.15 2023 Competition and Oversight
- 1.16 2023 Climate and Weather Data Collection

## **2 TRANSPORTATION**

- 2.1 2022 Speed Limiting Devices on Commercial Vehicles
- 2.2 2022 Department of Transportation's Livestock Transportation Hours-of-Service Standards
- 2.3 2020 Livestock Transportation
- 2.4 2021 Transportation
- 2.5 2022 Truck Driver Shortage
- 2.6 2022 Supply Chain Issues Impacting Cattle and Beef Producers
- 2.7 2024 Transportation Standardization Efficiency
- 2.8 2024 Truck Weights

## **3 FEDERAL FARM PROGRAMS**

- 3.1 2021 Federal Farm Programs
- 3.2 2021 Crop Insurance
- 3.3 2021 FSA/NRCS Consolidation
- 3.4 2022 Dairy Policy
- 3.5 2021 Agricultural Research Funding
- 3.6 2022 Forage Crop Storage Structures
- 3.7 2021 ACEP-ALE Funding

## **4 DISASTER RELIEF**

- 4.1 2023 Disaster Relief
- 4.2 2024 Disaster Payments

- 4.3 2022 Federal and State Drought Designations
- 4.4 2022 Fence Replacement Cost Share Eligibility
- 4.5 2023 U.S. Drought Monitor
- 4.6 2022 Noninsured Crop Disaster Assistance Program & Pasture, Rangeland, and Forage Multiple Benefit Exclusion
- 4.7 2023 Livestock Indemnity Program
- 4.8 2024 Livestock Indemnity Program Normal Mortality Rates
- 4.9 2022 Noninsured Crop Disaster Assistance Program Enhancement

## **5 HAYING AND GRAZING**

- 5.1 2023 Conservation Reserve Program
- 5.2 2022 Federal Reinsurance for Private Sector Catastrophic Livestock Risk Insurance
- 5.3 2023 Conservation of Private Grazing Lands
- 5.4 2024 State Acres from Wildlife Enhancement

## **6 LABOR ISSUES**

- 6.1 2021 Labor/Unionization
- 6.2 2021 Labor – Orderly Marketing
- 6.3 2021 Labor – Wage and Employee Standards/Davis-Bacon Exemption/Worker's Compensation/Unemployment Compensation
- 6.4 2021 Labor Relations Act
- 6.5 2021 Labor – Right-to-Work and Secondary Boycotts
- 6.6 2020 Youth Labor
- 6.7 2022 Immigration Reform
- 6.8 2022 H-2A or Agricultural Worker Program Enhancements
- 6.9 2021 Mexico Border Policy

## **7 BEEF SAFETY**

- 7.1 2023 Irradiation
- 7.2 2023 Cloning
- 7.3 2023 Labeling of Safe Product
- 7.4 2021 Beef Industry Commitment to Food Safety Interventions
- 7.5 2021 Beef Industry Commitment to Reduce Foodborne Pathogens
- 7.6 2020 Genetically Engineered or Modified Organisms Labeling

## **8 INSPECTION**

- 8.1 2021 Imported Meat Inspection  
Equivalency
- 8.2 2022 Domestic Meat Inspection System
- 8.3 2021 FSIS National Residue Monitoring  
Program

## **9 NUTRITION & HEALTH**

- 9.1 2021 Nutrition & Health Statement of  
Principles
- 9.2 2021 Nutrient and Food Consumption  
Survey
- 9.3 2021 USDA National Nutrient Database  
for Standard Reference
- 9.4 2021 Imitation and Substitute Products
- 9.5 2021 Dietary Recommendation Issues
- 9.6 2024 Vegetable Protein Enhanced  
Products

## **1. GENERAL POLICY**

AFP 1.1

2021/Renewed

### **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.

AFP 1.2  
2023/Renewed  
**Biosecurity**

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 monitor and respond to these threats more effectively.
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.

AFP 1.3  
2023/Amended  
**Beef Checkoff**

WHEREAS, the Beef Promotion and Research Act and the Beef Promotion and 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:

- Provides equal to or greater total collection revenues.
- Continues the role of the Cattlemen's Beef Board as administrator of, but not a contractor for, demand building programs.
- Maintains Federation of State Beef Council representation at 50% of the Beef Promotion Operating Committee (BPOC).
- Requires funding decisions to be made by the BPOC or similar panel that is producer-led and inclusive of balanced representation from State Beef Councils and Cattlemen's Beef Board members.
- Maintains state beef council funding at one-half of collections.
- Does not use the Commodity Promotion, Research, and Information Act of 1996 as the model.
- Does not limit the amount or percentage of funds that can be awarded to an individual contractor by the BPOC.
- 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:

- 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.
- 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 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:

- Builds beef demand efficiently and effectively without creating new bureaucracies and administrative functions.
- 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.
- Minimizes government control.
- Assures accountability to the industry.
- Maintains state-based input, autonomy, and ownership.
- Requires everyone to invest.
- Maximizes grassroots involvement.
- Provides equity to all investors.
- Restores the ability to promote, research, and educate consumers and producers about beef to a significant level.

AFP 1.4

2020/Amended

#### **Horse Harvesting and Processing**

WHEREAS, it is important to have ethical and humane means to dispose of horses, and

WHEREAS, NCBA supports every effort to ensure horses are treated humanely throughout their lifetime, and

WHEREAS, without a means to dispose of horses there will ultimately be a detrimental effect to the welfare of horses, and

WHEREAS, the method of euthanasia employed by processing facilities that harvest horses is a humane end of life, and

WHEREAS, there exists an extremely insufficient infrastructure and no funding mechanism to support the humane existence of unwanted horses, and

WHEREAS, unwanted horses are processed into products that are consumed by humans in overseas markets, and

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 opposes 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 supports the funding for federal inspection of horse processing facilities.

AFP 1.5

2020/Amended

#### **Renewable Fuels**

WHEREAS, NCBA supports our nation's commitment to reduce dependence on foreign energy, and

WHEREAS, NCBA supports efforts to develop forms of renewable energy, and

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

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

BE IT FURTHER RESOLVED, NCBA urges the EPA to grant a Renewable Fuel Standard waiver after a declaration of natural disaster.

BE IT FURTHER RESOLVED, NCBA supports research of renewable fuels to benefit consumers and the agricultural economy.

AFP 1.6

2021/Renewed

#### **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 in the U.S. to maintain an adequate supply of fossil fuel-based energy sources and the refining capacity for that oil,

THEREFORE BE IT RESOLVED, that NCBA supports 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 U.S. 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 U.S. energy independence.
4. Reinforces NCBA's position as a leader in the coordination and resolution of environmental and natural resource issues.

AFP 1.7

2021/Renewed

#### **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 U.S. 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.

AFP 1.8

2023/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 opposes 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 supports the definition of beef to only include products derived from actual livestock raised by cattle farmers and ranchers and harvested for human consumption.

AFP 1.9  
2020/Amended  
**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 supports the use of federal and state registered herbicide products by cattle producers on their pasture and rangelands.

AFP 1.10  
2020/New  
**Electoral College**

WHEREAS, there is a movement to eliminate the current electoral college process, and

WHEREAS, the electoral college is a proven fair representation of the U.S. population demographics,

THEREFORE BE IT RESOLVED, NCBA supports maintaining the current electoral college voting process.

AFP 1.11  
2020/New  
**Support for Programs to Mitigate Price Risk for Cow-Calf Producers**

WHEREAS, the cattle industry has seen increased volatility in the market that has put tremendous financial pressure on cow calf producers, and

WHEREAS, this volatility has highlighted the need for viable options for true risk management within the cow calf sector, and

WHEREAS, NCBA commissioned an “Economic Damages to the U.S. Beef Cattle Industry Due to COVID-19” study by Oklahoma State University, and

WHEREAS, the Oklahoma State University report concluded cow-calf operators have far fewer risk management tools at their disposal compared to other beef cattle sectors, and

WHEREAS, agricultural economists have since provided further evaluation on potential tools for risk management within the cow calf sector,

THEREFORE BE IT RESOLVED, NCBA supports the development of risk management tools or the revision of existing tools for cow calf producers to minimize risk for members in this segment of the industry.

AFP 1.12  
2020/New  
**Rural Broadband**

WHEREAS, high-speed internet access is necessary to assure the connectivity and competitiveness of rural economies and industries, and

WHEREAS, many rural areas lack complete, competitive, and comprehensive broadband infrastructure, and

WHEREAS, rural areas will benefit from access to telehealth and virtual learning, and

WHEREAS, limited internet access may impede cattle producers’ ability to engage in competitive marketplaces,

THEREFORE BE IT RESOLVED, NCBA supports funding for rural broadband infrastructure.

BE IT FURTHER RESOLVED, NCBA supports programs that specifically prioritize unserved and underserved areas.

BE IT FURTHER RESOLVED, NCBA supports congressional and agency actions which reduce regulatory burdens to achieving broadband access.

AFP 1.13  
2022/New

#### **Vaccine Requirements**

WHEREAS, the COVID-19 pandemic has caused severe supply chain disruptions across every segment of the beef industry, and

WHEREAS, many workers have been deemed essential to keep goods and services moving both within the U.S. and across the Canadian and Mexican borders,

THEREFORE BE IT RESOLVED, NCBA opposes any vaccine mandate or other vaccine requirements that would change the status of these workers that have been deemed essential and thereby interrupt the flow of goods and services throughout the beef industry.

AFP 1.14  
2023/New

#### **GMO Feed Ingredients**

WHEREAS, seeds developed using biotechnology are planted on more than 90 percent of U.S. corn and soybean acres each year with livestock being the largest user of domestic supplies, and

WHEREAS, decades of scientific research and substantial oversight conclude the safety of this biotechnology to all end-users and conclude GMO feed ingredients cannot be detected in meat products,

THEREFORE BE IT RESOLVED, NCBA supports the use of approved biotechnology in the production of feed ingredients used for livestock and opposes efforts at any level of government to restrict the use of such technology or special labeling (e.g., potential gene therapy) of meat products derived from livestock fed GMO feed ingredients.

AFP 1.15  
2023/New

#### **Competition and Oversight**

WHEREAS, mergers of major grocery retailers could negatively impact competition for beef and beef products in the retail sector,

THEREFORE BE IT RESOLVED, NCBA will promote robust competition in all sectors of the supply chain and support enforcement of existing antitrust laws and regulations.

AFP 1.16  
2023/New

#### **Climate and Weather Data Collection**

WHEREAS, climate and weather affect everyone, and

WHEREAS, agricultural production can be negatively impacted by climate and weather, and

WHEREAS, USDA farm and risk management programs utilize climate and weather data to determine program eligibility and program payments, and

WHEREAS, collecting accurate climate and weather data is vital for the benefit of farmers and ranchers utilizing USDA programs,

THEREFORE, BE IT RESOLVED, NCBA supports adequate federal, state, and local funding for robust climate and weather data collection.

## **2. TRANSPORTATION**

AFP 2.1  
2022/New

#### **Speed Limiting Devices on Commercial Vehicles**

WHEREAS, speed limiters will hinder cattle producers' ability to safely transport livestock, and

WHEREAS, unnecessarily prolonging the amount of time livestock spend in transit can be detrimental to animal welfare, and

WHEREAS, reducing the fluidity of the traffic flow on major roadways or even in rural parts of the country, will pose a safety risk to the motoring public sharing those roadways,

THEREFORE BE IT RESOLVED, NCBA opposes any federal mandate to install speed limiters on commercial motor vehicles.

AFP 2.2  
2022/New

**Department of Transportation's Livestock  
Transportation Hours-of-Service Standards**

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 shall work with Congress and the U.S. 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:

- Where animal welfare may be jeopardized
- Which increase costs to cattle producers for the transportation of livestock
- 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.

AFP 2.3  
2020/New  
**Livestock Transportation**

WHEREAS, cattle producers often have to transport their livestock hundreds of miles to pasture, feed yards, 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) supports the American Trucking Association 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 supports 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.

AFP 2.4  
2021/Renewed  
**Transportation**

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

THEREFORE BE IT RESOLVED, NCBA supports 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 (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 supports 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 2.5  
2022/New  
**Truck Driver Shortage**

WHEREAS, the driver shortage across the country continues to be a major and costly issue throughout the trucking industry, and

WHEREAS, the shortage heavily impacts live animal haul, in addition to processed beef and on-farm input commerce,

THEREFORE BE IT RESOLVED, NCBA supports efforts within the trucking industry to remove barriers to workforce entry.

BE IT FURTHER RESOLVED, NCBA supports the increased utilization of training through apprenticeships, to grow the pool of skilled live animal and agricultural haulers.

AFP 2.6  
2022/New  
**Supply Chain Issues Impacting Cattle and Beef Producers**

WHEREAS, supply chain disruptions have negatively impacted cattle and beef producers' ability to effectively and efficiently operate their businesses and care for their livestock,

THEREFORE BE IT RESOLVED, NCBA shall work to address supply chain issues, including all inputs, that impact cattle and beef producers' ability to feed and care for their livestock or which negatively impact their business operations.

AFP 2.7  
2024/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 supports 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.

AFP 2.8  
2024/Renewed  
**Truck Weights**

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 supports legislation that would standardize and increase weight limits for vehicles hauling livestock intrastate and interstate.

### **3. FEDERAL FARM PROGRAMS**

AFP 3.1

2021/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 3.2

2021/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 3.3

2021/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 NRCS or combining NRCS under FSA and supports adequate funding for NRCS technical assistance to meet science-based, ecologically, and economically sound conservation needs.

AFP 3.4

2022/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 supports 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 3.5

2021/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 cattle and beef producers.

AFP 3.6  
2022/Renewed  
**Forage Crop Storage Structures**

WHEREAS, forage crops (hay, haylage, etc.) are fundamental elements in the feeding of beef brood cows, production of feeder calves, and feeding of market cattle and effective, long-term storage of forage crops is a key element in the ability to produce and market feeder cattle, and

WHEREAS, USDA offers a low or interest free loan program for commodity (grain) storage facilities to support on farm storage of grains to optimize product marketing opportunities,

THEREFORE BE IT RESOLVED, USDA should extend the low or interest free loan program currently in place for commodity (grain) storage facilities to livestock forage crop storage structures.

AFP 3.7  
2021/New  
**ACEP-ALE Funding**

WHEREAS, 11 million acres of agriculture land have been lost to high and low density development in the U.S. between 2001 and 2016, and

WHEREAS, the Agriculture Conservation Easement Program (ACEP) can play a key role in rural America for production agriculture, and

WHEREAS, ACEP's Agricultural Land Easement Program (ACEP-ALE) allows farmers to sell development rights and keep the land in production,

THEREFORE BE IT RESOLVED, NCBA supports:

1. Increasing ACEP-ALE funding to meet the need.
2. Increasing the ceiling on the eligible federal share for ACEP conservation easement to 80% of the easement value.
3. Allowing for ACEP-ALE funds to be used to cover transaction costs incurred by landowners and the eligible entity facilitating the transaction, as well as project startup costs.

**4. DISASTER RELIEF**

AFP 4.1  
2023/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 supports 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, 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 Programs. Assistance should be available to agricultural producers who suffered losses from 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 will work 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 4.2

2024/New

#### **Disaster Payments**

WHEREAS, USDA disaster assistance programs, such as the Livestock Forage Disaster Program, provide compensation to eligible producers to aid in recovery from natural disasters, and

WHEREAS, the compensation is based on a variety of factors, including carrying capacity of the land, and

WHEREAS, carrying capacities may vary significantly within a county based on many factors, including the utilization of best management practices, and

WHEREAS, the federal and state governments have programs to improve agricultural practices for crops and livestock, and

WHEREAS, FSA functions as the administering agency and determines carrying capacity at the county level for disaster assistance payments, and

WHEREAS, a farm or ranch may have an increased carrying capacity approved by NRCS as a result of improvements made through the use of best management practices.

THEREFORE BE IT RESOLVED, NCBA supports disaster assistance payments that accurately reflect losses based on the carrying capacity of the eligible grazing land for the producers implementing documented best management practices which increase carrying capacity instead of the average carrying capacity within a county.

AFP 4.3

2022/Renewed

#### **Federal and State Drought Designations**

WHEREAS, the current system of analyzing certain geographic areas within the U.S. 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 federal and state 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 proposes 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 NRCS Service Technical Guides
- Weather stations shall have the capability to measure soil moisture, average wind speed, and duration of the wind
- USDA 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 4.4

2022/Renewed

#### **Fence Replacement Cost Share Eligibility**

WHEREAS, the USDA rules arbitrarily limit fence replacement cost share eligibility to fences less than 20 years of age, and

WHEREAS, this 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 supports federal legislation and/or rulemaking which would remove the fence age requirement for fence replacement cost share eligibility after a natural disaster.

AFP 4.5

2023/Amended

#### **U.S. Drought Monitor**

WHEREAS, the U.S. Drought Monitor, administered through a partnership between the National Drought Mitigation Center (NDMC) at the University of Nebraska, Lincoln (UNL), USDA and the National Oceanic and Atmospheric Administration (NOAA) establishes the drought status for counties across the U.S., and

WHEREAS, the U.S. Drought Monitor is used as the mechanism to assess disaster relief payments under the Livestock Forage Program administered by FSA, 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 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,

THEREFORE BE IT RESOLVED, NCBA urges USDA to require NDMC 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 including not only precipitation, but current annual growing season forages and forage variations (e.g., fescue versus Bermuda grass) among geographic areas.

BE IT FURTHER RESOLVED, NCBA urges USDA to require NDMC to establish a more user-friendly, mobile accessible system to more readily accept data submitted from livestock producers, local researchers, and federal and state agencies to be used by university staff when making drought classifications.

AFP 4.6

2022/New

#### **Noninsured Crop Disaster Assistance Program & Pasture, Rangeland, and Forage Multiple Benefit Exclusion**

WHEREAS, the FSA excluded Pasture, Rangeland, and Forage (PRF) indemnity payments from the multiple benefit exclusion rule on October 26, 2015, allowing producers to receive Noninsured Crop Disaster Assistance Program (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.

AFP 4.7  
2023/Amended  
**Livestock Indemnity Program**

WHEREAS, the Livestock Indemnity Program (LIP) is an important disaster program to many livestock producers experiencing animal losses following a natural disaster or losses caused by predators, and

WHEREAS, the value used for LIP compensation for all classes of beef cattle needs to represent their fair market value, and

WHEREAS, coverage for subsequent diseases, such as pneumonia or scours, that are direct results of adverse weather conditions through LIP is unclear and often results in legitimate adverse weather-induced losses being rendered ineligible for payment, and

WHEREAS, coverage for losses resulting from predators, including species not traditionally listed as a predator such as Black vultures, are unclear and the burden of proof relies entirely on veterinarians, and

WHEREAS, possible adjustments to LIP are currently being discussed by the Administration and Congress,

THEREFORE BE IT RESOLVED, NCBA works with FSA and Congress to refine LIP to better reflect the fair market value of all classes of beef cattle and to take into account deaths caused by

legitimate weather and natural disaster-induced subsequent diseases.

BE IT FURTHER RESOLVED, NCBA works with FSA and Congress to expand requirements on who can verify losses caused by predators to include officials from other state and federal agencies using a standardized checklist.

BE IT FURTHER RESOLVED, that LIP, for cases including species not traditionally listed as a predator, be excluded from the five percent mandatory proven loss threshold requirement.

AFP 4.8  
2024/New  
**Livestock Indemnity Program Normal Mortality Rates**

WHEREAS, the Livestock Indemnity Program (LIP) is a disaster program that compensates producers for eligible death losses of livestock, and

WHEREAS, consideration is being made to include losses caused by federally protected predators without normal mortality rate deductions, and

WHEREAS, qualifying weather events can cause significant death loss to livestock, but normal mortality rates are deducted from LIP compensation in these instances,

THEREFORE BE IT RESOLVED, NCBA works to create equity in LIP by adjusting the normal mortality rate requirements for all qualifying LIP benefits.

AFP 4.9  
2022/New  
**Noninsured Crop Disaster Assistance Program Enhancement**

WHEREAS, the acres of grasslands in the northern great plains continue to decline due to conversions to other land uses, and

WHEREAS, grasslands provide environmental benefits including cleaner water through filtration, cleaner air by sequestering carbon in the soil, and enhanced soil water holding capacity versus other land uses, and

WHEREAS, grasslands provide a source of food for a variety of organisms living in their ecosystems such as insects, reptiles, and mammals, and

WHEREAS, inhabitants of grasslands such as grazing animals and some insects (honeybees) provide an important source of food for humans, and

WHEREAS, USDA has a risk management tool in Noninsured Crop Disaster Assistance Program (NAP) which landowners can use to provide a safety net, and

WHEREAS, NAP does not provide an adequate amount of protection to producers to protect their investment in grasslands, and

WHEREAS, NAP buy-up coverages are available but not eligible for crops such as grasslands intended for grazing, and

WHEREAS, producers through USDA Risk Management Agency also have subsidized options to increase their levels of protection on monoculture crop protection.

THEREFORE, BE IT RESOLVED, NCBA requests USDA through FSA enhance NAP coverage from the current 50% level on production and 55% of the established price by allowing producers to purchase a higher level up to the 65% level and the option to increase the market price option from 55% to 100%.

## **5. HAYING AND GRAZING**

AFP 5.1

2023/Amended

### **Conservation Reserve Program**

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 habitats for wildlife, and

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

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

WHEREAS, intentionally and actively using cattle to manage grasslands under the control of federal and state programs will benefit and enhance the grassland ecosystem, and

WHEREAS, when D2 drought status is reached there are less restrictions on availability of haying and grazing, and

WHEREAS, when D3 drought status is reached, emergency haying and grazing is restricted because of assumed federal assistance payments,

THEREFORE BE IT RESOLVED, when higher intensity drought status is reached, NCBA supports the continuation of emergency haying and grazing allowances as provided under D2 drought conditions.

BE IT FURTHER RESOLVED, NCBA supports rules to allow periodic non-emergency and emergency haying and grazing as approved by a 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.

BE IT FURTHER RESOLVED, NCBA supports amendments to CRP that clarify emergency forage is one purpose of CRP.

BE IT FURTHER RESOLVED, NCBA supports changes to CRP that encourage the incorporation of livestock on program acres to achieve conservation goals.

BE IT FURTHER RESOLVED, NCBA supports changes that allow CRP to function as a working lands conservation program.

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

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

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, any applicable penalty should be based upon the time elapsed from the date of extension to the date of withdrawal.

BE IT FURTHER RESOLVED, CRP should be targeted for marginal land, not productive acres or entire farms and ranches.

BE IT FURTHER RESOLVED, CRP rental rates should approximate but not exceed the rental rates of the marginal land sought to be conserved.

BE IT FURTHER RESOLVED, buffer strips, headlands, and waterways may be responsibly grazed as a management practice.

AFP 5.2

2022/Renewed

**Federal Reinsurance for Private Sector  
Catastrophic Livestock Risk Insurance**

WHEREAS, U.S. 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 federal and state 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-install 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.

AFP 5.3

2023/New

**Conservation of Private Grazing Lands**

WHEREAS, when the Farm Bill was enacted in 1996 (P.L. 104-127) and amended by the 2018 Farm Bill (P.L. 115-334, sec. 2404), the Conservation of Private Grazing Lands (CPGL) program provided vital coordinated technical, educational, and related assistance to preserve and enhance privately-owned grazing lands, and

WHEREAS, \$60 million was authorized for funding in the 2018 Farm Bill and has not been appropriated,

THEREFORE BE IT RESOLVED, NCBA will work to keep CPGL in future Farm Bills and will seek a permanent commitment of the funds being appropriated.

AFP 5.4

2024/New

**State Acres for Wildlife Enhancement**

WHEREAS, the State Acres for Wildlife Enhancement (SAFE) initiative is a part of the Conservation Reserve Program (CRP), and

WHEREAS, SAFE projects include partnership agreements with state agencies and non-governmental organizations, and

WHEREAS, haying and grazing (non-emergency and emergency) does not apply to SAFE acres, unless permitted by the project, and

WHEREAS, landowners enrolling in CRP may not be fully aware of the potential restrictions that may apply to SAFE acres, and

WHEREAS, CRP acres may be approved for emergency use in response to a localized or regional drought, flooding, wildlife, or other emergency as determined by the Commodity Credit Corporation, but state agencies and non-government

organizations may continue to restrict access due to SAFE enrollment.

THEREFORE BE IT RESOLVED, NCBA advocates to allow emergency haying, emergency grazing, and emergency use of the forage on all CRP acres regardless of enrollment in a SAFE project.

## **6. LABOR ISSUES**

AFP 6.1

2021/Renewed

### **Labor/Unionization**

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 6.2

2021/Renewed

### **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 opposes 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 shall 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 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 6.3

2021/Amended

### **Labor—Wage and Employee Standards/Davis-Bacon Exemption/Worker's Compensation/Unemployment Compensation**

WHEREAS, the cattle and beef industry provides unique employment opportunities to inexperienced individuals, in addition to skilled and para-professional livestock workers, and

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

WHEREAS, the agricultural employers of the U.S. do not have the opportunity to pass 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, and

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

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

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

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

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

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

BE IT FURTHER RESOLVED, NCBA opposes unemployment deductions on family farm corporate members or other persons not eligible to receive unemployment compensation benefits.

AFP 6.4

2021/Renewed

#### **Labor Relations Act**

WHEREAS, NCBA recognizes that efforts may continue in some areas to organize agricultural workers into unions, nevertheless, NCBA does not believe the agricultural industry will be well-served by bringing agriculture under a National Labor Relations Act, and

WHEREAS, agriculture is now exempt from the existing National Labor Relations Act,

THEREFORE BE IT RESOLVED, NCBA work to protect agriculture's current exemption and oppose any attempt to bring agriculture under any

federal labor relations act, whether it be the present act, or a subsequent national agricultural labor relations statute which might be devised.

AFP 6.5

2021/Renewed

#### **Labor—Right-To-Work and Secondary Boycotts**

WHEREAS, compulsory union membership is contrary to the basic principles of individual freedom upon which this nation was founded, and

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 using their members' 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.

AFP 6.6  
2020/Renewed  
**Youth Labor**

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 opposes legislation and regulation that limits producers' ability to employ youth in their operations.

AFP 6.7  
2022/Amended  
**Immigration Reform**

WHEREAS, the U.S. 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,

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

1. Strengthens border security.
2. Creates a non-seasonal, temporary worker program that ensures an adequate year-round 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 (DHS) 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 U.S. and Mexico.

5. Commits adequate time and appropriations by the U.S. Congress and the DHS to implement a workable, expeditious, and commonsense approach to temporary visa applications.
6. Denies access to citizenship or temporary visa to any alien who has committed a felony while in the U.S. or violated a court order for deportation while legally in the U.S.
7. Allows non-felon aliens to make restitution for unlawful entry into the U.S. and achieve temporary, legal work status.
8. 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.
9. Supports English language education programs.
10. Preempts states from adopting and prosecuting immigration laws to avoid regulatory duplication for employers.

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

AFP 6.8  
2022/Amended  
**H-2A or Agricultural Worker Program Enhancements**

WHEREAS, agricultural employers in the U.S. 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 have created certain proposed inconsistencies between livestock industries,

THEREFORE BE IT RESOLVED, NCBA supports 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 industry.

AFP 6.9  
2021/Amended  
**Mexico Border Policy**

WHEREAS, entry of illegal immigrants from Mexico poses various safety risks for cattlemen and their property along the U.S.-Mexico border, and

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

WHEREAS, current security measures, and funding for law enforcement assets deployed on the U.S. – 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, NCBA supports reimbursement of property owners for damages caused by illegal immigrant activities.

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

**7. BEEF SAFETY**

AFP 7.1  
2023/Amended  
**Irradiation**

WHEREAS, irradiation technology has been approved by FDA for use in beef processing, and 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 will 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.

AFP 7.2  
2023/Renewed  
**Cloning**

WHEREAS, 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.

AFP 7.3

2023/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 will continue 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 7.4

2021/Renewed

**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 supports the multidisciplinary approach to identify and develop interventions along the entire food chain to address key knowledge hurdles and develop targeted solutions.

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

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

AFP 7.5

2021/Renewed

**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 cattle and 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 shall 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.

BE IT FURTHER 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 supports 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 7.6

2020/Renewed

### **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.

## **8. INSPECTION**

AFP 8.1

2021/Renewed

### **Imported Meat Inspection Equivalency**

WHEREAS, standards of meat inspection in foreign plants exporting meat to the U.S. 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 U.S. shall be subject to equivalent inspection and sanitation requirements applicable to federally inspected plants in the US..

BE IT FURTHER RESOLVED, imported meat shall 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 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 8.2

2022/Amended

### **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 supports an inspection system that:

1. Includes all animal protein industries to include meat, poultry, and fish.
2. Eliminates economic inequities between species in the inspection process.
3. Uses a Hazard Analysis Critical Control Point-based inspection program using scientific principles that extend through the food distribution system.
4. Remains under authority and jurisdiction of USDA with public funding.
5. Maintains third party intervention to detect and remove individual diseased animals or parts from the food chain.
6. Classifies all food-borne pathogens using a risk assessment model.
7. Adopts a single federal-state inspection stamp or legend for use on federally-inspected meat and meat inspected under “equivalent to” state programs.

8. Designates the meat inspected under state programs that are operating under a cooperative agreement with USDA meeting the “at least equal to” federal standards be accorded the same freedom of movement in interstate commerce, without restriction on the quantity or method of transaction, as is accorded meat imported into the U.S. from foreign countries.
9. Supports reasonable measures to prevent state-inspected meat from entering the export market unless specified as acceptable in trade agreements.
10. Maintains USDA’s recall authority over meat processed at state-inspected facilities.
11. 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.
12. Affords due process to all parties involved in any investigation of improper meat production and ensures all investigations be handled in a prompt and fair manner.

AFP 8.3

2021/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 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.

## **9. NUTRITION & HEALTH**

AFP 9.1

2021/Renewed

### **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 9.2

2021/Renewed

#### **Nutrient and Food Consumption Survey**

WHEREAS, 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 9.3

2021/Renewed

#### **USDA National Nutrient Database for Standard Reference**

WHEREAS, the beef checkoff has collaborated with 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 shall 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 9.4

2021/Amended

#### **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 9.5

2021/Amended

#### **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 a variety of healthy dietary patterns,

THEREFORE BE IT RESOLVED, NCBA:

1. Encourage 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 healthy dietary patterns.
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.

meeting economic and nutrition requirements, as presented in the Dietary Guidelines for Americans,

THEREFORE BE IT RESOLVED, NCBA opposes the addition of "vegetable protein" into beef products unless:

- Demand for beef products is increased.
- "Vegetable protein" does not account for greater than 30% (by weight) of meat products and is not used as a substitute for meat/meat alternative products within the government feeding programs.
- "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.
- Beef products containing "vegetable protein" are visibly labeled and presented to consumers in a non-misleading way.

AFP 9.6

2024/Renewed

### **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% (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

# CATTLE HEALTH AND WELL BEING COMMITTEE

Barbara Jackson, AZ – Chair

Dr. Troy Shelby, OK – Vice Chair

Dr. Kathy Simmons & Sigrid Johannes, Staff

## **1 ANIMAL CARE**

- 1.1 2022 Non-Ambulatory Livestock
- 1.2 2020 Animal Production Practices
- 1.3 2024 Animal Care
- 1.4 2022 Livestock Management & Animal Health and Well-Being Standards
- 1.5 2024 Beef Quality Assurance
- 1.6 2024 Beef Quality Assurance Auditing
- 1.7 2022 Layover of Livestock

## **2 BRUCELLOSIS**

- 2.1 2020 Brucellosis
- 2.2 2020 Swine Brucellosis Infection in Cattle
- 2.3 2022 Brucellosis – Select Agent

## **3 DRUGS AND BIOLOGICS**

- 3.1 2022 Pests – Cattle Fever Ticks
- 3.2 2024 Regulation and Use of Biologicals
- 3.3 2020 New Pesticides
- 3.4 2021 Fluoroquinolone Use
- 3.5 2021 Illegal Drug Use
- 3.6 2021 Harmonization of Biologic Manufacturing
- 3.7 2021 Drug Compounding Policy Statement
- 3.8 2022 Animal Drugs, Biologic & Feed Additives
- 3.9 2022 Residues in Imported Meat
- 3.10 2022 Judicious Use of Antibiotics and Drugs
- 3.11 2021 Pharmaceutical Labeling/Approval
- 3.12 2021 Polyether Ionophores
- 3.13 2022 Selenium Supplementation Needs for Healthy Cattle
- 3.14 2020 Ensure Producer Access to Antibiotics for Cattle Health
- 3.15 2023 Ensure New Access to Approved Vaccine Technology

## **4 FOREIGN ANIMAL DISEASES**

- 4.1 2022 Screwworm Eradication and U.S. Screwworm Control Program
- 4.2 2021 Vesicular Stomatitis
- 4.3 2022 BSE
- 4.4 2020 Invasive Animal Pests
- 4.5 2021 Tropical Bont-Tick: Rise of Acute Bovine Dermatophilosis and Heartwater Introduction to the United States

- 4.6 2022 Protection of Integrity of Fetal Calf Serum through International Biosecurity
- 4.7 2024 Protection from Foreign Animal Diseases
- 4.8 2021 Asian Longhorned Tick

## **5 JOHNE'S DISEASE**

- 5.1 2023 Johne's Disease Support After Termination of USDA-APHIS Johne's Disease Program
- 5.2 2023 Integrated Disease Research

## **6 TUBERCULOSIS**

- 6.1 2022 Tuberculosis
- 6.2 2024 Tuberculosis Health Regulations for Sport Cattle or Timed Event Cattle
- 6.3 2023 Bovine Tuberculosis Funding
- 6.4 2023 Brucellosis and Bovine Tuberculosis Program
- 6.5 2024 Tuberculosis Eradication

## **7 USDA-APHIS**

- 7.1 2020 Diseases – Inter-American Highway
- 7.2 2021 Foot-and-Mouth-Disease Eradication
- 7.3 2022 Diseases – Emergency Management Planning
- 7.4 2020 USDA, APHIS Authority
- 7.5 2022 Wildlife and Exotic Game Animal Research
- 7.6 2024 U.S./Canadian Animal Disease Control
- 7.7 2022 Indemnity

## **8 GENERAL**

- 8.1 2020 Stolen Cattle
- 8.2 2020 Cooperation with Veterinary Groups
- 8.3 2020 Veterinarian Training
- 8.4 2020 Animal Health – Federal Funding Priorities
- 8.5 2023 Disclosure of Bovine Viral Diarrhea (BVD) Persistently Infected (PI) Animals
- 8.6 2022 Veterinary College Programs
- 8.7 2023 Border Security: Theft and Health Emergency (*cross-referenced to AFP 1.2 - Biosecurity*)

8.8	2020	Livestock Biosecurity Education and Planning
8.9	2021	Food Animal Veterinarian
8.10	2023	Bovine Leukosis Vaccine
8.11	2023	Arthropod Borne Animal Disease Research Unit (ABADRU) Support
8.12	2022	Alternative Feedstuffs
8.13	2021	Support of Food Animal Residue Avoidance Database (FARAD)
8.14	2023	Fly Impact
8.15	2020	Biosecurity Education
8.16	2021	Support of Safety Standards for Feed and Feed Ingredients
8.17	2022	Greater Yellowstone Area Bison Relocation
8.18	2024	Fescue Research
8.19	2024	Support for the World Organization for Animal Health and Codex
8.20	2023	Biotechnology in Cattle

## **9 ANIMAL DISEASE RESEARCH**

9.1	2020	Cryptosporidiosis
9.2	2024	Bovine Leukosis Virus
9.3	2022	Use of Animals for Research Purposes
9.4	2024	USDA Research Funding for <i>Neospora caninum</i> and Nematode Research
9.5	2024	USDA Research Funding for EBA Research
9.6	2024	National Animal Disease Center and National Veterinary Services Laboratory Funding
9.7	2021	Anti-Tick Vaccine Research
9.8	2022	Chronic Wasting Disease Eradication
9.9	2023	Foot-and-Mouth-Disease Control
9.10	2022	Trichomoniasis Control
9.11	2021	Testing for Trichomoniasis
9.12	2023	Support for Research on Controlling Foot-and-Mouth-Disease Outbreaks by Methods Other Than Depopulation
9.13	2023	Support for the Midwest Insect Research Laboratory (Lincoln, NE)
9.14	2023	Kerrville Research Lab Funding
9.15	2022	Regional Veterinary Diagnostic Laboratory Capacity
9.16	2024	Bovine Viral Diarrhea Virus Education and Research Support
9.17	2024	Bovine Viral Diarrhea Virus International Biosecurity
9.18	2023	Animal Disease Research Funding
9.19	2024	Bovine Congestive Heart Disease

## **10 ANIMAL ID/DISEASE TRACEABILITY**

10.1	2023	Development of Protocols for Regionalization
10.2	2022	Identification of Imported Cattle
10.3	2023	Support for Enhanced Disease Traceability Systems
10.4	2020	Support for U.S. Cattle Trace

## **1. ANIMAL CARE**

### **CH 1.1**

2022/Renew

#### **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 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 shall work with these partners to ensure the financially and environmentally sound disposal of such animals.

### **CH 1.2**

2020/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**

2024/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**

2022/Amended

#### **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, certain 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 supports additional research to identify and test alternative cattle production practices to enhance animal health and well-being.

BE IT FURTHER RESOLVED, NCBA encourages other cattle industry groups to also support and help fund such projects that support health and well-being options available to the nation's cattle producers.

CH 1.5  
2024/Renewed  
**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 encourages 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 1.6  
2024/Amended  
**Beef Quality Assurance 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 aligning the current Beef Quality Assurance assessments with such third party audits.

CH 1.7  
2022/Renewed  
**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  
2020/Amended  
**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) has reviewed the progress of the National Brucellosis Eradication Program and is taking steps to propose a rule 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 support granting USDA, APHIS, VS clear authority over federal efforts to control and eradicate brucellosis in all species in which the disease is found.

#### CH 2.2

2020/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

2022/Renewed

##### **Brucellosis – Select Agent**

WHEREAS, the Department of Homeland Security (DHS) 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 supports removal of *Brucella abortus* from the Select Agent list.

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

### **3. DRUGS AND BIOLOGICS**

#### CH 3.1

2022/ Amended

##### **Pests—Cattle Fever Ticks**

###### Part I— Coordination

WHEREAS, Cattle Fever Ticks enter the 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

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

THEREFORE BE IT RESOLVED, NCBA encourages the 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 Cattle Fever 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 USDA, APHIS and USFWS take all necessary measures to prevent the introduction of ticks into the U.S. and that USDA, Agricultural Research Service 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 USDA, 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 Knippling-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 under-staffed 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

2024/Renewed

##### **Regulation and Use of Biologicals**

WHEREAS, 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

2020/Renewed

##### **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, 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

2021/Amended

##### **Fluoroquinolone Use**

WHEREAS, FDA has approved the use of fluoroquinolone in beef cattle for respiratory disease, and

WHEREAS, NCBA's BQA 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

2021/Amended

##### **Illegal Drug Use**

WHEREAS, NCBA supports an active BQA 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

2021/Renewed

#### **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 USDA-APHIS Code of Federal Regulations (CFR) has shown itself to be adequate and effective for the regulation of production of biologics within the 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 supports USDA-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 should be accomplished via mutual recognition basis equivalence as evaluated by scientific methods.

### CH 3.7

2021/Renewed

#### **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 and beef 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

2022/Amended

#### **Animal Drugs, Biologic & Feed Additives**

##### **Part I**

WHEREAS, the use of certain technologies is necessary for effective and economical agricultural production, and

WHEREAS, feed additives, growth promotants, such as implant technologies, 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 technologies, including: drugs, implants, biologics, feed additives, and pesticides.

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 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 testing, 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 FDA 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 chemicals, drugs and feed additives administered or fed to meat animals have been used in conformity with indications of use, administration and dosage directions, label requirements, and withdrawal periods.

#### Part IV

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

WHEREAS, the basic concept for regulating medicated feed production is to prevent residues in animal products, 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. Insists 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. Supports a simplified medicated feeds regulatory system for mixer-feeders which is separate and apart from the regulatory system governing

commercial feed manufacturers.

3. Pursues 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

2022/Amended

#### **Residues in Imported Meat**

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

THEREFORE BE IT RESOLVED, NCBA seeks adequate regulatory changes to ensure the safety of U.S. beef and to protect U.S. consumers by denying the importation of live cattle and beef from any country which allows 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

2022/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 for the judicious use of antimicrobials, other compounds, and drugs. Issues involving the use of such products in animals and humans must be objectively resolved using sound, peer-reviewed science without influence of overly subjective criteria such as emotion, public opinion, or political agendas,

BE IT FURTHER RESOLVED, NCBA advocates for the responsible use of antimicrobials, other compounds, and drugs as outlined in the Beef Quality Assurance Beef Producers Guide for Judicious Use of Antibiotics in Cattle and Dairy Farmers Assuring Responsible Management, or FARM, Antibiotic Stewardship Guidelines, as appropriate.

CH 3.11

2021/Amended

**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 FDA and pharmaceutical companies to streamline the approval and labeling process of new and existing livestock products and to continue supporting veterinarian-client-patient relationships in cases where extra label use is the only effective means of treatment.

CH 3.12

2021/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, U.S. 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 shall 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 shall 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 supports separate reporting FDA and other agencies of polyether ionophores and other antimicrobials not medically important to humans from those that are medically important to humans in the annual Antimicrobial Animal Drug Sales and Distribution Report, per section 105 of the Animal Drug User Fee Act.

CH 3.13

2022/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 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

2020/Renewed

**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.

CH 3.15  
2023/New

#### **Ensure Access to Approved Vaccine Technology**

WHEREAS, the BQA program trains farmers and ranchers on best practices, including developing and maintaining herd health plans that follow good veterinary and agricultural practices based on sound scientific research, which includes a stringent pharmaceutical approval process, and

WHEREAS, cattle producers vaccinate cattle to treat and prevent many diseases, including respiratory and clostridial disease, to keep them healthy, and

WHEREAS, regardless of the vaccine technology, the vaccines are assimilated after being administered, which means their components are not present in the animal and the vaccine is processed well before slaughter concluding there is no residue remaining,

THEREFORE BE IT RESOLVED, NCBA supports the use of vaccines in beef cattle that have undergone sound scientific, peer-reviewed research leading to their approval.

BE IT FURTHER RESOLVED, NCBA opposes any effort at the state or federal level to restrict access to any approved vaccine technology, including specific and/or prescriptive label requirements for such vaccines or vaccine technologies.

## **4. FOREIGN ANIMAL DISEASES**

CH 4.1  
2022/Renewed

### **Screwworm Eradication and U.S. Screwworm Control Program**

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

WHEREAS, 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 insists that negotiations with Panama ensure availability and access to requested screwworm flies as well as allow appropriate research programs without disruption.

BE IT FURTHER RESOLVED, NCBA favors 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 (WOAH) recommendations for importation, quarantine, and transportation of cattle from countries considered infested with screwworm flies.

CH 4.2  
2021/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 vesicular stomatitis outbreaks prior to 2015, there was confusion over quarantine procedures, and vaccine policy,

THEREFORE BE IT RESOLVED, NCBA requests USDA, Agricultural Research Service (USDA-ARS), USDA-APHIS, and Cooperative State Research, Education and Extension Service actively pursue epidemiological studies on the disease and USDA-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, USDA-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, USDA-APHIS update NCBA annually on vesicular stomatitis including research progress and worldwide vesicular stomatitis diagnosis.

#### CH 4.3

2022/Renewed

##### **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 U.S., and

WHEREAS, existing USDA and 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, APHIS and the DHS in accordance with the

WOAH 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, ARS.

#### CH 4.4

2020/Renewed

##### **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.

#### CH 4.5

2021/Renewed

##### **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 USDA-



APHIS as a “high-consequence” threat to 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 shall 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 USDA-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.

#### CH 4.6

2022/Renewed

#### **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 U.S. cattle populations, and

WHEREAS, many of these infectious agents, such as HoBi virus and Schmallerberg virus, may not presently exist in U.S. 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 shall work with appropriate federal agencies to protect the integrity of processed fetal calf serum with regard to reagents utilized in the U.S. for strict international biosecurity measures and to identify country of source and production information.

#### CH 4.7

2024/Renewed

#### **Protection from Foreign Animal Diseases**

WHEREAS, foreign animal diseases could cause a widespread quarantine and possible massive depopulation of the 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, 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 USDA to import live cattle, beef, and/or beef products into the U.S., and

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

THEREFORE 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.

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.

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.

BE IT FURTHER RESOLVED, NCBA supports 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.

BE IT FURTHER RESOLVED, NCBA requests USDA to 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.

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.

CH 4.8

2021/New

#### **Asian Longhorned Tick**

WHEREAS, the Asian Longhorned Tick (ALT) is an exotic tick only recently found in the U.S., and

WHEREAS, the ALT can reproduce without a male and, as such, a single female tick can create a population, and

WHEREAS, the ALT is a known/suspected vector of several viral, bacterial, and protozoan agents of livestock and human diseases, and

WHEREAS, the ALT has been linked to infection with *Theileria orientalis* in cattle in the eastern U.S.,

THEREFORE BE IT RESOLVED, NCBA supports the United States Department of Agriculture pursuing efforts for research, management, and control of the ALT and its associated cattle diseases.

BE IT FURTHER RESOLVED, NCBA requests Congress and appropriate governmental agencies secure the necessary funding for research, management, and control of the ALT and associated diseases, such as Theileriosis.

### **5. JOHNE'S DISEASE**

CH 5.1

2023/Renewed

#### **Johne's Disease Support After Termination of USDA-APHIS Johne's Disease Program**

WHEREAS, USDA-Animal Plant Health Inspection Service, Veterinary Services 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

2023/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 elimination 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 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

2022/Renewed

### **Tuberculosis**

WHEREAS, the National Tuberculosis (TB) Eradication Program has successfully reduced the incidence of the disease in 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 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. TB infected herds is economically feasible.
3. Continue USDA, 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 USDA, 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 USFWS to eliminate wildlife reservoirs for tuberculosis for livestock.

CH 6.2

2024/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, NCBA supports regulations that would require timed event/sport cattle be tested for tuberculosis within 12 months prior to crossing state lines.

BE IT FURTHER RESOLVED, NCBA supports 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

2023/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 USDA 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

2023/Renewed

**Brucellosis and Bovine Tuberculosis Program**

WHEREAS, 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 the U.S. was largely free of bovine TB, and

WHEREAS, it has become clear the U.S. 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 U.S.
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

2024/Renewed

### **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 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.
- Publication of the plan of updated rules and methods.

## **7. USDA-APHIS**

### CH 7.1

2020/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

2021/Renewed

#### **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 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 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. cattle and beef industry the opportunity to offer comment and further stakeholder involvement concerning revised export

country assessment procedures being developed with regards to importation of fresh beef from FMD endemic countries.

#### CH 7.3

2022/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 urges:

1. USDA, APHIS to aggressively monitor foreign animal disease risk globally, focused by USDA and 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 (FMD).
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

2020/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 work to address 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 through interagency collaboration and mutual order of understanding to achieve disease control and eradication objectives.

#### CH 7.5

2022/Renew

##### **Wildlife and Exotic Game Animal Research**

WHEREAS, NCBA is interested in maintaining the health and productivity of the 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 USDA, ARS, USFWS, 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  
2024/Renewed  
**U. S./Canadian Animal Disease Control**

WHEREAS, 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 makes every effort to 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, NCBA supports USDA and Canadian Food Inspection Agency 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 continues to support research, including surveillance on diseases of economic importance to U.S. beef producers.

CH 7.7  
2022/Renewed  
**Indemnity**

WHEREAS, existing NCBA policy urges NCBA and United States Department of Agriculture, Animal and Plant Health Inspection Service, Veterinary Services (USDA,APHIS, VS) to work with state animal health officials and industries to achieve disease control and eradication objectives, and

WHEREAS, NCBA recognizes that the ability to rapidly depopulate infected and exposed animals is essential for eradication of bovine brucellosis, tuberculosis (TB), foot-and-mouth (FMD), and other emergency diseases, and

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 urges USDA and Congress to provide full funding for purposes of indemnification for brucellosis, TB, FMD, and other emergency diseases.

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

1. Provides more timely payments for the replacement value of animals directly affected by a destruction order issued by an appropriate animal health official.
2. Provides 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. Protects 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  
2020/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,

THEREFORE BE IT RESOLVED, NCBA urges and specifically requests the Justice Department to prosecute all known violators of federal law prohibiting the interstate shipment of 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

2020/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

2020/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

2020/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

2023/Amended

### **Disclosure of Bovine Viral Diarrhea (BVD) Persistently Infected (PI) Animals**

WHEREAS, BVD virus is one of the most costly viral disease of cattle in the U.S., 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 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**

Responsible disposition of animals persistently infected with BVD virus, "PIs" is an important component of BVD control. Appropriate disposition of known PI cattle must take into account the adverse impact that these cattle have on the health and welfare of all exposed cattle, especially those intended for reproductive purposes, as well as on the economic return of exposed cattle operations. Once



confirmed, the PI status of an animal should be thereafter disclosed. AABP strongly opposes marketing and/or movement of known 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 thereafter 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 matter 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

2022/Amended

#### **Veterinary College Programs**

WHEREAS, the country is experiencing an acute shortage of rural and 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 works to support the Veterinary Services Grant Program and the Veterinary Medicine Loan Repayment Program.

CH 8.7

2023/Renewed

*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 U.S. Customs and Border Protection (CBP) 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 U.S. are adequate to prevent ingress and egress of livestock; these steps would include, but not be limited to, contact with Congress, USDA, DOI, Department of Homeland Security, and CBP.

CH 8.8

2020/Amended

#### **Livestock Biosecurity Education and Planning**

WHEREAS, 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, and provides for continuity of business in disease outbreaks, and

WHEREAS, the Secure Beef Supply has good resources and tools on the website that will aid producers in developing their plans.

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 and adoption of national livestock biosecurity outreach programs and seek support from appropriate federal agencies to promote community-based livestock biosecurity planning strategies, and

BE IT FURTHER RESOLVED, NCBA encourages all producers use Secure Beef Supply during plan development for consistency.

CH 8.9

2021/Amended

**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 U.S., 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 U.S. 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, and aid in funding programs that support placement of veterinarians in rural communities.

CH 8.10

2023/Renewed

**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 USDA-approved vaccine for Bovine Leukosis.

CH 8.11

2023/Renewed

**Arthropod Borne Animal Disease Research Unit (ABADRU) Support**

WHEREAS, USDA-ABADRU in Manhattan, Kansas, plays a very critical role in conducting research on vector borne diseases, and

WHEREAS, research on Bluetongue virus, Epizootic Hemorrhagic disease, and Vesicular Stomatitis, 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.

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

CH 8.12  
2022/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 urges 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.

CH 8.13  
2021/Renewed  
**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 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  
2023/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 USDA-Animal

Plant Health Inspection Service, Veterinary Services and pharmaceutical companies to bring about controls and/or eradication of other animal health pests,

THEREFORE BE IT RESOLVED, NCBA will work with university researchers, pharmaceutical companies, and USDA staff to direct research efforts toward effective control and management of flies.

CH 8.15  
2020/Amended  
**Biosecurity Education**

WHEREAS, biosecurity awareness and biosecurity practices are essential to prevent and control the risk of diseases in cattle,

WHEREAS, the Beef Quality Assurance (BQA) program and the Secure Beef Supply (SBS) Plan provide sound biosecurity practices to prevent and control diseases in cattle,

THEREFORE BE IT RESOLVED, NCBA supports education and awareness on the biosecurity principles contained in the BQA program and the SBS Plan for all segments of the industry, explaining the importance of implementing biosecurity practices to control disease risk.

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

CH 8.16  
2021/Amended  
**Support of Safety Standards for Feed and Feed Ingredients**

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 U.S. 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 supports 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 as well as efforts by USDA and FDA to investigate and mitigate the risks of animal disease from imported feed and feed ingredients.

CH 8.17

2022/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 opposes 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 opposes any increase in the currently authorized GYA bison population.

CH 8.18

2024/Renewed

**Fescue Research**

WHEREAS, a significant percentage of the 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 supports USDA Agricultural Research Service, and other partners, to conduct tall fescue research to provide practical information for cattle producers.

CH 8.19

2024/Amended

**Support for the World Organization for Animal Health and Codex**

WHEREAS, the World Organization for Animal Health (WOAH) 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 U.S. Delegation on both WOAH and Codex representing the interests of U.S. cattle producers, and

WHEREAS, WOAH 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 WOAH 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 8.20

2023/Renewed

**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, 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 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 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 USDA, and not with FDA.

## **9. ANIMAL DISEASE RESEARCH**

### **CH 9.1**

2020/Renewed

#### **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**

2024/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 harvest, as prescribed by USDA-FSIS Hazard Analysis and Critical Control Points 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,

THEREFORE BE IT RESOLVED, NCBA supports research efforts to:

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

### **CH 9.3**

2022/Renewed

#### **Use of Animals for Research Purposes**

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.

### **CH 9.4**

2024/Renewed

#### **USDA Research Funding for *Neospora caninum* and Nematode 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 approved vaccines or treatments currently exist to control Neosporosis, and

WHEREAS, significant expertise is present within USDA Agriculture Research Service (ARS) Animal Parasitic Diseases 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, NCBA urges this funding should not be at the expense of the other parasitology research programs.

#### CH 9.5

2024/Renewed

##### **USDA Research Funding for EBA Research**

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, Nevada, and Arizona,

THEREFORE BE IT RESOLVED, NCBA encourages USDA to actively support EBA research.

#### CH 9.6

2024/Amended

##### **National Animal Disease Center and National Veterinary Services Laboratory Funding**

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 aging to the point that future research possibilities and biosecurity measures will be limited, serving to inhibit the safety and competitive position of the U.S. livestock industry, and

WHEREAS, NADC, NVSL, and the Center for Veterinary Biologics are currently utilizing 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

2021/Renewed

##### **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 U.S., and

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

WHEREAS, ticks are becoming increasingly resistant to arachnicide 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

2022/Renewed

##### **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 U.S., 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 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 States Animal Health Association, NCBA, state cattle producer associations, state wildlife agencies and the DOL.

CH 9.9

2023/Renewed

#### **Foot-and-Mouth-Disease Control**

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

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

THEREFORE BE IT RESOLVED, NCBA requests USDA place a high priority on the development of improved and validated FMD

vaccines, including funding for production and banking of FMD vaccines and FMD diagnostic test kits.

CH 9.10

2022/Renewed

#### **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, 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.

CH 9.11

2021/Amended

#### **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 shall work with veterinarians, state officials, the American Association of Veterinary Laboratory Diagnosticians, 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 interstate movement purposes, and work to further the education and research of pooled PCR testing in the beef industry.

CH 9.12

2023/Renewed

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

WHEREAS, foot-and-mouth disease (FMD) in the U.S. 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 requests continued funding of research for alternative methods of FMD control to include new vaccine technologies by the Department of Homeland Security and the USDA.

CH 9.13

2023/Amended

**Support for the Midwest Insect Research Laboratory (Lincoln, NE)**

WHEREAS, USDA-Agriculture Research Service 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 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 initiated the expansion of the stable fly research efforts,

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

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

CH 9.14

2023/Amended

**Kerrville Research Lab Funding**

WHEREAS, USDA's Agriculture Research Service's Knippling-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, the research program at Kerrville needs to be continued and expanded, 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.

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

2022/Renewed

**Regional Veterinary Diagnostic Laboratory Capacity**

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

WHEREAS, foreign animal diseases such as 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 USDA approved regional veterinary diagnostic laboratory network.



CH 9.16

2024/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 Research and Herd Security 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 supports 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

2024/Renewed

**Bovine Viral Diarrhea Virus International Biosecurity**

WHEREAS, bovine viral diarrhea (BVD) viruses, which comprise two species within the pestivirus genus, likely cause the costliest viral disease of cattle in the U.S., and

WHEREAS, control measures addressing BVD virus losses are being implemented in the U.S., 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 encourages 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

2023/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 the U.S. 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.

CH 9.19  
2024/Renewed  
**Bovine Congestive Heart Disease**

WHEREAS, Bovine Congestive Heart Disease (BCHD) is emerging as a disease affecting animal well-being and the financial stability of producers, and

WHEREAS, more research needs to be conducted into the disease, its occurrence, and its distribution among segments of the industry,

THEREFORE BE IT RESOLVED, NCBA supports BCHD research and encourages producers to participate in surveys to determine the extent of the disease.

**10. ANIMAL ID/DISEASE TRACEABILITY**

CH 10.1  
2023/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 and development of protocols and determination of the economic impact of regionalization of states or an area to establish risk avoidance for animal diseases.

CH 10.2  
2022/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 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 USDA, APHIS code to identify the country of origin.

CH 10.3  
2024/Amended  
**Support for Enhanced Animal 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 USDA-APHIS animal disease traceability (ADT) framework does not eliminate the need for continued brand inspection programs, and

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

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

WHEREAS, the 2021-2025 Beef Industry Long Range Plan emphasizes that 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 ADT system.

BE IT FURTHER RESOLVED, NCBA asserts an effective, nationally significant ADT program should:

- Be compatible with private sector animal ID and verification programs backed by the USDA.
- Be compatible with the general traceability principles of WOAHP.
- Recognize existing USDA programs for beef exports.
- Be built using infrastructure that supports other potential uses of ID.
- Utilize low-cost electronic official tagging devices and reader infrastructure paid for by federal and/or state funds.
- Require that cattle ID information for disease traceability be kept confidential and strongly protected from disclosure.
- Protect ownership information from disclosure to future owners.
- Protect producers from liability for acts of others, after the cattle have left the producer's control.
- Operate at the speed of commerce.
- Maintain existing state brand inspection activities without replacement or impediment.
- Work within a framework to accommodate all classes of cattle.
- Allow for separate rule making process for cattle under 18 months of age.
- Allow cattle movement between adjoining states on pasture-to-pasture permits at the discretion of the involved state animal health officials.
- Maintain data integrity throughout the system, including retagging and retirement of tags at harvest.
- Provide adequate resources to the states to facilitate the objectives of ADT and include the transition to any electronic identification.

BE IT FURTHER RESOLVED, NCBA supports adoption and implementation by the beef cattle industry of electronic identification (EID) devices for interstate movement of all cattle subject to the 2013 USDA Animal Disease Traceability rule

(sexually intact cattle >18 months, rodeo and exhibition cattle, dairy cattle).

BE IT FURTHER RESOLVED, NCBA provides outreach and education to members following anticipated publication of USDA's final rule requiring EID devices for interstate movement of all cattle subject to the 2013 USDA Animal Disease Traceability rule (sexually intact cattle >18 months, rodeo and exhibition cattle, dairy cattle).

BE IT FURTHER RESOLVED, NCBA supports a private, industry managed, non-government Independent Database Collaborator (IDC) to serve as a hub for critical data coordination, including data collection and housing for four data points (ID number, time, date and location); seamless coordination with USDA's Animal Health Event Repository (AHER) and major animal identification program organizations; and a defined process for animal health officials to interact with the IDC in the event of a disease event of national significance.

CH 10.4

2020/New

#### **Support for U.S. CattleTrace**

WHEREAS, the Beef Industry Long Range Plan supports the broad adoption of individual animal I.D. traceability systems across the beef community to equip the industry to effectively manage a disease outbreak, and

WHEREAS, NCBA commissioned a "Comprehensive Feasibility Study: U.S. Beef Cattle Identification and Traceability Systems" by World Perspectives, Inc. (WPI), and

WHEREAS, the WPI report concluded an effective approach to animal identification and traceability would include the following basic tenets:

1. Is industry driven.
2. Is managed and overseen by an entity that includes both private and government interests.
3. Maintains data privacy.
4. Is equitable to all industry sectors.
5. Is compatible with common industry practices.
6. Operates at the speed of commerce.
7. Is credible in domestic and international markets, and

WHEREAS, U.S. CattleTrace is an industry-driven animal disease traceability group designed to incorporate the key findings of the WPI report, and

WHEREAS, U.S. CattleTrace is a producer-governed, not-for-profit organization that will focus solely on working with producers and private industry animal identification and traceability companies and systems to create a nationally significant disease data base focused solely on collecting tag numbers, siting dates, GPS/location sitings and time of sitings and to securely manage this data for effective animal disease tracebacks. The U.S. CattleTrace goal is to increase animal tagging and traceability from the current national level to 70% of the national herd, and

WHEREAS, U.S. CattleTrace is designed to interface with existing private-sector systems to support a comprehensive approach to traceability,

THEREFORE BE IT RESOLVED, NCBA supports the expansion and further development of U.S. CattleTrace and its interface with existing private-sector, data management, identification, and traceability companies as the nationally significant solution for animal disease traceability.

BE IT FURTHER RESOLVED, NCBA supports the use of current technology already adopted by the beef industry and the development of additional technology that meets the needs of the varied management and marketing systems used in the beef industry.

BE IT FURTHER RESOLVED, NCBA continues efforts to encourage and help facilitate state affiliate support, including support for member educational efforts.

BE IT FURTHER RESOLVED, NCBA supports U.S. CattleTrace efforts to work cooperatively with federal and state animal health officials and programs.

# FEDERAL LANDS COMMITTEE

Alisa Ogden, NM – Chair    Lesley Robinson, MT – Vice Chair  
Kaitlynn Glover & Garrett Edmonds, Staff

## **1 ADMINISTRATIVE AND REGULATORY**

1.1	2024	Federal Lands Management
1.2	2020	Local Compliance with Executive Order #12630
1.3	2021	Injunction Review
1.4	2022	Agency Range Budget
1.5	2021	Trespass
1.6	2022	National Forests and Grasslands Management
1.7	2022	Permit Renewals
1.8	2024	Direct Access to Federal Court
1.9	2023	Compensation for Cuts in Permitted Animal Unit Months
1.10	2024	Notice to Permittees
1.11	2024	Legal Public Access
1.12	2023	Federal Land Acquisition and Exchanges
1.13	2023	USFS and Bureau of Land Management (BLM) Rangeland Management Positions
1.14	2024	Multiple-Use
1.15	2024	Grazing Advisory Boards
1.16	2022	Grazing Appeals of Forest Service Decisions
1.17	2023	Appeal of Bureau of Land Management (BLM) Decisions
1.18	2023	Interested Public
1.19	2023	Permit Issuance and Transfer
1.20	2023	Preference
1.21	2024	Fence Height Requirements for Roads and Highways
1.22	2023	Open Range Fencing
1.23	2023	Predation Reporting
1.24	2024	Permittee Input into Public Lands Management Decisions
1.25	2024	Conservation Agreements and Interconnectivity of Land Management
1.26	2024	On-Refuge and Park Hunting
1.27	2020	Endangered Species – Environmental Impact Statement
1.28	2021	Legislative and Regulatory Revisions for Grazing Permit Administration
1.29	2022	Toxic Rotenone and/or Antimycin A
1.30	2024	State Entitlement
1.31	2020	Notification and Reissuance for Vacant Allotments
1.32	2024	Federal Land Designations
1.33	2022	Transfer of Federal Lands

1.34	2024	Wild Horses & Burros
1.35	2024	Federal Lands Recreation
1.36	2020	Collaborative Forest and Rangeland Management Programs
1.37	2023	Bureau of Land Management (BLM) Conservation Leasing
1.38	2024	Natural Asset Companies (NAC)

## **2 LEGISLATIVE**

2.1	2024	Federal Grazing Fee Formula
2.2	2020	Removal of Grasslands from U.S. Forest Service Jurisdiction
2.3	2021	Vested Grazing Rights
2.4	2024	Vandalism on Federal Lands
2.5	2021	Water Rights-of-Way
2.6	2022	Access to Forest Inholdings
2.7	2022	Davis-Bacon Act
2.8	2022	Mining Laws
2.9	2023	Fencing of Sensitive Areas
2.10	2024	Opposition to Grazing Permit Retirement Programs
2.11	2023	Recognition of Revised Statute (R.S.) 2477 on Public Lands
2.12	2024	Equal Access to Justice Act
2.13	2021	Border Security and Funding
2.14	2024	National Historic Preservation Act Amendment
2.15	2023	National Environmental Policy Act

## **3 WILDLIFE**

3.1	2022	Predator and Wildlife Damage Control and Wildlife Services
3.2	2021	Prairie Dogs
3.3	2022	Desert Tortoises
3.4	2024	Delisting of Grizzly Bears and Wolves
3.5	2021	Landowner Action for Wolf Depredation on Private and Federal Lands
3.6	2024	Sage Grouse Management
3.7	2024	Mexican Gray Wolf
3.8	2023	Livestock/Wildlife Interactions
3.9	2024	Bison Grazing on Federal Lands
3.10	2021	Federal Management of Non-Listed Species
3.11	2022	Species and Habitat Conservation Action Planning and Implementation

#### **4 RESOURCE ISSUES**

- |     |      |   |
|-----|------|---|
| 4.1 | 2022 | Fire Resistant Plant Species  |
| 4.2 | 2023 | Land Use Monitoring   |
| 4.3 | 2023 | Rangeland Improvement and<br>Betterment Funds                                       |
| 4.4 | 2024 | Innovative Rangeland Monitoring   |
| 4.5 | 2022 | Control of Grasshoppers, Crickets<br>and Other Damaging Insects on<br>Federal Lands |
| 4.6 | 2024 | Rehabilitation of Sage Brush<br>Habitat from Fire and Other<br>Disturbances         |
| 4.7 | 2020 | Categorical Exclusions (CX or CE)   |
| 4.8 | 2020 | Off-Season Targeted Grazing   |

#### **5 PROPERTY RIGHTS**

- |     |      |  |
|-----|------|--|
| 5.1 | 2024 | USFWS and National Marine<br>Fisheries Service |
| 5.2 | 2024 | Range Monitor Funding                          |
| 5.3 | 2023 | Livestock Impoundment                          |
| 5.4 | 2024 | Water Rights on Federal Lands                  |

#### **6 SPECIFIC INITIATIVES**

- |     |      |   |
|-----|------|---|
| 6.1 | 2024 | Wild and Scenic Rivers  |
| 6.2 | 2023 | National Park Service Resource<br>Management Review                   |
| 6.3 | 2023 | Voluntary Mitigation Plans  |
| 6.4 | 2024 | Off-Road Vehicles   |
| 6.5 | 2024 | Catastrophic Wildfire   |
| 6.6 | 2024 | Local Economy and Lifestyle in<br>Public Land Management<br>Decisions |
| 6.7 | 2021 | Livestock Grazing as a Primary<br>Tool                                |
| 6.8 | 2024 | Shared Stewardship  |

## **1. ADMINISTRATIVE AND REGULATORY**

FL 1.1

2024/Renewed

### **Federal Lands Management**

BE IT RESOLVED, NCBA continues 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, NCBA supports federal lands grazing management that meets the following principles:

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

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

FL 1.2

2020/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 U.S. 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 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

2021/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  
2022/Renewed  
**Agency Range Budget**

BE IT RESOLVED, NCBA supports adequate funding for USFS 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 1.5  
2021/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 on federal land should not be subject to citation.

FL 1.6  
2022/ 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 1.7  
2022/Amended  
**Permit Renewals**

WHEREAS, the continuance of grazing under a permit beyond the date of expiration does not eliminate the obligation to complete NEPA on Bureau of Land Management (BLM) and 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, clearly communicate through guidance that field offices may exercise discretion when deciding what level of NEPA analysis to require, and reassign specialists to complete the input required for the permits to ensure that grazing is allowed to continue.

FL 1.8  
2024/Renewed  
**Direct Access to Federal Court**

WHEREAS, administrative appeals and objections procedures available within USFS 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 1.9

2023/Renewed

**Compensation for Cuts in Permitted Animal Unit Months**

BE IT RESOLVED, NCBA recommends that in the case of permitted AUMs being reduced or taking of permits by a federal agency, 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 1.10

2024/Renewed

**Notice to Permittees**

BE IT RESOLVED, NCBA requests all public land agencies notify affected permittees, PLC, and affected livestock associations prior to entering into memoranda of understanding which affect grazing permits.

BE IT FURTHER RESOLVED, NCBA requests formal notice shall be sent to permittees and lessees, particularly permittees that qualify as an Affected Interest, in a timely manner to allow them to participate in any proposed agency action.

FL 1.11

2024/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 all public land agencies which participate in the publication of such maps designate all private roads as "PRIVATE" in their next printing.

BE IT FURTHER RESOLVED, NCBA recommends roads which are not available for use by

the public be marked "NO PUBLIC ACCESS" on maps published by all public land agencies.

BE IT FURTHER 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 1.12

2023/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 opposes the use of government agencies, private organizations, or non-local environmental organizations as conduits for increased acquisition of land that results in the reduction or elimination of livestock grazing.

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.

FL 1.13

2023/Amended

**USFS and Bureau of Land Management (BLM) Rangeland Management Positions**

WHEREAS, rangeland management is an integral aspect of multiple resource management, and

WHEREAS, some federal rangeland management positions have been filled throughout the USFS and BLM with inadequately trained personnel,

THEREFORE BE IT 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 FURTHER RESOLVED, NCBA advocates that USFS and BLM utilize Direct-Hire Authority wherever possible and practicable to meet critical staffing needs in the range programs.

FL 1.14

2024/Renewed

**Multiple-Use**

BE IT RESOLVED, NCBA supports multiple-use management of federal lands.

BE IT FURTHER RESOLVED, NCBA opposes

Congressional or administrative designations that intentionally or otherwise result in single-use management or emphasis on single-use allotments in derogation of the long-standing principle of multiple-use.

FL 1.15

2024/Renewed

**Grazing Advisory Boards**

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 and USFS reinstate, where not already present, Grazing Advisory Boards under any county’s cooperative agency status with federal agencies.

FL 1.16

2022/Renewed

**Grazing Appeals of Forest Service Decisions**

WHEREAS, the current USFS grazing appeals process requires appeals to be made to the next highest line officer, and

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 USFS 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.

FL 1.17  
2023/Renewed  
**Appeal of Bureau of Land Management (BLM)  
Decisions**

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.

FL 1.18  
2023/Renewed  
**Interested Public**

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 USFS,

THEREFORE BE IT RESOLVED, NCBA recommends the BLM and USFS 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 1.19  
2023/Renewed  
**Permit Issuance and Transfer**

WHEREAS, the Taylor Grazing Act (TGA) gives the right of automatic renewal to permittees, and

WHEREAS, 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 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.
2. New and additional 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.
3. BLM and 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.
4. Permits shall be transferred or renewed with the same terms and conditions of the existing permit where 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 will 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 will 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 NEPA review prior to expiration or transfer of any permit or lease.

BE IT FURTHER RESOLVED, NCBA will work to ensure any permit application process is consistent with TGA, specifically with respect to its provision regarding the automatic renewal of permits, and with the Administrative Procedures Act.

FL 1.20  
2023/Renewed  
**Preference**

WHEREAS, the term “preference” has been redefined from its historic definition, and

WHEREAS, the intent of Congress in the Taylor Grazing Act (TGA) 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 TGA, intended for Western family ranches holding BLM grazing permits, and

WHEREAS, by TGA, 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 BLM grazing regulations of 1995, so as to reflect the original and historic intent TGA by giving the appropriate ranches a priority position for a certain number of adjudicated "preference right" AUMs.

FL 1.21  
2024/Renewed  
**Fence Height Requirements for Roads and Highways**

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, federal fence laws and state and federal agency guidelines may conflict with state fence laws, resulting in conflicting requirements, 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 state affiliates and federal agencies to amend agency requirements for fences to allow for all livestock fences to be built up to a fifty-two inch height.

FL 1.22  
2023/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 they wish to keep cattle off their private property within USFS and Bureau of Land Management property boundaries not fenced prior to 1928.

BE IT FURTHER RESOLVED, NCBA will request federal agencies to comply with the same fence laws and traditional fencing practices as private property owners within each state.

FL 1.23  
2023/Amended  
**Predation Reporting**

WHEREAS, the number of livestock kills confirmed by USDA Wildlife Services and other

agencies is only a small fraction of those actually killed and harassed by predators, and

WHEREAS, the indirect costs of predator conflict result in added burdens in livestock management, weight loss, reduced conception rates, and more aggressive livestock disposition that result in financial loss and can be more costly to producers than actual kills, and

WHEREAS, federal compensation programs only provide payments for confirmed kills,

THEREFORE BE IT RESOLVED, NCBA encourages USDA Wildlife Services to report total activities of the depredation program to differentiate confirmed kills, unconfirmed kills, and other injuries.

BE IT FURTHER RESOLVED, NCBA encourages 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.

BE IT FURTHER RESOLVED, NCBA supports fair and adequate compensation for wildlife damage to livestock, working animals, and private property.

FL 1.24

2024/Renewed

#### **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 USFS, Bureau of Land Management, and the nation's governors to ensure permittee involvement.

FL 1.25

2024/Renewed

#### **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, NCBA requests USFWS, USFS, and the Bureau of Land Management 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,

BE IT FURTHER RESOLVED, NCBA encourages federal lands management agencies to enter into conservation agreements with USFWS, in consultation with federal land permittees, that complement private landowner agreements, which allow for the management of species across landscape boundaries, and ensure the economic stability of public land ranches.

FL 1.26

2024/Renewed

#### **On-Refuge and Park Hunting**

WHEREAS, big game spend a significant percentage of the year on private 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 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.

FL 1.27

2020/Renewed

#### **Endangered Species-Environmental Impact Statement**

WHEREAS, the implementation of the ESA 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.

FL 1.28

2021/ Renewed

#### **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 Bureau of Land Management decision when it is appealed.
5. The APA does not currently apply to Forest Service permittees.

THEREFORE BE IT RESOLVED, NCBA requests 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 Bureau of Land Management has to prove its case by a preponderance of the evidence.
4. The Bureau of Land Management'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 USFS permittees can challenge agency decisions "on the record" under the APA.

FL 1.29

2022/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 to Parkinson's disease,

THEREFORE BE IT RESOLVED, NCBA opposes 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, prepared in accordance with stipulations of the NEPA, analyzes potential effects on humans, livestock, and wildlife in the affected watershed.

FL 1.30  
2024/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, and

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, 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 strongly opposes actions by the Federal government to withhold Abandoned Mine Land monies, Payments in Lieu of Taxes, impact aid, federal mineral royalty payments due the states, and other monies to which the states are entitled.

BE IT FURTHER RESOLVED, NCBA opposes further Federal government threats 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.

BE IT FURTHER RESOLVED, NCBA supports PL 106-393 and its renewal with funding levels that adequately provide resources necessary for the Act to function properly.

FL 1.31  
2020/Renewed  
**Notification and Reissuance for Vacant Allotments**

WHEREAS, public land grazing allotments periodically become vacant, and

WHEREAS, improper disposition of vacant allotments may harm the stability and growth of the livestock industry, and

WHEREAS, vacant allotments are not being reissued in a timely manner, nor is the process of restocking being done consistently,

THEREFORE BE IT RESOLVED, the federal land management agencies shall notify the local or state livestock organizations when an allotment is vacant and on an annual basis inform these groups the total number and location of all vacant allotments.

BE IT FURTHER RESOLVED, federal land management agencies put vacant allotments up for advertisements and reissuance to qualified applicants.

BE IT FURTHER RESOLVED, that vacant allotments for which there is a qualified applicant, be kept on or added to the Rescissions Act or other permit renewal schedules as a priority in order to be compliant with NEPA and allow grazing.

FL 1.32

2024/Renewed

### **Federal Land Designations**

WHEREAS, the Federal Executive Branch has continuously and aggressively designated millions of acres of land throughout the western U.S. as national monuments under the Antiquities Act, which directs the President to designate “the smallest area essential to ensure the proper care and management of the objects to be protected,” and

WHEREAS, other 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 USFS lands, and

WHEREAS, the U.S. has wilderness areas which far exceed the original vision and intent of the Wilderness Act of 1964, and

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 supports 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:

- A requirement for congressional and local government approval of Presidential Designations.
- A requirement that existing levels of grazing be maintained.
- An exemption of western states from the Antiquities Act.
- A requirement that approval be granted by local residents and stakeholders.
- A requirement that appropriate economic and environmental review be completed prior to national monument designations.

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 works with impacted producers, federal agencies, and local governments to secure the best operating environment possible.

BE IT FURTHER RESOLVED, NCBA strongly opposes further identification 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, NCBA holds that existing wilderness areas and wilderness study areas should be reexamined and only those areas that meet the criteria specified in the Wilderness Act should remain wilderness or be designated as wilderness and that all other areas should be released back to multiple-use management.

BE IT FURTHER RESOLVED, NCBA opposes the identification of special characteristics of land and/or water as a tool to restrict multiple-use.

FL 1.33

2022/Renewed

### **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 shall 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 supports the latter when such mutual agreement exists and where care has been taken to preserve grazing protections in the process.

FL 1.34  
2024/Renewed  
**Wild Horses & Burros**

WHEREAS, excessive numbers of feral horses and burros cause increased 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:

- Immediate identification of appropriate 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.

- A re-opening of a period to allow ranchers to claim horses and burros not previously removed from federal and private lands.
- Authorization for sale (and immediate title transfer), or disposal, of unadopted horses and burros by the Bureau of Land Management/USFS with sales receipts to be used in the Wild Horse and Burro Program.
- 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.
- 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 federal land management agencies bearing all costs of 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.

FL 1.35  
2024/Renewed  
**Federal Lands Recreation**

WHEREAS, public lands are dedicated to the  
WHEREAS, public lands are dedicated to the beneficial use of all the people, and

WHEREAS, the basic concept upon which use of public lands by the people was that of multiple use, and

WHEREAS, responsible recreation on federal lands is compatible with livestock management when practiced in a manner consistent with multiple-use mandates,

THEREFORE BE IT RESOLVED, NCBA engages in the continued dialogue surrounding the complexities of recreation, conflicts with livestock grazing, and the lack of agency management on multiple-use landscapes.

BE IT FURTHER RESOLVED, NCBA recommends that the federal agencies administering federal lands continue to maintain and enforce a true multiple use policy and resist actions of recreational organizations who are moving towards a single-use concept.

BE IT FURTHER RESOLVED, NCBA opposes the adverse modification of grazing permits as mitigation for recreational impacts.

FL 1.36  
2020/New

**Collaborative Forest and Rangeland Management Programs**

WHEREAS, the Omnibus Public Land Management Act of 2009 established the Collaborative Forest Landscape Restoration Program (CFLRP) to encourage the collaborative, science-based ecosystem restoration of priority forest landscapes, and

WHEREAS, there are several other efforts aimed at fostering collaborative management of federal lands including the Good Neighbor Authority and Shared Stewardship agreements, and

WHEREAS, these efforts have the potential to allow for more common-sense, site-specific management of federal lands but they have been primarily focused on timber projects, and

WHEREAS, livestock grazing provides multiple benefits to federal lands, including fuels management, but grazing as a beneficial treatment in USFS and Bureau of Land Management (BLM) projects has been largely overlooked as implementation of these collaborative approaches have occurred,

THEREFORE BE IT RESOLVED, as CFLRP comes up for reauthorization and BLM vegetation management NEPA, NCBA seeks the

inclusion of additional language which specifically acknowledges livestock grazing and recognizes the contribution of livestock grazing to fuels management and fire risk reduction, forest and rangeland health, and the sustainability of local economies.

BE IT FURTHER RESOLVED, NCBA also promotes the inclusion of livestock grazing in vegetation management NEPA collaborative programs and the coordination of other planned treatment methods with grazing to result in more effective and complete restoration efforts and other projects.

FL 1.37  
2023/New

**Bureau of Land Management (BLM) Conservation Leasing**

WHEREAS, BLM's proposed Conservation and Land Health rule would require BLM to plan for and consider conservation as a use on par with other uses under the Federal Land Policy Management Act's multiple use framework, and

WHEREAS, the Taylor Grazing Act classifies lands as chiefly valuable for grazing, ensures the protection of the livestock grazing industry, and the U.S. food supply,

THEREFORE BE IT RESOLVED, NCBA encourages BLM to recognize managed grazing of domestic livestock as a sustainable use for a healthy rangeland.

BE IT FURTHER RESOLVED, NCBA does not support BLM's proposed Conservation and Land Health rule.

FL 1.38  
2024/New  
**Natural Asset Companies (NAC)**

WHEREAS, the issuance of federal grazing permits to livestock producers and the right of livestock producers to fully utilize the resource per the terms and conditions of their permit are both enshrined in federal law, and

WHEREAS, livestock grazing on federal lands generates enormous social, economic, and environmental value, including billions of dollars annually in ecosystem services, and

WHEREAS, federal policy decisions regarding land management and grazing are not always based on sound science and can be politically biased,

THEREFORE BE IT RESOLVED, NCBA opposes any effort to utilize private sector contracts or products, including but not limited to natural asset companies, to restrict livestock grazing on any federal lands.

BE IT FURTHER RESOLVED, NCBA opposes any effort by the federal land management agencies to utilize private sector contracts or products, including but not limited to natural asset companies, to circumvent their existing internal processes and statutory obligations

## **2. LEGISLATIVE**

FL 2.1

2024/Renewed

### **Federal Grazing Fee Formula**

WHEREAS, NCBA supports the current grazing fee formula set forth in Executive Order 12548,

THEREFORE BE IT RESOLVED, NCBA supports a statutory Federal Grazing Fee formula that 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

2020/Amended

### **Removal of Grasslands from U.S. Forest Service Jurisdiction**

WHEREAS, national grasslands play a key role in the stability and productivity of rural communities, and

WHEREAS, the U.S. Forest Service is required to manage grasslands under the principle of multiple use for the good of the landscape and the American people but has historically failed to balance land management objectives,

THEREFORE BE IT RESOLVED, NCBA supports ongoing efforts by the Association of National Grasslands to remove the national grasslands from U.S. Forest Service jurisdiction.

FL 2.3

2021/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, the U.S. 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.

FL 2.4

2024/Renewed

### **Vandalism on Federal Lands**

WHEREAS, stockmen must have more protection from eco-terrorists, environmental extremists, and other individuals who kill or 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 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 prosecute violators of said statutes to the fullest extent of the law.

BE IT FURTHER RESOLVED, NCBA urges BLM and USFS to utilize education and enforcement efforts to discourage and curtail vandalism on federal lands.

BE IT FURTHER RESOLVED, NCBA supports holding those convicted of vandalism responsible for repairing the damage which they have caused to improvements and vegetation on federal rangelands.

FL 2.5  
2021/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 antecede enactment of FLPMA.

FL 2.6  
2022/Renewed  
**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  
2022/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  
2022/Renewed  
**Mining Laws**

BE IT RESOLVED, NCBA supports reasonable, diligent, and consistent enforcement of existing regulations and adequate agency monitoring in regard 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  
2023/Renewed  
**Fencing of Sensitive Areas**

WHEREAS, USFS and Bureau of Land Management 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 or improving condition,

THEREFORE BE IT RESOLVED, NCBA will 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.
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

2024/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-seral 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 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.

FL 2.11

2023/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 should 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*.

FL 2.12

2024/Renewed

#### **Equal Access to Justice Act**

WHEREAS, the Equal Access to Justice Act (EAJA) and other fee-shifting statutes provide for the awarding 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,

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 2.13

2021/Renewed

#### **Border Security and Funding**

WHEREAS, federally-designated lands along the international border with Mexico and Canada have demonstrated unfettered illegal access to the U.S. 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 USFS lands,

THEREFORE BE IT RESOLVED, NCBA supports all legislation and authority for the Department of Defense, the Immigration, Customs and Enforcement, the U.S. Border Patrol, as well as state and local authorities to secure the international border with Mexico and Canada.

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 2.14

2024/Renewed

#### **National Historic Preservation Act Amendment**

WHEREAS, Memoranda of Understanding are being developed between federal agencies and State Historic Preservation Officers which delay or prevent the maintenance or improvement of existing facilities on both federal and private lands,

THEREFORE BE IT RESOLVED, NCBA supports 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.

BE IT FURTHER RESOLVED, NCBA supports 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 2.15

2023/Renewed

### **National Environmental Policy Act**

WHEREAS, ranchers across the country deal with 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 definition of major federal actions and clarify the threshold for conducting an environmental impact statement, an environmental assessment, and a categorical exclusion.

- a. Improve formulation of alternatives and establishment of baseline, continuing use, definition of “no action” as an alternative.
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 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. 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

2022/Amended

#### **Predator and Wildlife Damage Control and Wildlife Services**

WHEREAS, wildlife causes billions in damage each year to natural resources, public infrastructures, private property, and agriculture, including more than \$185 million in death loss to cattle and calves annually,

THEREFORE BE IT RESOLVED, NCBA supports effective predator and wildlife management efforts on federal, state, and private lands, employing appropriate means, including mechanical means.

BE IT FURTHER RESOLVED, NCBA supports the USDA-APHIS's 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 3.2

2021/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 ESA, 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 USFS to make a decision prior to obtaining public input or conducting an appropriate environmental analysis,

THEREFORE BE IT RESOLVED, NCBA opposes the decision of the Bureau of Land Management and USFS to restrict poisoning or shooting of the black-tailed prairie dog on federal lands, and this restriction be removed from Bureau of Land Management and USFS policy based on the determination that the species listing is not warranted.

BE IT FURTHER RESOLVED, NCBA supports integrated and coordinated prairie dog management programs which provide for private property and business interests, and ecological and public health considerations.

FL 3.3

2022/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 3.4

2024/Amended

#### **Delisting of Grizzly Bears and Wolves**

BE IT RESOLVED, NCBA supports petitioning USFWS to delist the grizzly bear 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 agricultural economic values.

BE IT FURTHER RESOLVED, NCBA opposes translocation, introduction, or reintroduction of grizzly bears and wolves to areas where there is not currently a population of that species.

BE IT FURTHER RESOLVED, NCBA seeks congressional support for a legislative delisting of recovered populations of grizzly bears and wolves.



FL 3.5

2021/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 property and federal lands on which they have a grazing permit.

FL 3.6

2024/Renewed

**Sage Grouse Management**

WHEREAS, sage grouse management is vital to the industry's interests in keeping the species from being listed as endangered,

THEREFORE BE IT RESOLVED, NCBA monitors and engages in sage grouse-related activities on behalf of permittees and landowners throughout the range of Greater Sage Grouse, Bi-State 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 takes an active role in the development of these programs to promote the industry's interests.

FL 3.7

2024/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:

- The genetic purity and health of the released wolves is suspect.
- The preferred wild prey base is declining and has been for several years.
- 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 opposes expansion of the recovery area or habitat designation, recommends the wolf re-introduction program be terminated, and all released wolves and all of their pups be captured and removed.

FL 3.8

2023/Renewed

**Livestock/Wildlife Interactions**

WHEREAS, federal agency wildlife management decisions involving bighorn sheep and elk, among other species not listed under 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 ESA and also seeks to maintain a balance of multiple uses on federal lands.

FL 3.9

2024/Renewed

**Bison Grazing on Federal Lands**

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 on public lands.

BE IT FURTHER RESOLVED, NCBA insists that in cases where bison are permitted to graze on federal lands, permittees be held to the same standards and guidelines, and fundamentals of land health as livestock classes.

BE IT FURTHER RESOLVED, NCBA urges agencies to hold permittees who graze bison on federal lands to the same standards of best management practice, including but not limited to pasture rotation and riparian area management.

FL 3.10

2021/Amended

**Federal Management of Non-Listed Species**

WHEREAS, the Bureau of Land Management, USFWS, and USFS are increasingly

imposing the restrictions of a “threatened” or “warranted” listing under the ESA upon non-listed or not warranted species, and

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 opposes any federal management plan or land use plan amendment that seeks to manage a non-listed or not warranted species.

FL 3.11

2022/Renewed

#### **Species and Habitat Conservation Action Planning and Implementation**

WHEREAS, NCBA strongly supports principles of multiple use that provide 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 defensible nature of advanced and legally defensible planning,

THEREFORE BE IT RESOLVED, NCBA demands that species and habitat action plans fully consider multiple uses and do not elevate any use over livestock grazing.

BE IT FURTHER RESOLVED, NCBA and its affiliates shall 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 shall work with its affiliates to detail and offer formal regulatory constructs that strike 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

2022/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

2023/Renewed

### **Land Use Monitoring**

WHEREAS, federal agencies are currently using highly subjective numeric grazing utilization, and stubble height standards, and stream bank trampling standards as measures of rangeland health threshold triggers to justify reductions in animal unit months, 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

2023/Renewed

#### **Rangeland Improvement and Betterment Funds**

WHEREAS, federal agencies are currently using highly subjective numeric grazing utilization, and stubble height standards, and stream bank trampling standards as measures of rangeland health threshold triggers to justify reductions in animal unit months, 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 4.4

2024/Renewed

#### **Innovative Rangeland Monitoring**

WHEREAS, there is a need for a monitoring system for rangelands across the U.S. 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 Congress, 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 urges Congress to direct USDA-ARS, in consultation with knowledgeable experts from the range livestock industry, including permittees, as well as land-grant universities, 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 USFS and Bureau of Land Management to define a process which will allow for the acceptance of permittee monitoring data as recognized data.

FL 4.5

2022/Renewed

**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 shall work with federal agencies, including the USDA-APHIS, Bureau of Land Management, and USFS, 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.

FL 4.6

2024/Renewed

**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, 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.

FL 4.7

2020/Amended

**Categorical Exclusions (CX or CE)**

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/CEs to more efficiently manage time and resources to issue grazing permits for public land users in an efficient, evidence-based manner, and

WHEREAS, the Council on Environmental Quality directed agencies to optimize the use of CX/CEs in proposals that do not meet the threshold to be a major federal action, and

WHEREAS, NEPA directs agencies to consistently apply their own and other agencies' CX/CEs to use the "simplest analysis first" before engaging in a more lengthy NEPA analysis,

THEREFORE BE IT RESOLVED, NCBA supports the continued and increased use of CX/CEs by federal land management agencies.

FL 4.8

2020/New

#### **Off-Season Targeted Grazing**

WHEREAS, increasing severity of catastrophic wildland fires on federal land continues to occur throughout the western United States, and

WHEREAS, these wildfires have led to health, economic and environmental hardships to ranches and communities throughout the West, and

WHEREAS recent research has shown the positive effects of off-season targeted grazing on federal land, including the reduction of invasive grasses and the improvement of perennial native grasses,

THEREFORE BE IT RESOLVED, NCBA strongly supports off-season targeted grazing on federal land to assist with prevention and control of catastrophic wildfire.

### **5. PROPERTY RIGHTS**

FL 5.1

2024/Renewed

#### **USFWS and National Marine Fisheries Service**

WHEREAS, the ESA 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 ESA, 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 ESA,

THEREFORE BE IT RESOLVED, NCBA requests that Congressional oversight hearings be held to ascertain that USFWS 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

2024/Renewed

#### **Range Monitor Funding**

WHEREAS, all range management decisions are, or will soon be, based upon monitoring, and

WHEREAS, monitoring of resource conditions and trends should be performed only by qualified persons (i.e. federal, state and local government, grazing permittees and lessees, university personnel, and trained general public), and

WHEREAS, monitoring should be conducted according to regional or state criteria and protocols, and

WHEREAS, monitoring protocols must be site-specific, scientifically valid, and subject to peer review, and monitoring data shall be periodically verified with cooperation between the agency and permittees,

THEREFORE BE IT RESOLVED, NCBA requests Congress fund a budget line item to be used solely for monitoring.

FL 5.3

2023/Renewed

#### **Livestock Impoundment**

WHEREAS, NCBA opposes grazing practices that lead to rangeland degradation, does not

support those few who refuse to pay their grazing fees, and does not support unauthorized use, and

WHEREAS, the seizure and sale 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 U.S. Constitution, and

WHEREAS, Bureau of Land Management (BLM) and USFS have impounded and sold trespass livestock without any judicial review to determine whether BLM or USFS is in compliance with state brand inspection laws,

THEREFORE BE IT RESOLVED, NCBA urges BLM or USFS to seek a state district court order authorizing any livestock impoundment or seizure, prior to any such action.

FL 5.4

2024/Renewed

#### **Water Rights on Federal Lands**

WHEREAS, Federal agencies are attempting to force permittees to transfer part of their assets (water) to obtain a permit from USFS and permission from the Bureau of Land Management to make water improvements on public lands, and

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, the McCarran Amendment created a limited waiver of federal sovereign immunity which allows the U.S. to be joined as a party in a state's stream adjudications and in a state's administration of established water rights, 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.

BE IT FURTHER RESOLVED, NCBA strongly opposes the forced transfer of water rights in order to obtain permission for water developments on public land.

## **6. SPECIFIC INITIATIVES**

FL 6.1

2024/Renewed

### **Wild and Scenic Rivers**

BE IT RESOLVED, NCBA opposes any Wild and 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

2023/Amended

### **National Park Service Resource Management Review**

WHEREAS, DOI 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 (NPS), 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 will work to establish a congressionally funded independent scientific review and interpretation of the resource management policies and practices of the National Park Service within NPS lands, and the effect

these policies and practices have on the ecological resources within NPS and surrounding lands.

FL 6.3

2023/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 ESA on public and private land ranchers by precluding the need for protection under 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 priority of FWS, and

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 or listed species and habitats.

BE IT FURTHER RESOLVED, NCBA consults with state affiliates regarding state management plans and programs.

BE IT FURTHER RESOLVED, NCBA opposes any federal mitigation policies or programs that would undermine or make obsolete state-led efforts.

FL 6.4

2024/Renewed

**Off-Road Vehicles**

WHEREAS, NCBA believes the use of off-road vehicles (ORV) including motorcycles, 4-wheelers and multi-purpose vehicles 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 resources,

WHEREAS, ranchers need to go off road in all kinds of conditions to check and treat sick livestock, tend to cows that are calving and sheep that are lambing, or to locate dead cattle and sheep to confirm predator losses,

THEREFORE BE IT RESOLVED, NCBA supports retention of existing vehicle use on grazing allotments,

BE IT FURTHER RESOLVED, NCBA opposes any new or additional restrictions on permittees' ability to use ORV or similar vehicles.

FL 6.5

2024/Renewed

**Catastrophic Wildfire**

WHEREAS, vegetation fuel loads, drought, poorly planned backfires, and inaccessible areas have led to catastrophic wildfires, creating frequent emergency situations, 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), USFS, USFWS, and the Bureau of Land Management (BLM), and

WHEREAS, the risk of catastrophic wildfires is compounded by federal lands management policy,

including the requirements imposed by NEPA and ESA restrictions, and

WHEREAS, private lands are similarly affected by ESA restrictions, and

WHEREAS, catastrophic wildfires cause significant damage to natural resources, especially timber, forage availability, water quality, and wildlife habitat, and

WHEREAS, catastrophic wildfires also cause significant damage to life and property, and

WHEREAS, wildfire suppression and restoration costs to taxpayers regularly exceeds billions of dollars annually, as can the value of timber and forage 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 CRP, and lands managed under ESA prescriptions, to use multiple-use activities such as grazing, and timber harvesting to prevent the build-up of fuel loads that lead to catastrophic fire.

BE IT FURTHER RESOLVED, NCBA supports expanded authority and direction to utilize “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 enhance coordination of fire suppression efforts between local, state, and federal officials, and empower 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 continues to closely coordinate with affiliated states, affected members, elected officials, and any other potential ally on these important efforts.

FL 6.6

2024/Renewed

### **Local Economy and Lifestyle in Public Land Management Decisions**

BE IT RESOLVED, NCBA recognizes the importance of rural local economies, rural lifestyles, social amenities, and cattle grazing in all future public land management decisions and promotes these principles to public land administrators, congressional delegations, environmental organizations, and the general public.

FL 6.7

2021/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, and

WHEREAS, livestock grazing can be used as a targeted tool to achieve specific environmental conditions, like carbon storage and improved soil health, and

WHEREAS, livestock grazing and permittees’ investments improve and maintain federal lands that are utilized by other multiple uses that depend on the ability to access healthy, safe lands,



THEREFORE BE IT RESOLVED, NCBA publicly supports and promotes the continuing use of livestock grazing as a tool to manage rangeland vegetation, achieve a desired plant community on our federal lands, and support federal lands' role as a primary carbon sink.

BE IT FURTHER RESOLVED, NCBA encourages all local, state, and federal agencies to utilize livestock grazing as a primary tool for reducing fuel load, reducing wildfire potential, increasing water yield, increasing public safety, improving livestock and wildlife habitat, supporting and facilitating multiple use, and increasing vegetative diversity.

FL 6.8

2024/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:

- Rancher participation would be strictly voluntary.
- Policies maintain existing or increase numbers of Animal Unit Months (AUMs).
- Policies support retention of *preference* attached to base property.
- Policies support retention of water rights for ranchers.
- Implementation of policies must support private property rights of landowners.
- 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.

BE IT FURTHER RESOLVED, NCBA seeks to include stewardship contracts for grazing and collaborative stewardship of public lands.

# INTERNATIONAL TRADE COMMITTEE

Tony Toso, CA – Chair

Will Mayfield, TN – Vice Chair

Kent Bacus & Kelsea Kemp - Staff

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## **1 GENERAL TRADE**

- |      |      |   |
|------|------|---|
| 1.1  | 2023 | Grading Reciprocity                                       |
| 1.2  | 2024 | USDA-FAS  |
| 1.3  | 2024 | MAP Funding   |
| 1.4  | 2022 | Department of Defense<br>Commissary Purchases             |
| 1.5  | 2021 | U.S.-Mexico-Canada Agreement                              |
| 1.6  | 2021 | U.S. Meat Export Federation                               |
| 1.7  | 2023 | Support of U.S. Meat Export<br>Federation                 |
| 1.8  | 2024 | International Markets                                     |
| 1.9  | 2024 | Enforcement of Trade Laws                                 |
| 1.10 | 2024 | Definition of Beef Dumping                                |
| 1.11 | 2021 | Trade Quotas  |
| 1.12 | 2023 | Country-of-Origin Labeling<br>Implementation              |
| 1.13 | 2022 | Science-Based Standards for<br>Imports                    |
| 1.14 | 2024 | Inclusion of Products in Trade<br>Agreements              |
| 1.15 | 2021 | Bovine Spongiform<br>Encephalopathy (BSE) Trade<br>Action |
| 1.16 | 2020 | Transparency in Labeling                                  |

## **2 ACCESS AND CREDIT**

- |     |      |   |
|-----|------|---|
| 2.1 | 2023 | Government Commodity Programs                     |
| 2.2 | 2023 | International Treaties                            |
| 2.3 | 2024 | Export of Beef from Non-Hormone<br>Treated Cattle |
| 2.4 | 2022 | Trade and Retaliatory Measures                    |
| 2.5 | 2022 | Support for Trade Promotion<br>Authority          |
| 2.6 | 2024 | International Beef Trade                          |
| 2.7 | 2022 | International Beef Trade                          |

## **1. GENERAL TRADE**

IT 1.1

2023/Renewed

### **Grading Reciprocity**

WHEREAS, USDA's 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 U.S.,

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

2024/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

2024/Renewed

### **MAP Funding**

BE IT RESOLVED, NCBA favors adequate funding of the Market Access Program (MAP), or any successor program, and strongly favors making funds available for export promotions of beef and beef products.

IT 1.4

2022/Amended

### **Department of Defense Commissary Purchases**

BE IT RESOLVED, NCBA encourages the U.S. Department of Defense to purchase U.S. beef for all of its commissary programs.

IT 1.5

2021/Amended

### **U.S.-Mexico-Canada Agreement**

WHEREAS, the North American Free Trade Agreement (NAFTA) between the U.S., Mexico, and Canada, was dissolved and replaced with the U.S.-Mexico-Canada Agreement (USMCA),

WHEREAS, NCBA strongly supported the ratification and implementation of USMCA,

THEREFORE BE IT RESOLVED, NCBA shall continue to monitor and undertake all necessary means to enforce USMCA provisions related to animal health, environment, food safety, and other science-based standards.

BE IT FURTHER RESOLVED, NCBA shall continue to monitor North American trade flows to assure that trade is fair and equitable in accordance with trade rules and market demand: including the continuation of timely and accurate publication of economic analyses of trade impacts on the cattle and beef industry.

BE IT FURTHER RESOLVED, NCBA shall continue to review regular reports on imports and exports of cattle, beef, pork, poultry, and feed grains from the appropriate government agencies.

BE IT FURTHER RESOLVED, NCBA shall continue to participate in private sector advisory committees including the Advisory Committee on Trade Policy and Negotiations (ACTPN), the Agricultural Policy Advisory Committee (APAC), and the Agricultural Technical Advisory Committee (ATAC).

IT 1.6

2021/Renewed

### **U.S. Meat Export Federation**

WHEREAS, NCBA recognizes the necessity of increased beef and beef product exports to the wellbeing of the cattle industry, and

WHEREAS, NCBA is a charter member of the 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

2023/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, 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 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 for outstanding results.

IT 1.8

2024/Renewed

**International Markets**

WHEREAS, over 95% of the world's consumers live outside the U.S., 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 continually monitors 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

2024/Renewed

**Enforcement of Trade Laws**

BE IT RESOLVED, NCBA actively pursues enforcement of U.S. trade laws, insofar as they are consistent with current NCBA policies.

IT 1.10

2024/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 the cattle cycle sell below the cost of production, 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 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 works to change WTO rules that define the definition of beef dumping as selling below the cost of production.

IT 1.11

2021/Amended

**Trade Quotas**

WHEREAS, the U.S. market is one of the highest value global markets for beef sales, and

WHEREAS, many countries seek access to the U.S. market, and

WHEREAS, the U.S. allows access primarily to countries that have trade agreements with the U.S.,

THEREFORE BE IT RESOLVED, NCBA actively supports maintaining equitable import quotas on beef and require the enforcement of trade laws.

IT 1.12

2023/Renewed

#### **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 COOL including the costs, benefits, and impact of COOL relative to tracking, auditing, verification, and compliance, and

WHEREAS, NCBA opposes mandatory labeling but remains in support of COOL 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 U.S. to severe retaliatory tariffs unless it was repealed, and

WHEREAS, the implementation of the previous federal COOL law placed a great burden on domestic producers and disrupted the beef market,

THEREFORE BE IT RESOLVED, NCBA continues to oppose mandatory COOL laws or regulations that may violate international trade laws, and NCBA will work with Congress and USDA to ensure that COOL laws or regulations for red meat products allow maximum benefits and minimal market disruptions to the U.S. beef and cattle industry.

IT 1.13

2022/Amended

#### **Science-Based Standards for 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 risk from a region or country,

THEREFORE BE IT RESOLVED, NCBA works to ensure USDA bases trade agreements with all beef trading partners on the World Organization for Animal Health (WOAH) and Codex Alimentarius standards.

IT 1.14

2024/Renewed

#### **Inclusion of Products in Trade Agreements**

WHEREAS, the U.S. 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 U.S. negotiates trade agreements, NCBA supports inclusion of all products in all sectors by all parties to the agreement.

BE IT FURTHER RESOLVED, NCBA opposes negotiations or legislative proposals that will have the effect of excluding products or similarly limiting our negotiators' flexibility.

IT 1.15

2021/Amended

#### **Bovine Spongiform Encephalopathy (BSE) Trade Action**

WHEREAS, the U.S. has taken a leadership role in advocating science-based policies for the trade of beef products in global markets based on World Organization for Animal Health (OIE) guidelines, and

WHEREAS, some countries immediately closed their borders to the importation of U.S. beef and beef products as a result of classical BSE case in 2004, and

WHEREAS, such action has resulted in major disruptions in global beef trade including billions of dollars in lost U.S. beef and beef product export sales, and

WHEREAS, in 2013 the OIE upgraded the U.S. status of BSE to negligible risk — the highest status available, and

WHEREAS, in 2015 the OIE determined that atypical BSE will be excluded for BSE risk,

THEREFORE BE IT RESOLVED, NCBA requests the Administration pursue all available options, including trade action at the WTO or trade sanctions, to reestablish trade in beef and beef products with all countries based upon sound science and OIE guidelines.

IT 1.16

2020/New

### **Transparency in Labeling**

WHEREAS, NCBA supports clear retail labeling of beef products to reduce consumer confusion at the point of purchase, and

WHEREAS, the potential for ambiguous labeling of beef products without meaningful audit and verification is a cause for concern among beef producers across the country, and

WHEREAS, USDA currently oversees multiple, voluntary Process Verified Programs (PVPs) that include source of origin claims, and those PVPs have a proven track record of adding value to enrolled cattle, the flexibility to adapt to the needs of producers, and have been designed and tested by cattlemen in real-world production,

THEREFORE BE IT RESOLVED, NCBA supports the use of voluntary source of origin claims.

BE IT FURTHER RESOLVED, NCBA supports USDA verification of any source of origin claim or label.

## **2. ACCESS AND CREDIT**

IT 2.1

2023/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

2023/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 countries 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

2024/Renewed

### **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 assists 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

2022/Amended

**Trade and Retaliatory Measures**

WHEREAS, countries have closed their borders to U.S. beef products due to non-science based standards, and

WHEREAS, any 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

2022/Amended

**Support for Trade Promotion Authority**

WHEREAS, Trade Promotion Authority (TPA) outlines congressional guidance to the President on trade policy priorities and negotiating objectives, and

WHEREAS, TPA establishes congressional requirements for the Administration to notify and consult with Congress, the private sector, stakeholders, and the public during the negotiations of trade agreements, and

WHEREAS, TPA defines the terms, conditions, and procedures under which Congress allows the Administration to enter into trade agreements, and sets the procedures for congressional consideration of bills to implement the agreements,

THEREFORE BE IT RESOLVED, NCBA supports Trade Promotion Authority.

IT 2.6

2024/Renewed

**International Beef Trade**

WHEREAS, international beef trade is very important to long-term profitability for the U.S. beef industry, and

WHEREAS, U.S. 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 World Organization for Animal Health compliance.

BE IT FURTHER RESOLVED, NCBA calls for the immediate adoption of this policy with all interested global trading partners.

IT 2.7

2022/Amended

**International Beef Trade**

WHEREAS, the U.S. cattle and beef industry has benefitted greatly from increased market access secured through bilateral and multilateral trade agreements and executive agreements,

THEREFORE BE IT RESOLVED, NCBA supports the U.S. securing greater market access for U.S. beef through various trade policies such as trade agreements and executive agreements that remove tariff and non-tariff trade barriers to U.S. beef exports.

# LIVE CATTLE MARKETING COMMITTEE

Mike Drinnin, NE - Chair

Bruce Mershon, MO - Vice Chair

Tanner Beymer & Kelsea Kemp, Staff

## **1 INDUSTRY STRUCTURE/PRICE**

### **DISCOVERY**

- 1.1 2024 Amendment of the Packers & Stockyards Act
- 1.2 2020 P&SA User Fees
- 1.3 2021 Value-Based Marketing
- 1.4 2022 Feedlot Registration
- 1.5 2022 Law Enforcement
- 1.6 2020 Packer Ownership/Control
- 1.7 2024 Livestock Weights for Sale
- 1.8 2021 Electronic Funds Transfer & Lien Release
- 1.9 2021 Grain Inspection Packers and Stockyards Act Reform
- 1.10 2022 Fed Cattle Price Discovery
- 1.11 2022 Ownership Interests in Livestock Auction Markets
- 1.12 2023 Fed Cattle Pick up Time

## **2 FUTURES**

- 2.1 2022 Futures Trading
- 2.2 2022 CME Feeder Cattle Index
- 2.3 2022 Futures Commission Merchants Insurance
- 2.4 2020 CME Group Feeder Cattle Index – Commented Cattle and Market Outliers
- 2.5 2022 Algorithmic/High Frequency Futures Trading
- 2.6 2023 CME Live Cattle Physical Delivery
- 2.7 2021 CME Group’s Live Cattle and Feeder Cattle Futures
- 2.8 2022 CME Group’s Live Cattle Contract Specifications
- 2.9 2021 CME Group Live Cattle & Feeder Cattle Futures Contracts Price Limits
- 2.10 2024 Livestock Risk Protection Program Refinement
- 2.11 2024 Livestock Risk Protection Improvements

## **3 REPORTING**

- 3.1 2022 LMR Reporting
- 3.2 2022 USDA LMR Regions
- 3.3 2020 Livestock Mandatory Reporting
- 3.4 2022 Transparency of Market Transactions
- 3.5 2020 Next Day Cattle Weights

## **4 GRADING**

- 4.1 2021 Beef Grading
- 4.2 2023 USDA Quality Grades & Consumer Clarity in Retail Marketing

## **5 TRANSPORTATION**

- 5.1 2024 Shipment of Cattle from Hawaii



## **1. INDUSTRY STRUCTURE/PRICE DISCOVERY**

M 1.1

2024/Amended

### **Amendment of the Packers & Stockyard Act**

WHEREAS, the purpose of the Packers and Stockyards Act of 1921 (the Act) is to assure fair competition and fair trade practices, safeguard farmers and ranchers, protect consumers, and protect members of the livestock, meat, and poultry industries from unfair, deceptive, unjustly discriminatory and monopolistic practices, and

WHEREAS, specific updates to the Act are periodically needed to assure USDA is meeting the regulatory needs of a rapidly changing cattle industry, but opening the Act to broad legislative revision subjects the industry to unnecessary political risk,

THEREFORE BE IT RESOLVED, NCBA supports implementing the following in the event the Act is opened:

- Provide for a statutory Dealer Trust similar to the existing Packer Trust.
- Deny registration to any applicant for registration under the Act with a prior conviction of fraud, theft, or embezzlement.
- Eliminate reparation authority from the Act.
- Strike the Secretary of Agriculture's authority over rate reasonableness.
- Protect existing prompt payment and packer trust provisions.
- Clarify demonstrations of competitive injury are required to establish a violation of Sections 202 (a) and/or (b) of the Act.

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 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

2020/Renewed

### **P&SA User Fees**

BE IT RESOLVED, NCBA opposes user fees for Packers and Stockyard Administration activities and services.

M 1.3

2021/ 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

2022/Amended

### **Feedlot Registration**

WHEREAS, most custom feedlots are not traditional livestock dealers and do not charge commissions for selling or showing customer cattle,

THEREFORE BE IT RESOLVED, NCBA strongly opposes blanket Packers & Stockyard Administration registration of all custom feedlots.

M 1.5

2022/Amended

### **Law Enforcement**

BE IT RESOLVED, NCBA encourages the Department of Justice to enforce antitrust laws and assist USDA to enforce current provisions of the *Packers & Stockyards Act of 1921* in order to maintain a free and open cattle market.

M 1.6

2020/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 U.S.

M 1.7  
2024/Amended  
**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 Packers & Stockyards Division (PSD) currently mandates that livestock weights for purchase and sale must be from a scale certified twice per calendar year,

THEREFORE BE IT RESOLVED, NCBA urges PSD 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, NCBA urges PSD 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  
2021/Renewed  
**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, the cattle industry, has an emerging commercial practice that is hampered by an outdated regulatory system, and

WHEREAS, the cattle industry recognizes 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  
2021/Renewed  
**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. Modern forms of electronic payment, such as ACH payments, are a permissible option if they fall within the prompt payment timeframe.

M 1.10  
2022/Amended  
**Fed Cattle Price Discovery**

WHEREAS, a competitive fed cattle market, based on multiple price discovery points, is necessary to achieve robust price discovery that sends proper price signals throughout the supply chain, and

WHEREAS, robust price discovery is vital for all cattle market participants, and

WHEREAS, properly functioning cash and futures markets require transparent distribution of market information and regionally sufficient negotiated trade to achieve robust price discovery, and

WHEREAS, LMR defines negotiated trade as a cash or spot market purchase of cattle by a packer or negotiation of a base price, from which premiums are added and discounts are subtracted, 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 market participants have a shared responsibility to contribute to regionally sufficient levels of negotiated trade in all cattle feeding regions to achieve robust price discovery, and

WHEREAS, fed cattle market participants sold nearly 100,000 head of negotiated cattle on a weekly basis in 2021, exceeding minimum negotiated trade numbers by a weekly average of 24,000 head and robust levels of negotiated trade by a weekly average of 12,000 head,

THEREFORE BE IT RESOLVED, NCBA supports the cattle industry's voluntary framework that has resulted in frequent and transparent negotiated trade to regionally sufficient levels, to achieve robust price discovery determined by NCBA funded and directed research in all major cattle feeding regions.

BE IT FURTHER RESOLVED, NCBA shall continue to closely monitor and disseminate fed cattle marketing and price discovery information and support research into new and innovative price determination mechanisms.

BE IT FURTHER RESOLVED, NCBA shall continue to pursue legislative or regulatory solutions, consistent with NCBA policy and guided by NCBA funded and directed research, that enhance fed cattle price discovery and market transparency.

BE IT FURTHER RESOLVED, NCBA shall oppose any mandate on cash trade volumes for cattle or any other legislative or regulatory policies that would limit the methods producers utilize to market cattle.

M 1.11  
2022/New  
**Ownership Interests in Livestock Auction Markets**

WHEREAS, there is continued need for investment in more regional and local packing plants, and

WHEREAS, USDA-AMS Packers & Stockyards Division currently interprets and enforces 9 CFR § 201.67 as a prohibition of market agency owners having an ownership interest, financing, or participating in the management or operation of a packing plant,

THEREFORE BE IT RESOLVED, NCBA supports regulatory changes under the Packers & Stockyards Act to clarify market agency owners may have ownership interest, finance, and participate in the operation and management in a single packing plant.

M 1.12

2023/New

### **Fed Cattle Pick-up Time**

WHEREAS, the number of days that cattle remain on feed after being traded to a packer is an important consideration in a cattle feeder's decision to accept a bid from a packer, and

WHEREAS, in the southern and south-central states cattle feeding regions, 7-day pick-up time in negotiated cash trade transactions, unless otherwise negotiated, has been a long-standing and accepted industry trade practice adopted by cattle feeders and packers, and

WHEREAS, after the 7-day or otherwise negotiated pick-up time lapses, the cattle are weighed, put back on feed, and all charges incurred after weigh-up become the packer's responsibility, and

WHEREAS, pick-up times by packers operating plants in more than one cattle feeding region vary widely in some regions, ranging from two to six weeks after the cattle have been traded, and

WHEREAS, packers, retailers and consumers have communicated expectations for improving beef sustainability and cattle feeders have responded by implementing approved production technologies that improve production efficiency and require cattle to be marketed within specific timeframes, and

WHEREAS, uncertainty of pick-up times forces cattle feeders to forego the use of approved production technologies, resulting in lower production efficiency and negatively impacting improvements in beef sustainability,

THEREFORE BE IT RESOLVED, NCBA promotes adoption of an industry-wide practice for cattle to be picked up or delivered no later than 7 days after the cattle are traded, unless otherwise negotiated at the time of trade. At the end of that period, any and all expenses, including feed, yardage, and death loss, shall be incurred by the purchaser or packer.

## **2. FUTURES**

M 2.1

2022/Renewed

### **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 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.

BE IT FURTHER RESOLVED, NCBA supports the following:

- *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
- *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
- *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
- *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
- *Exclusivity:* Support reauthorization to maintain the CFTC as the independent and autonomous regulatory agency of the commodity futures trading industry
- *Protection of customer funds:* Support efforts to safeguard funds held on deposit at brokerage houses on behalf of customer-segregated accounts
- *Delivery points:* Support the existence of numerous well-designed and efficient physical delivery points to which cattle may be delivered

M 2.2

2022/Amended

### **CME Feeder Cattle Index**

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,

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.

M 2.3

2022/Renewed

### **Futures Commission Merchants Insurance**

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 urges the development of an insurance program for Futures Commission Merchants (similar to FDIC and/or SIPC insurance) that would protect the value of excess customer funds on deposit in futures margin accounts.

M 2.4

2020/Renewed

### **CME Group Feeder Cattle Index – Commented Cattle and Market Outliers**

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

WHEREAS, NCBA believes the index may not be fully representative of the cash market,

THEREFORE BE IT RESOLVED, NCBA works with other industry stakeholders (CME Group, USDA, 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 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.
2. 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.
3. Inclusion of feeder cattle from other regions in the Index with potential adjustments for transportation costs and other relevant factors.

M 2.5

2022/Renewed

#### **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:

- Monitor, measure, and control livestock contracts through the CME Globex Messaging Efficiency Program
- Implement latency between trade actions (cancel, cancel/replace, etc.).
- Implement proactive procedures to more quickly identify, monitor, and address spoofing, layering, and quote stuffing / excessive messaging
- Develop and implement robust procedures for monitoring market manipulation, acting on violations, and reporting violations to stakeholders
- Release annual audit trail data for independent analysis, which includes firm-level generic identification while maintaining confidentiality of individual trades and traders
- Evaluate effectiveness of market maker and trading incentive programs

M 2.6

2023/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 on a more consistent basis, 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

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 an alternative process to physical delivery for live cattle.

BE IT FURTHER RESOLVED, NCBA will continue to work with industry stakeholders to consider possible improvements in the delivery process to embrace new technologies and increase efficiencies.

M 2.7

2021/Renewed

**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 2.8

2022/Renewed

**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 2.9

2021/New

**CME Group Live Cattle & Feeder Cattle Futures Contracts Price Limits**

WHEREAS, expandable price limit mechanisms within the CME Group Live Cattle and Feeder Cattle contracts provide a useful means to allow the market to function efficiently in times of high volatility regardless of prevailing price levels,

THEREFORE BE IT RESOLVED, NCBA supports the use of expanded price limits following a limit move event.

BE IT FURTHER RESOLVED, NCBA opposes formula-based variable price limits as a means to expand daily price limits within the CME Group Live Cattle and Feeder Cattle contracts.

M 2.10

2024/New

**Livestock Risk Protection Program Refinement**

WHEREAS, the Livestock Risk Protection (LRP) program is a risk management program for livestock producers, and

WHEREAS, LRP requires ownership and possession of the livestock to implement the policy, and

WHEREAS, producers often buy livestock on contracts for future delivery, and

WHEREAS, this leaves the producers exposed to market volatility and risk until the delivery of the livestock.

THEREFORE BE IT RESOLVED, NCBA works with USDA's Risk Management Agency for the ability to obtain an LRP contract once a purchase contract is obtained and the down payment has been paid.

M 2.11  
2024/New

### **Livestock Risk Protection Improvements**

WHEREAS, the Livestock Risk Protection (LRP) program is beneficial to producers, and

WHEREAS, USDA offers a 35% to 55% subsidy for producers using the LRP insurance product, and

WHEREAS, LRP-Feeder Cattle prices align with the CME Group (CME) Feeder Cattle Index, and

WHEREAS, the LRP available dates can align with a corresponding CME feeder cattle option, and

WHEREAS, a producer can buy a LRP policy on owned cattle and also sell the same coverage in the options market, which may result in subsidy capture.

THEREFORE BE IT RESOLVED, NCBA supports a study to evaluate preventing LRP policies from lining up with CME futures expiration dates.

BE IT FURTHER RESOLVED, NCBA encourages USDA's Risk Management Agency to protect the integrity of LRP through systematic review, analysis, evaluation, and enforcement of laws, policies, and procedures to prevent misuse of LRP.

### **3. REPORTING**

M 3.1  
2022/Amended  
**LMR Reporting**

WHEREAS, the data provided through USDA's LMR system is vitally important to producers and enhances their ability to make informed marketing decisions, and

WHEREAS, national negotiated trade reports through LMR currently report price and volume in categories of 0-14 and 15-30 day delivery periods,

THEREFORE BE IT RESOLVED, NCBA supports regional LMR reporting by packers of price and volume of negotiated trade by 0-14 and 15-30 day delivery periods.

BE IT FURTHER RESOLVED, in the event any one region does not reach regionally sufficient negotiated trade levels to achieve robust price discovery

on a weekly basis, NCBA supports withholding weekly LMR price reports from that specific region.

BE IT FURTHER RESOLVED, NCBA supports regionally sufficient levels of robust price discovery determined by NCBA funded and directed research in all major cattle feeding regions.

BE IT FURTHER RESOLVED, NCBA supports revisions to improve LMR reports by providing more timely and greater data detail that includes:

1. An 11:00 a.m. daily LMR report providing average carcass weights of cattle harvested the previous day.
2. Increased data accuracy by changing the definition of "cattle committed" in LMR to extend the delivery window from 7 days to 14 days.
3. Clearer reporting of "negotiated grid" transactions to ensure negotiated grid base prices include trades where an actual base price is offered by a buyer and where the seller can accept or reject the offer.
4. A category within LMR for formulas trades that do not have premiums and discounts associated with the trade after the base price is set, and to collect and report those types of trade separately from other formula trades that apply premiums and discounts after the base price is determined.
5. Reduction of the 125,000 head per year packing plant reporting threshold and a reporting requirement for all packers that exceed the threshold, including single plants.
6. A new report within LMR to require reporting of weekly negotiated trade volume, in arrears, by plant and by region.

M 3.2  
2022/Amended  
**USDA LMR Regions**

WHEREAS, the USDA LMR regional fed cattle price and volume reports serve an important function in providing fed cattle market transparency, and

WHEREAS, the current 5-Area reporting regions reflect the five main fed cattle market regions (Texas Panhandle, western Kansas, eastern Colorado,



Nebraska, and Iowa/Minnesota), but numerous trades occur outside of the current LMR regions, and

WHEREAS, a 2019 report prepared for USDA-AMS by three agricultural economists suggest that additional states be added to existing LMR regions,

THEREFORE BE IT RESOLVED, NCBA supports adding Wyoming fed cattle trade information to the Colorado LMR region report.

BE IT FURTHER RESOLVED, NCBA supports adding South Dakota and Illinois to the Iowa/Minnesota LMR region report.

M 3.3

2020/New

### **Livestock Mandatory Reporting**

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

WHEREAS, NCBA believes the index may not be fully representative of the cash market,

THEREFORE BE IT RESOLVED, NCBA works with other industry stakeholders (CME Group, USDA, 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 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.

2. 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.
3. Inclusion of feeder cattle from other regions in the Index with potential adjustments for transportation costs and other relevant factors.

M 3.4

2022/Amended

### **Transparency of Market Transactions**

WHEREAS, the use of formula transactions has increased while negotiated cash trade has significantly decreased, and

WHEREAS, the details of formula transactions, including the base price and any premiums applied, are not reflected in LMR, and

WHEREAS, a healthy price discovery 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, a cattle contract library is intended to aid in the price discovery process and provide equal access to market information for all market participants,

THEREFORE BE IT RESOLVED, NCBA supports Congress and USDA establishing and maintaining a library or catalog, managed by USDA-AMS Livestock, Poultry and Grain Market News Division, of the types of contracts offered by packers to beef producers for the purchase of cattle, including cattle that are purchased for future delivery, which would improve market transparency and increase packer oversight.

BE IT FURTHER RESOLVED, NCBA supports initiatives to increase transparency in formula transactions and to require LMR to publicly report the details of formula transactions including the net price, base price, and any premiums.

M 3.5  
2020/New

#### **Next Day Cattle Weights**

WHEREAS, the USDA Livestock Mandatory Reporting (LMR) requires reporting of carcass weights, and

WHEREAS, average carcass weights are not reported publicly until 13 days later, and

WHEREAS, slaughter data provides valuable information to cattle producers,

THEREFORE BE IT RESOLVED, NCBA supports an 11:00 a.m. daily LMR report providing the average carcass weight of cattle harvested the previous day.

#### **4. GRADING**

M 4.1  
2021 /Renewed  
**Beef Grading**

WHEREAS, consumers expect high quality and consistent beef products, and

WHEREAS, today's 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 requests USDA support the use of instrument vision grading technologies, therefore assisting the industry towards an improved, objective, consistent system for evaluating beef quality characteristics.

M 4.2  
2023/Amended  
**USDA Quality Grades & Consumer Clarity in Retail Marketing**

WHEREAS, 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 U.S., and

WHEREAS, the U.S. consumer uses beef quality grades for product selection, and

WHEREAS, utilizing paralleled terminology in other proteins when grading meat domestically will cause consumer confusion,

THEREFORE BE IT RESOLVED, NCBA supports the use of the terms Prime, Choice, and Select exclusively by the U.S. beef industry to indicate level of quality and market product.

#### **5. TRANSPORTATION**

M 5.1  
2024/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.

# PROPERTY RIGHTS & ENVIRONMENTAL MANAGEMENT

Barb Cooksley, NE – Chair

Leroy Startz, TX – Vice Chair

Mary-Thomas Hart, Staff

## **1 GENERAL**

1.1	2020	Livestock Production and Resource Stewardship
1.2	2023	NCBA's Environmental Platform
1.3	2022	General Policy for Private Lands and Water
1.4	2023	Defining Regulatory Authority Over Waters of the United States
1.5	2024	Public Interest Lawsuits
1.6	2023	Unauthorized Land and Water Initiatives
1.7	2024	Public Access to Private Land
1.8	2020	USDA NRCS Conservation Stewardship Program (CSP)
1.9	2022	Grazing Land Conservation
1.10	2020	Environmental Quality Incentives Program (EQIP) Penalties
1.11	2022	Support for the Environmental Quality Incentives Program
1.12	2022	Environmental and Economic Implications of Government-Mandated Renewable Fuels Production
1.13	2020	Life Cycle Analysis
1.14	2020	Equal Access to Justice Act (EAJA)
1.15	2020	Public Access to Obtain Public Funding
1.16	2021	Permit Coordination
1.17	2020	Beef Sustainability
1.18	2020	PFAS Risk Mitigation
1.19	2020	Federal Agency Investigation Authority
1.20	2021	Feral Swine Eradication

## **2 NATURAL RESOURCES**

2.1	2024	Wild and Scenic Rivers and Scenic Highways and Byways Bills
2.2	2020	Wetlands: No Net Loss
2.3	2024	Bureau of Reclamation
2.4	2020	Role of NRCS on Privately Owned Lands
2.5	2020	Liability for Government-Mandated Programs
2.6	2021	Superfund and Resource Conservation & Recovery Act Exemption for Livestock Manure
2.7	2023	Groundwater Regulation
2.8	2023	National Grazing Lands Coalition

2.9	2022	Prescribed Burning
2.10	2024	Environmental Quality Incentives Program and Other Programs
2.11	2023	Latent Liability Protection
2.12	2024	Livestock Manure
2.13	2023	Air Quality Standards
2.14	2020	Brush and Noxious Plant Management
2.15	2023	Noise and Air Quality
2.16	2020	Animal Feeding Operation
2.17	2024	Universal Soil Loss Equation
2.18	2021	Funding for Technical Assistance
2.19	2022	Alternative Technologies for Feedlots
2.20	2023	NRCS Conservation Issues
2.21	2023	Ecological Site Descriptions
2.22	2024	USDA Reorganization
2.23	2020	NRCS Conservation Programs Simplification
2.24	2020	Support for Funding of Voluntary, Locally Led Conservation Efforts through Resource Conservation Districts and the NRCS
2.25	2022	Waiver of Fees for Restoration Projects
2.26	2021	Climate Change, Ecosystem Services, Carbon Sequestration, and Greenhouse Gases
2.27	2022	NEPA Greenhouse Gases

## **3 PROPERTY RIGHTS**

3.1	2024	Emergency Replacement and Repair of Private Property
3.2	2023	Venue Legislation
3.3	2020	Indirect Acquisition
3.4	2021	Beef Producer Representation on Environmental Agency Commissions and Committees
3.5	2021	Eminent Domain
3.6	2021	Public Access
3.7	2022	Property – Abandoned
3.8	2022	Government Coercion
3.9	2022	No Net Loss of Private Property
3.10	2023	Government Agency Land Acquisitions and Management Plans
3.11	2024	Rails to Trails
3.12	2023	Voluntary Conservation Easements
3.13	2020	Disclosure of Information by Government Agencies

3.14	2020	Military Aviation Training Missions
3.15	2023	Strengthening Conservation and Technical Assistance
3.16	2024	Trespass and Unmanned Surveillance
3.17	2022	Aerial Surveillance
3.18	2020	Opposition to National Heritage Areas
3.19	2023	Domestic Ownership of Lands

#### **4 ENDANGERED SPECIES**

4.1	2023	Wildlife Services Program
4.2	2020	Animal Damage Control
4.3	2023	Endangered Species Act Reauthorization
4.4	2023	Special Status Species
4.5	2024	Reintroduction of Grizzly Bears
4.6	2023	Wildlife – International Treaty
4.7	2022	Delisting Threatened and Endangered Species
4.8	2022	Biological Diversity
4.9	2023	Sage Grouse
4.10	2024	Wolf and/or Grizzly Bears Recovery Delisting Goal
4.11	2024	Species Recovery and Introduction
4.12	2020	Predator Control
4.13	2022	Voluntary Species Recovery Credit System
4.14	2023	Migratory Bird Treaty Act
4.15	2024	Incentive-Based Conservation Efforts for Species and Habitats

## **1. GENERAL**

PR/EM 1.1

2020/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 not be compelled to defend anyone in the beef cattle industry who has clearly acted to abuse grazing, water, or air resources.

BE IT FURTHER RESOLVED, NCBA promotes the prudent use of natural resources and offers the following resource stewardship recommendations:

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.
8. Monitor and document for effective practices.
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.

BE IT FURTHER RESOLVED, NCBA recognizes the value and benefit of periodic input and revision to keep the commitment to resource stewardship alive.

PR/EM 1.2

2023/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 continues 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 will 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 supports 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 will 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 will 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 will 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

2022/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. Any acquisition of private lands by a federal agency shall include proper consultation between the agency and state and local government entities, as well as impacted parties.
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 U.S. 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 U.S., 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 U.S. may acquire new water rights pursuant to state law.
5. Indian Water Claims: NCBA believes and supports that the trust obligation of the U.S. 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 U.S. 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 U.S. 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

2023/Renewed

#### **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 will seek regulations and/or legislation to prevent the expansion of federal jurisdiction under the Clean Water Act.

BE IT FURTHER RESOLVED, NCBA will 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  
2024/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:

- A pecuniary interest in an amount equal to or greater than the jurisdictional amount of the court.
- Residency within the jurisdiction of the court.
- Posting a bond adequate to meet preliminary injunction or temporary restraining order damages.

PR/EM 1.6  
2023/Renewed  
**Unauthorized Land and Water Initiatives**

BE IT RESOLVED, NCBA opposes 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  
2024/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  
2020/Amended  
**USDA NRCS Conservation Stewardship Program (CSP)**

WHEREAS, the CSP provides unique benefits for producers who maintain and improve existing conservation systems, and

WHEREAS, access to CSP funding is currently based on a prescribed set of management practices, and

WHEREAS, the Environmental Quality Incentives Program (EQIP) is less restrictive than CSP,

THEREFORE BE IT RESOLVED, NCBA supports an increase in CSP funding so that all eligible producers who wish to participate in the program will be able, payment rates will be sufficient to encourage producer participation, and cost share will be made available for all practices listed in the Farm Bill.

BE IT FURTHER RESOLVED, NCBA supports a simplified CSP which shall be based on outcomes and adaptive management rather than a prescribed set of management practices.

BE IT FURTHER RESOLVED, NCBA prioritizes increased funding in the EQIP over increased funding in the CSP.

PR/EM 1.9  
2022/Amended  
**Grazing Land Conservation**

WHEREAS, rangelands include a rich and varied landscape of grasslands, 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, and

WHEREAS, woody encroachment is quickly consuming rangelands,

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
- 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
- Seek more funding through willing partners for removal of invasive woody species and research for long term solutions

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  
2020/Amended  
**Environmental Quality Incentives Program (EQIP) Penalties**

WHEREAS, agricultural producers are currently subject to undisclosed penalties if they cancel an EQIP contract, and

WHEREAS, the NRCS requires applicants to sign contracts before the final cost is known, and

WHEREAS, EQIP contracts fail to account for inflation through the term of the agreement,

THEREFORE BE IT RESOLVED, NCBA opposes unreasonable penalties associated with cancellation of an EQIP contract.

BE IT FURTHER RESOLVED, NCBA holds

that 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 supports 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  
2022/Renewed  
**Support for the Environmental Quality Incentives Program**

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 supports 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  
2022/Renewed  
**Environmental and Economic Implications of Government-Mandated Renewable Fuels Production**

BE IT RESOLVED, NCBA supports:

1. Continued federal funding of 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  
2020/Amended  
**Life Cycle Analysis**

WHEREAS, negative claims about the environmental impacts of beef production are prominent in both public and policy discussions, and

WHEREAS, these claims have the potential to affect consumer demand for beef and foster burdensome regulation that affect the profitability of beef production, and

WHEREAS, the beef industry has led the development of a U.S. Beef Industry Life Cycle Analysis of the beef value chain, and has become an important benchmark,

THEREFORE BE IT RESOLVED, NCBA continues to expand the credibility and validity of the U.S. Beef Industry Life Cycle Analysis, through regional data collection, periodic updates, and re-certification of the primary data.

PR/EM 1.14  
2020/Renewed  
**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 1.15  
2020/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 opposes 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 1.16  
2021/Renewed  
**Permit Coordination**

BE IT RESOLVED, NCBA shall continue to work on legislation and regulations to provide permit and regulation coordination and streamlining.

PR/EM 1.17  
2020/Amended  
**Beef Sustainability**

WHEREAS, NCBA has adopted a Sustainability Statement of Principles to protect and improve our industry for future generations, inclusive of the following:

**Statement of Belief:** The U.S. beef supply chain is united in an effort to improve our industry for future generations. To accomplish that goal, we are committed to a path of continuous improvement over time, which protects our natural resources; promotes economic well-being for the beef community; and provides social value for our supply chain, our communities, and our stakeholders.

**Definition:** A sustainable U.S. beef industry is one in which the full value chain is able to balance economic viability, environmental stewardship, and social responsibility while meeting the growing global demand for beef.

**Guiding Principles:** In order to ensure the beef industry's leadership role in the growing global conversation about the topic of sustainably-produced beef, we will:

- Defend individual operators' right to make decisions regarding responsible production practices.
- Establish common ground where sustainability benefits producers and stakeholders.
- Work to promote the positive aspects of sustainably produced beef and recognize possible limiters of beef demand.
- Support science-based outcomes and full beef supply chain efforts that are demonstrated through continuous improvement over time.
- Support sustainability programs that are voluntary, market driven and science-based.
- Support actions that deliver value and a return on investment.
- Align with organizations that fundamentally support beef production, and

WHEREAS, NCBA engages in collaborative efforts based on this Statement of Principles that include non-governmental organizations to broaden stakeholder support for the positive attributes that beef production provides in the U.S., and expects those same organizations to accurately communicate facts about U.S. beef production and correct misinformation being touted by detractors to improve acceptance of beef by end users, 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 Industry Life Cycle Analysis to benchmark the beef supply chain, and provide a means to periodically assess progress in the beef value chain over time, and

WHEREAS, NCBA successfully leads the U.S. Roundtable for Sustainable Beef (USRSB), 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, and

WHEREAS, NCBA recognizes value in elevating the profile of beef's role in a sustainable food system and supports science-based, industry-level goals that utilize sustainability criteria inclusive of the diverse production methods and practices in the U.S., and

WHEREAS, it is critical for NCBA to represent the interests of NCBA members at the USRSB and other sustainability initiatives that meet the Sustainability Statement of Principles,

THEREFORE BE IT RESOLVED, NCBA continues to lead and expand sustainability research, education, and policy initiatives to protect the interests of NCBA members, including accurately communicating the facts about U.S. beef production, advocating the credibility and validity of the U.S. Beef Industry Life Cycle Analysis, and collaborating with beef sustainability scientific experts and the USRSB to evaluate trends and set targets, where feasible, for continued advancement in sustainability.

PR/EM 1.18

2020/New

#### **PFAS Risk Mitigation**

WHEREAS, Per- and Polyfluoroalkyl Substances (PFAS) are a class of over 5,000 chemicals with long half-lives, leading to bioaccumulation in the environment, in addition to animals and humans, and

WHEREAS, due to prior industrial use, PFAS chemicals are widespread in the environment, and

WHEREAS, PFAS chemicals may be located on farms and have the potential to bioaccumulate in cattle,

THEREFORE BE IT RESOLVED, NCBA advocates that PFAS chemicals not be treated as identical, either by designating them as hazardous substances under Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) or listing them as Clean Water Act National Pollutant Discharge Elimination System (NPDES) pollutants en bloc.

BE IT FURTHER RESOLVED, NCBA works to prevent the listing of PFAS chemicals as hazardous substances under CERCLA.

BE IT FURTHER RESOLVED, any effort to regulate PFAS should exempt the regulation of agricultural operations.

BE IT FURTHER RESOLVED, NCBA works to ensure that cattle producers do not incur economic or other damages due to PFAS contamination.

BE IT FURTHER RESOLVED, NCBA supports additional research to determine the risk that all PFAS chemicals pose to the environment, human health, and animal health.

BE IT FURTHER RESOLVED, NCBA supports voluntary conservation programs to limit PFAS contamination.

PR/EM 1.19

2020/New

#### **Federal Agency Investigation Authority**

WHEREAS, cattle producers have a long-standing history of voluntarily cooperating with federal agencies to ensure protection of public health and food safety, and

WHEREAS, special interest groups have advocated for an expansion of FDA's investigation authority at livestock operations,

THEREFORE BE IT RESOLVED, NCBA supports maintaining the current statutory authorities granted to these federal agencies for the protection of public health and food safety, while protecting the private property rights of farmers and ranchers.

PR/EM 1.20

2021/New

#### **Feral Swine Eradication**

WHEREAS, feral swine are not native to the North American continent and are an invasive species, and

WHEREAS, feral swine have been reported in at least 35 states, and with an expanding range, and

WHEREAS, the feral swine population is estimated at over six million head and rapidly expanding due to a lack of natural predators and their adaptability to a variety of climates and conditions, and

WHEREAS, feral swine cause over \$1 billion dollars in damage to agriculture annually, and

WHEREAS, feral swine can transmit pathogens to livestock, which may result in financial losses to livestock producers due to lower productivity, veterinary costs, or even mortality, and

WHEREAS, feral swine damage pasture grasses, killing desired plant species, deteriorating source water, and often encouraging the growth of undesired weed species,

THEREFORE BE IT RESOLVED, NCBA shall work with Congress, USDA-APHIS, and all interested partners towards the eradication and prevention of further introduction of the feral swine population.

## **2. NATURAL RESOURCES**

PR/EM 2.1

2024/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  
2020/Amended  
**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, and

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 USFWS 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 works 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 urges the EPA and the Army 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 urges 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, NCBA supports the recognition in the permitting process of benefits created by agricultural and recreational activities which impact wetlands.

BE IT FURTHER RESOLVED, NCBA supports the consolidation of local, state, and federal permitting processes into one comprehensive and affordable permit issued in a prompt manner.

PR/EM 2.3  
2024/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, NCBA asks Congress 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 supports the elimination of all provisions of the Reclamation Act which unilaterally change provisions of existing federal contracts.

PR/EM 2.4  
2020/Amended  
**Role of NRCS on Privately Owned Lands**

WHEREAS, multiple agencies within USDA manage farm bill conservation programs on privately owned land,

THEREFORE BE IT RESOLVED, NCBA seeks assurance from Congress that the NRCS, working through local conservation districts, has sole responsibility for all natural resource conservation programs within USDA and activities on privately owned lands.

PR/EM 2.5  
2020/Amended  
**Liability for Government-Mandated Programs**

WHEREAS, many federal- or state-mandated programs provide no assurance to landowners regarding cleanup liability,

THEREFORE BE IT RESOLVED, NCBA

works 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  
2021/Renewed  
**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 work diligently to clarify that Congress never intended to regulate livestock manure under the Superfund and the Resource Conservation and Recovery Act (RCRA) laws.

PR/EM 2.7  
2023/Amended  
**Groundwater Regulation**

WHEREAS, there is much public concern about groundwater pollution, but little scientific information as to groundwater pollution sources or effects on livestock or human health,

WHEREAS, Environmental Protection Agency 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 Supreme Court's opinion in *County of Maui* extends Clean Water Act (CWA) jurisdiction to subsurface discharges of pollutant that are functionally equivalent to direct surface discharges,

THEREFORE BE IT RESOLVED, NCBA opposes any regulation of unintentional and de minimis surface water discharges via groundwater under the CWA.

BE IT FURTHER RESOLVED, NCBA supports scientific research efforts to ascertain the effect of surface activities on groundwater pollution.

BE IT FURTHER RESOLVED, NCBA supports accurate scientific assessments of ground water pollution prior to development of any new restrictions or regulations.

BE IT FURTHER RESOLVED, NCBA opposes groundwater monitoring as necessary for compliance with CWA CAFO National Pollutant Discharge Elimination System permits.

PR/EM 2.8

2023/Amended

**National Grazing Lands Coalition**

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 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, and

WHEREAS, \$14 million was allocated in the 2022 and 2023 Consolidated Appropriations Act to the Grazing Lands Conservation Initiative (GLCI) to invest in partnerships that expand access to conservation technical assistance for livestock producers and increase the use of conservation practices on grazing lands,

THEREFORE BE IT RESOLVED, NCBA encourages every state beef cattle association to maintain an active position on their state's National Grazing Lands Coalition (NatGLC) steering committee.

BE IT FURTHER RESOLVED, NCBA endeavors 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 U.S. to ensure 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 will work to ensure that the primary focus of NatGLC is providing high quality technical assistance to private landowners.

BE IT FURTHER RESOLVED, NCBA will work to keep GLCI in future appropriations bills.

BE IT FURTHER RESOLVED, NCBA will seek input from the NatGLC on allocation, use, and outcomes of the GLCI funds.

PR/EM 2.9

2022/Renewed

**Prescribed Burning**

WHEREAS, members of NCBA use prescribed burning as a tool to manage their resources,

THEREFORE BE IT RESOLVED, NCBA adopts 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.

PR/EM 2.10

2024/Renewed

**Environmental Quality Incentives Program and Other Programs**

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, 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, EPA, and its affiliates are not consistent or in agreement on rulings,

THEREFORE BE IT RESOLVED, NCBA works with Congress and agencies to prevent erosion of federal financial support for locally driven conservation efforts on private lands.

BE IT FURTHER RESOLVED, NCBA encourages 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 endeavor to provide direction to these committees in the formulation and implementation of environmental conservation policies that will affect the livestock industry in the U.S. 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 works 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.

PR/EM 2.11  
2023/Renewed

#### **Latent Liability Protection**

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 supports that when such chemicals are 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  
2024/Amended  
**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) 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 seeks 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 supports 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 opposes any and all efforts to regulate natural, organic nutrients as a toxic or hazardous waste.



PR/EM 2.13  
2023/Renewed  
**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 recognizes the potential significant impacts National Ambient Air Quality Standards 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 opposes 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  
2020/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 opposes 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 supports and recommends funding for research of integrated methods of brush and noxious plant management 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, requests 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 encourages and assists all levels of government to develop programs for control procedures of noxious plants through research, education, and eradication, where necessary.

PR/EM 2.15  
2023/Renewed  
**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 opposes 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 opposes 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 2.16  
2020/Amended  
**Animal Feeding Operation**

WHEREAS, NCBA should be proactive in addressing animal feeding operation issues,

THEREFORE BE IT RESOLVED, NCBA supports state administration of rules, regulations, research, and the development of state standards 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 2.17  
2024/Renewed

### **Universal Soil Loss Equation**

WHEREAS, the Universal Soil Loss Equation (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 for 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 2.18  
2021/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 EPA regulations are limited for operations smaller than 1,000 animal units and non-existent for operations over 1,000 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 2.19  
2022/Renewed

### **Alternative Technologies for Feedlots**

WHEREAS, climate and feedlot size differences across the country make “a one size fits all” approach in the EPA’s prescribed technology economically unachievable for many feedlots,

THEREFORE BE IT RESOLVED, NCBA encourages 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 2.20  
2023/Renewed

### **NRCS Conservation Issues**

WHEREAS, NCBA members depend on technical help with conservation issues from the NRCS,

WHEREAS, Society for Range Management 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 opposes the application of Universal Soil Loss Equation and Revised Universal Soil Loss Equation when considering rangeland conditions.

BE IT FURTHER RESOLVED, NCBA strongly requests that the U.S. Congress use all available means, including appropriations and appropriations language, to maintain conservation assistance at the local “grassroots” level.

PR/EM 2.21  
2023/Renewed

### **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 NRCS 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 supports the development and uniform use of ecological site descriptions for inventory, evaluation and management of all public and private rangelands and forests.

PR/EM 2.22  
2024/Renewed  
**USDA Reorganization**

WHEREAS, the U.S. Government often attempts to reorganize important agencies within USDA such as FSA, the Natural Resources Conservation Service, and the Risk Management Agency, and

WHEREAS, reorganizations often lead to the consolidation of local USDA offices, reducing producer access to local staff, and

WHEREAS, such reorganizations are often detrimental to cattle producers,

THEREFORE BE IT RESOLVED, NCBA strongly opposes closing USDA field offices, which would adversely impact the ability of our members to have access to USDA programs.

BE IT FURTHER RESOLVED, NCBA very strongly opposes actions by the agency which could compromise the confidentiality of private information.

PR/EM 2.23  
2020/Amended  
**NRCS Conservation Programs Simplification**

WHEREAS, access to voluntary conservation programs is limited by burdensome paperwork requirements and the Conservation Practice Standards' lack of flexibility,

THEREFORE BE IT RESOLVED, NCBA works 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.

PR/EM 2.24  
2020/Amended  
**Support for Funding of Voluntary, Locally Led Conservation Efforts through Resource Conservation Districts and the NRCS**

WHEREAS, demands on cattle producers 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 supports the National Association of Conservation Districts initiative to increase the annual national technical assistance funding to the NRCS.

PR/EM 2.25  
2022/Renewed  
**Waiver of Fees for Restoration 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 supports landowners who engage in restoration projects that benefit water quality, wildlife, or the public.

BE IT FURTHER RESOLVED, NCBA encourages 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 2.26

2021/New

**Climate Change, Ecosystem Services, Carbon Sequestration, and Greenhouse Gases**

WHEREAS, there is significant interest in climate change and the role of cattle and beef production both nationally and internationally, and

WHEREAS, the U.S. cattle and beef production system is the most efficient and productive system in the world that contributes positively to the ecosystem and biodiversity, and

WHEREAS, EPA greenhouse gas emissions inventories have shown that agriculture is a minor source of greenhouse gases emissions, and

WHEREAS, rangeland, pasture, grasslands, management practices, and technologies play a pivotal role in carbon sequestration and improving carbon use efficiency, which continues to reduce the cattle industry's carbon footprint,

THEREFORE BE IT RESOLVED, NCBA opposes any legislation, regulation, trade agreement or international treaty that would regulate carbon or greenhouse gases in the cattle industry, including but not limited to the reporting of agricultural greenhouse gas emissions.

BE IT FURTHER RESOLVED, NCBA opposes the creation or management of a government-based carbon trading platform and opposes the creation of a USDA carbon bank using Commodity Credit Corporation funding.

BE IT FURTHER RESOLVED, NCBA supports the government's role in carbon trading be limited to USDA providing any applicable regulatory oversight of private markets to ensure programmatic authenticity for the protection of agriculture producers and credit purchasers.

BE IT FURTHER RESOLVED, NCBA supports voluntary markets (i.e., carbon, water quality, nutrients, or other credits) to recognize and incorporate the ability of rangeland, pasture, grasslands, management practices, technologies, and exports to generate credits that are durable, verifiable, stackable, and advocates for recognition and compensation for practices implemented by early adopters.

BE IT FURTHER RESOLVED, NCBA supports the landowner's or lessee's ability to generate ecosystem credits and be eligible for payments in accordance with any agreement negotiated privately between a landowner and lessee.

BE IT FURTHER RESOLVED, NCBA supports privacy of any data collected by an ecosystem services market, or the government, and should never be released without the express written consent of the landowner and/or lessee.

BE IT FURTHER RESOLVED, NCBA encourages land grant universities, research institutes, private individuals or foundations, cooperative extension, and USDA to continue investigating current research, tools, and models used to calculate carbon sequestration and reduction techniques to provide a factual and reliable estimation of carbon sequestration and carbon reduction at various management levels and rangeland conditions, and differentiates the relative impact of methane versus carbon dioxide production.

BE IT FURTHER RESOLVED, NCBA supports the adoption of this research in the determination of which processes qualify for carbon credit markets.

BE IT FURTHER RESOLVED, NCBA supports the inclusion and application of sound science in any evaluations, assessments, models, sequestration protocols, emissions inventories, management practices, or technologies.

BE IT FURTHER RESOLVED, NCBA encourages the scientific community and governments to recognize the evolving science that demonstrates methane emissions from cattle are short-lived, flow emissions that are cyclical in the atmosphere, soil, plants, and animals (i.e., Global Warming Potential Star (GWP\*)).

BE IT FURTHER RESOLVED, NCBA opposes the listing of species or habitat under the Endangered Species Act based on climate change.

BE IT FURTHER RESOLVED, NCBA opposes the government limiting access to programs, such as NRCS programs, due to the carbon footprint of cattle industry but supports recognition of the positive benefits cattle production has on maintaining and increasing soil carbon and other ecosystem services.

BE IT FURTHER RESOLVED, NCBA

opposes 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 claim about cattle and climate change.

BE IT FURTHER RESOLVED, NCBA shall develop a communication strategy that addresses inaccuracies regarding greenhouse gas emissions from cattle and accurately states the greenhouse gas emissions of domestic cattle production systems, as well as the other ecosystems services cattle production provides to society.

PR/EM 2.27  
2022/New  
**NEPA Greenhouse Gases**

WHEREAS, Environmental Impact Statements and Environmental Assessments are being developed by the government pursuant to NEPA, and

WHEREAS, cattle are incorrectly blamed as a major contributor of greenhouse gases, and

WHEREAS, natural occurrences such as wildfires emit enormous amounts of carbon dioxide and other greenhouse gases that are not taken into consideration by the government, and

WHEREAS, cattle graze forage and invasive plant species that would otherwise contribute to fuel loads for wildfires,

THEREFORE BE IT RESOLVED, NCBA advocates that the federal government consider cattle grazing as a management tool to reduce fuel loads, thereby mitigating greenhouse gases related to catastrophic wildfires.

### **3. PROPERTY RIGHTS**

PR/EM 3.1  
2024/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 works to pass legislation at the state and federal levels that will:

- 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.
- Allow private property owners the authority in each case to return the lands lost to the pre-event topography within nine months of the event, or as soon as natural conditions allow.
- Allow private property owners to use and/or move materials within the area or import clean upland materials to replace the land lost during the event.
- Require that all permitting requirements be waived with regards to replacing property lost and that notification to one lead agency will serve as proper notification to allow landowners to proceed with the project.
- Require the lead agency to respond within ten calendar days upon notification from landowners regarding guidelines, if any, for the protection of endangered species, as long as those guidelines place no additional encumbrance or duty of care on landowners.
- Eliminate mitigation for action necessary to replace land lost during such catastrophic events.
- Exempt temporary access roads, culverted crossings, diversion of flows, or other activity to facilitate reconstruction as needed.
- Determine the pre-event topography through use of field acreage maps, prior surveys, photos, aerial photos, and/or existing topography.
- Eliminate any delays in the emergency replacement and repair of personal and real property created by federal agency permitting requirements.

PR/EM 3.2  
2023/Renewed  
**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,

THEREFORE BE IT RESOLVED, NCBA supports legislation which requires legal cases be tried in the federal judicial district geographically tied to the underlying issue.

PR/EM 3.3  
2020/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  
2021/Renewed  
**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  
2021/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.

PR/EM 3.6  
2021/Renewed  
**Public Access**

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.

PR/EM 3.7  
2022/Renewed  
**Property-Abandoned**

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 opposes such use and supports the adjacent landowner's right of first refusal.

PR/EM 3.8  
2022/Renewed  
**Government Coercion**

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 opposes 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.

PR/EM 3.9  
2022/Amended  
**No Net Loss of Private Property**

WHEREAS, the membership of NCBA is drawn from men and women dependent upon and committed to the wise stewardship of natural resources, and

WHEREAS, the economy and the way of life of local communities, states, and the U.S. are dependent upon private sector ownership and management of these natural resources, and

WHEREAS, misguided environmental activism continues to pressure government to purchase lands and remove them from productive use, and

WHEREAS, policy for setting priorities is critical to minimize fiscal pressures at all levels of government created by these acquisitions,

THEREFORE BE IT RESOLVED, NCBA

supports the concept of "no net loss of privately owned lands" coupled with the concept that the acquisition of any land by federal and state government shall be offset by lands of equal dollar value sold back to the private sector by the government with "no net loss of revenue" to the local government affected by the transactions.

BE IT FURTHER RESOLVED, NCBA advocates for and supports legislation to this effect.

PR/EM 3.10  
2023/Amended  
**Government Agency Land Acquisitions and Management Plans**

WHEREAS, regulatory and resource agencies of state and federal government continue to acquire vast acreage of land for single purpose uses, and

WHEREAS, these acquisitions are often approved without regard to the economic and environmental consequences for the affected community and neighboring landowners, and

WHEREAS, federal and state governmental entities have increasingly resorted to direct and indirect means of acquisition, interference, and intervention,

WHEREAS, the lack of a management plan before acquisitions are approved has resulted in serious problems for affected landowners including predator damage, noxious weeds, trespass, excessive 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 private non-governmental environmental organizations is having serious detrimental effects on local governments, local economies, adjacent landowners, and livestock producers generally,

THEREFORE BE IT RESOLVED, NCBA vigorously opposes the use of government agencies or private organizations as conduits for increased

acquisition of land and private property rights by federal and state governments that results in the elimination of livestock grazing.

BE IT FURTHER RESOLVED, NCBA opposes 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 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 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 supports 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 opposes 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 opposes all private land acquisition by federal and state governments unless land of equal value be transferred, sold, or exchanged into private ownership within the same taxable jurisdiction.

PR/EM 3.11  
2024/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 U.S. and approximately 600 more proposals are pending.

THEREFORE BE IT RESOLVED, NCBA holds that the federal railbanking laws constitute a taking of private property without compensation.

BE IT FURTHER RESOLVED, NCBA supports federal legislation strengthening reversionary property rights for landowners adjacent to abandoned railroad corridors.

BE IT FURTHER RESOLVED, NCBA vigorously opposes 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 supports litigation on behalf of owners of land along railroad rights-of-way that have been converted to trails for public use.

PR/EM 3.12  
2023/Amended  
**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 supports voluntary conservation easements (permanent and term) that protect agricultural land.

BE IT FURTHER RESOLVED, NCBA opposes federal laws and policies that stipulate conservation easements as the only or preferred method of protecting natural resources.

BE IT FURTHER RESOLVED, NCBA opposes federal laws and policies that impose conservation easements on landowners or utilize conservation easements in a way that causes economic harm to rural communities.

PR/EM 3.13  
2020/Amended

#### **Disclosure of Information by Government Agencies**

WHEREAS, the public may gain access to personal information submitted to government agencies through a Freedom of Information Act Request,

THEREFORE BE IT RESOLVED, NCBA opposes the disclosure of personal, proprietary, financial, and other information obtained by local, state, or federal agencies.

PR/EM 3.14  
2020/Renewed

#### **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 regulations for commercial aircraft.

PR/EM 3.15  
2023/Amended

#### **Strengthening Conservation and Technical Assistance**

WHEREAS, conservation and environmental issues have received favorable attention and major funding from the U.S. 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 will work to encourage practices that strengthen stewardship of private property. Provisions should:

1. Increase 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 landowner and the state and federal government, not subject to open records access.
6. Align overlapping programs, timelines, and funding.

BE IT FURTHER RESOLVED, NCBA vigorously opposes any abolishment of NRCS or combining NRCS under FSA and supports adequate funding for NRCS technical assistance to meet science-based, ecologically, and economically sound conservation needs.

PR/EM 3.16  
2024/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, animal rights activists trespass onto private property to steal livestock, 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 asks 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.

BE IT FURTHER RESOLVED, NCBA supports stronger enforcement of existing trespass and theft statutes.

BE IT FURTHER RESOLVED, NCBA supports legislation to protect private landowners from lawsuits by both uninvited guests and trespassers through expanded immunity and trespass laws.

PR/EM 3.17  
2022/Amended  
**Aerial Surveillance**

WHEREAS, the 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 opposes the use of aerial surveillance by EPA as a blatant violation of private property rights of businesses, residents, and adjoining businesses and residents.

BE IT FURTHER RESOLVED, NCBA supports on-site inspections as the sole means of inspection when required under the Clean Water Act.

PR/EM 3.18  
2020/Renewed

**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 vigorously opposes National Heritage Areas.

PR/EM 3.19  
2023 New  
**Domestic Ownership of Lands**

WHEREAS, NCBA believes in domestic ownership of U.S. agricultural lands and that agriculture strengthens our nation and rural communities, and

WHEREAS, foreign countries restrict ownership by U.S. citizens, U.S. companies, and other U.S. entities, and

WHEREAS, the Committee on Foreign Investment in the United States (CFIUS) is an interagency committee authorized to review certain transactions involving foreign investment in the U.S. and certain real estate transactions by foreign persons in order to determine the effect of such transactions on the national security of the U.S., and

WHEREAS, CFIUS is comprised of nine cabinet-level agencies such as the U.S. Department of Treasury, Homeland Security, Department of Defense, and others; however, USDA is not represented,

THEREFORE BE IT RESOLVED, NCBA supports efforts to include USDA as a member of CFIUS and closely scrutinize ownership of U.S. agricultural lands and agricultural domains by foreign persons, foreign companies, or other foreign entities from countries that restrict ownership by U.S. citizens, U.S. companies, or other U.S. entities for the purpose of strengthening U.S. national security.

BE IT FURTHER RESOLVED, NCBA does not support any restrictions that hinder research and development of agriculture technologies.

#### **4. ENDANGERED SPECIES**

PR/EM 4.1  
2023/Renewed  
**Wildlife Services Program**

WHEREAS, NCBA supports a strong Wildlife Services program administered by the USDA-APHIS, and

THEREFORE BE IT RESOLVED, NCBA supports full funding for Wildlife Services to control all predators and other harmful species detrimental to the cattle industry.

PR/EM 4.2  
2020/Renewed  
**Animal Damage Control**

WHEREAS, no federal program currently exists to compensate producers for predation by protected species or species that carry a reportable animal disease, and

WHEREAS, no animal damage control programs currently exist to effectively manage protect species populations on public or private lands,

THEREFORE BE IT RESOLVED, NCBA supports 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 supports 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 seeks national legislation to create a program to compensate livestock operators for predation by protected species.

BE IT FURTHER RESOLVED, NCBA seeks national legislation creating a program to compensate livestock operators for damages caused by wildlife species that are known to carry a reportable animal disease.

PR/EM 4.3  
2023/Renewed  
**Endangered Species Act Reauthorization**

WHEREAS, NCBA supports the continued existence of viable populations of plants and animals but finds the current ESA to be ineffective at achieving this goal, and

WHEREAS, cattlemen own and manage most of the lands impacted by ESA, and 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 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 urges Congress to amend and revise ESA 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 seeks 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, customs, 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 ESA is implemented in coordination with the organic act requirements of the other federal agencies.
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 EAJA to be consistent with the Citizen Suit Provision in ESA.
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 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 4.4  
2023/Renewed  
**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 opposes the use of special status designations.

PR/EM 4.5  
2024/Renewed  
**Reintroduction of Grizzly Bears**

WHEREAS, opposition to USFWS's reintroduction efforts of the grizzly bear is widespread, 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 USFWS, 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 opposes the continued reintroduction efforts by USFWS of the grizzly bear.

BE IT FURTHER RESOLVED, NCBA opposes the continued management of the grizzly bear by USFWS, 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 4.6  
2023/Renewed  
**Wildlife-International Treaty**

BE IT RESOLVED, NCBA opposes 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 4.7  
2022/Amended  
**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 ESA within the preferred habitat, and

WHEREAS, the mechanism for delisting a recovered species is cumbersome,

THEREFORE BE IT RESOLVED, NCBA encourages streamlining and implementing the delisting process.

BE IT FURTHER RESOLVED, NCBA advocates for line-item appropriations for delisting species.

PR/EM 4.8  
2022/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 opposes 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 4.9  
2023/Renewed  
**Sage Grouse**

WHEREAS, in 2015 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 encourages 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 will continue to focus on this issue in its ESA agenda because this is a western states priority.

PR/EM 4.10  
2024/Renewed  
**Wolf and/or Grizzly Bear Recovery Delisting Goal**

BE IT RESOLVED, NCBA insists that upon completion of management plans and attainment of population goals, wolves and/or grizzly bears shall be delisted from protection under ESA.

BE IT FURTHER RESOLVED, NCBA seeks legislation requiring the federal government to provide full funding for all wolf and/or grizzly bear management costs including monitoring, depredation, and all other related costs.

PR/EM 4.11  
2024/Renewed  
**Species Recovery and Introduction**

WHEREAS, 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 ESA on public and private land ranchers, and

WHEREAS, NCBA believes that recovery using voluntary incentives and, ultimately, delisting of species covered by ESA should be the highest priority of ESA,

THEREFORE BE IT RESOLVED, NCBA promotes recovery as an avenue of reform to ESA, and that federal funding for ESA should be prioritized to reflect this priority.

BE IT FURTHER RESOLVED, NCBA insists 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 strongly opposes species introductions, experimental or otherwise, under 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 urges 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 urges federal agencies to develop and extend partnerships with the states and state agencies regarding the recovery of species.

PR/EM 4.12  
2020/Renewed  
**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 supports legislation to "fast track" permits and to give the USFWS, or other appropriate entities, the authority to issue nuisance permits.

PR/EM 4.13  
2022/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 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 USFWS,

THEREFORE BE IT RESOLVED, NCBA supports 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.

PR/EM 4.14  
2023/Amended

#### **Migratory Bird Treaty Act**

WHEREAS, Black vultures and ravens have caused proven and documented depredation in the cattle industry, and

WHEREAS, Black vultures and ravens are protected under the Migratory Bird Treaty Act, and

WHEREAS, depredation permits are available to producers through USDA and DOI,

THEREFORE BE IT RESOLVED, NCBA will work with the respective agencies to research, document, and prove the economic loss to cattle producers, the migration of Black vultures and ravens, and justification for the birds to be protected under the Migratory Bird Treaty Act.

BE IT FURTHER RESOLVED, NCBA will work with the respective agencies to ease the restrictions and limitations of the process for the depredation permit and to increase the number of birds allowed under the depredation permit.

BE IT FURTHER RESOLVED, NCBA urges USDA and DOI to collaborate more effectively with one another and associated state agencies to better streamline efforts to assist livestock producers in minimizing loss caused by Black vultures and ravens.

PR/EM 4.15  
2024/Renewed

#### **Incentive-Based Conservation Efforts for Species and Habitats**

WHEREAS, ESA does not provide proper incentives, and in many instances limits and/or intrudes upon 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, society is increasingly aware that obtaining private landowner cooperation in habitat preservation by regulation has been less than satisfactory, yet willingness to participate in some form of alternative incentive-based habitat preservation is growing, and

WHEREAS, proactive habitat conservation programs initiated by landowners would produce a partnership regarding resource conservation issues rather than the present adversarial relationship, resulting in a mechanism for some control and free choice to remain in the hands of private landowners,

THEREFORE BE IT RESOLVED, NCBA supports proactive, landowner-based incentive efforts which would provide greater engagement between private and federal land managers in conservation of endangered, threatened, and candidate species, and their corresponding habitats.

BE IT FURTHER RESOLVED, NCBA supports compensation for landowners and federal land permittees for the significant contributions they provide toward species and habitat conservation based on the outcomes and practices.

BE IT FURTHER RESOLVED, NCBA supports voluntary efforts which are fair to participating and nonparticipating landowners, and that these efforts could additionally provide mitigation for other commercial activities as a condition of regulatory requirement.

# TAX AND CREDIT COMMITTEE

Jeff Magee, MS – Chair

Tom Bryant, FL – Vice Chair

Kent Bacus & Kelsea Kemp, Staff

## **1 GENERAL**

- 1.1 2022 1031 Exchange
- 1.2 2023 Conservation Easements
- 1.3 2022 Health Care Reform
- 1.4 2020 Valid IRS Conservation Purposes
- 1.5 2021 Natural Resources Use in  
Conjunction with Conservation  
Easements
- 1.6 2022 Tax Deductibility of Fence  
Replacement Costs
- 1.7 2022 Tax Exemption for Disaster  
Assistance
- 1.8 2023 Beef Consumption Tax
- 1.9 2022 Producer Packing Capacity  
Incentives
- 1.10 2024 Federal Student Aid

## **2 ESTATE TAXES**

- 2.1 2024 Taxes – Sub-Chapter “S”  
Corporations
- 2.2 2023 Death Tax
- 2.3 2023 Special Use Valuation – Estate Taxes
- 2.4 2023 Gift Exemption
- 2.5 2024 Death Tax Ag Production  
Exemption
- 2.6 2020 Stepped-Up Basis

## **3 CAPITAL GAINS AND ALTERNATIVE**

### **MINIMUM TAXES**

- 3.1 2020 Taxes – Alternative Minimum Tax
- 3.2 2021 Capital Gains Rollover
- 3.3 2021 Income Taxes, Capital Expensing,  
and Business Deductions
- 3.4 2024 Capital Gains: Conservation  
Easements
- 3.5 2021 Capital Gains
- 3.6 2024 Capital Gains Tax – Property Transfer

## **4 INCOME TAXES AND SOCIAL**

### **SECURITY**

- 4.1 2024 Cash Accounting
- 4.2 2020 Taxes – Social Security
- 4.3 2020 Unemployment Taxes
- 4.4 2022 Social Security Tax on Farmland  
Rent
- 4.5 2021 Social Security Exemption on  
Conservation Program Payments
- 4.6 2021 Social Security Exemption on Co-  
Op Distributions

- 4.7 2020 Income Tax Accounting Policies
- 4.8 2023 Minority Interest in Property

## **5 BUSINESS TAXES**

- 5.1 2020 Corporate Structure for Agriculture
- 5.2 2020 Taxes – Limitation on Certain  
Business Deductions
- 5.3 2020 Conservation Tax Incentives
- 5.4 2020 Taxes – Double Taxation
- 5.5 2024 Tax Treatment of General Permit  
Process Mandated Expenditures
- 5.6 2024 Bonus Depreciation
- 5.7 2022 Agriculture Standalone  
Conservation Purpose
- 5.8 2024 Business Reporting Requirements

## **6 FEDERAL BUDGET**

- 6.1 2020 Federal Budget

## **7 BANKING AND CREDIT**

- 7.1 2020 Taxes – Modification of “At Risk”  
Rule
- 7.2 2020 Credit – Government Subsidies
- 7.3 2020 Credit – Farm Credit System
- 7.4 2020 Agricultural Credit
- 7.5 2020 Agricultural Credit – Support Rural  
Banks
- 7.6 2022 Beginning Farmer and Rancher  
Program
- 7.7 2024 Lending Rates



## **1. GENERAL**

### **T 1.1 2022/Amended 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 that Section 1031 like-kind exchanges are essential to the transfer of farm, ranch, or other agricultural production property, and

WHEREAS, NCBA recognizes the constraints that the current Internal Revenue Code (IRC) 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 supports maintaining Section 1031 like-kind exchanges for farm, ranch, or other agricultural production property,

BE IT FURTHER RESOLVED, NCBA supports change to the current IRC 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 2023/Renewed 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 2022/Renewed Health Care Reform**

WHEREAS, the U.S. 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 2020/Amended Valid IRS Conservation Purposes**

WHEREAS, the Internal Revenue Code (IRC), relative to conservation easements, does not list agriculture as a valid, stand-alone, conservation purpose and does provide a tax benefit for retaining the character of agricultural use for active farmers and ranchers in conservation easements,

BE IT RESOLVED, NCBA supports an addition to the IRC, relative to conservation easements, naming modern agriculture as a valid, stand-alone conservation practice for conservation easement purposes.

BE IT FURTHER RESOLVED, NCBA encourages the Internal Revenue Service to recognize the extinguishment of any part or portion of non-agricultural commercial development be recognized as a conservation benefit.

BE IT FURTHER RESOLVED, NCBA supports the continued tax benefit for retaining agricultural use by active farmers and ranchers.

T 1.5  
2021/Renewed  
**Natural Resources Use in Conjunction with Conservation Easements**

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 supports 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  
2022/Renewed  
**Tax Deductibility of Fence Replacement Costs**

WHEREAS, natural disasters can destroy livestock, productive grazing lands, and ranch facilities, including fences, and

WHEREAS, current 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 supports 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  
2022/Renewed  
**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 advocates 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  
2023/Amended  
**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, beef products, and other products derived from cattle.

T 1.9  
2022/New  
**Producer Packing Capacity Incentives**

WHEREAS, the beef cattle industry has suffered from a lack of packing and processing capacity which has negatively impacted cattle and beef producers financially, and

WHEREAS, major beef packing companies

have less incentive to increase beef packing capacity as they become more diversified into other animal and plant protein sectors, and

WHEREAS, access to adequate capital is a limiting factor to beef cattle producer investment in processing capacity,

THEREFORE BE IT RESOLVED, NCBA encourages investment in new processing capacity infrastructure through incentives that aid in offsetting start-up costs of new producer-owned processing facilities.

BE IT FURTHER RESOLVED, NCBA encourages the use of USDA guaranteed loans to reduce risk of investment in processing capacity.

BE IT FURTHER RESOLVED, NCBA encourages federal tax credits for beef cattle producer investment into existing packing capacity assets or new construction.

BE IT FURTHER RESOLVED, NCBA supports tax incentives on any sales of existing processing infrastructure to beef cattle producers.

T 1.10  
2024/New

#### **Federal Student Aid**

WHEREAS, changes to the Free Application for Federal Student Aid (FAFSA) were enacted into law as part of the Consolidated Appropriations Act of 2021, and

WHEREAS, the adjusted value of a family farm or small business is now used when calculating expected financial contributions from parents in the FAFSA, and

WHEREAS, the assets of farmers and ranchers often exceed cash on hand, and

WHEREAS, the inclusion of farm assets may make receiving need-based scholarships harder for children of farmers and ranchers.

THEREFORE BE IT RESOLVED, NCBA advocates to bring back the exceptions for family farms and small businesses with fewer than 100 employees from the term “assets”.

## **2. ESTATE TAXES**

T 2.1  
2024/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  
2023/Renewed

### **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 of 2017 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.
- 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  
2023/Renewed

### **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 seeks 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  
2023/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  
2024/Renewed  
**Death Tax Ag Production Exemption**

BE IT RESOLVED, NCBA urges 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.

T 2.6  
2020/New  
**Stepped-Up Basis**

WHEREAS, NCBA's cattle producers have been working for generations with the hope that their heirs or other designated beneficiaries will carry on their cattle operations, and

WHEREAS, stepped-up basis is a critical tool to meet cattle producers' unique needs for protecting assets for future generations, and

WHEREAS, discontinuing this practice has the potential to create undue tax liability for the heirs or other designated beneficiaries,

THEREFORE BE IT RESOLVED, NCBA supports preservation of stepped-up basis for assets in any future tax relief legislation.

### **3. CAPITAL GAINS AND ALTERNATIVE MINIMUM TAXES**

T 3.1  
2020/Amended  
**Taxes—Alternative Minimum Tax**

WHEREAS, the Alternative Minimum Tax has resulted in an increased income tax burden on cattle producers 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  
2021/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  
2021/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 provide meaningful tax relief for agricultural businesses,

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 business deductions, including the Section 199A Small Business Deduction.

T 3.4

2024/Renewed

#### **Capital Gains: Conservation Easements**

BE IT RESOLVED, NCBA supports the premise that sales of conservation easements and conservation easement credits be considered capital gains sales for tax purposes.

T 3.5

2021/New

#### **Capital Gains**

WHEREAS, most realized long-term capital gains and qualified dividends are taxed at graduated rates under the individual income tax, and

WHEREAS, capital gains are taxable only upon realization, such as the sale or other disposition of an appreciated asset, and

WHEREAS, there is currently no realization of capital gain by the donor at the time of the gift, and there is no recognition of capital gain (or loss) by the donee until the donee later disposes of that asset, and

WHEREAS, when an appreciated asset is held by a decedent at death, the basis of the asset for the decedent's heir is adjusted (usually "stepped-up") to the fair market value of the asset at the date of the decedent's death, and

WHEREAS, U.S. agricultural producers have been working their land and other assets for generations with the intent that their heirs or other designated beneficiaries will carry on the business, and

WHEREAS, the realization of capital gains tax without an actual sale would affect agricultural producers disproportionately,

THEREFORE BE IT RESOLVED, NCBA opposes the realization of a capital gain tax at the time of transfer from a donor or from a deceased owner of an appreciated asset.

T 3.6

2024/New

#### **Capital Gains – Property Transfer**

WHEREAS, cattle producers pay a substantial portion of taxes on their income at capital gains rates, and

WHEREAS, the transfer of property between generations includes the use of installment sales which are recognized at capital gains rates,

THEREFORE BE IT RESOLVED, NCBA supports expanding the income thresholds at which taxable income is charged at those rates and the lowering of capital gains rates themselves.

### **4. INCOME TAXES AND SOCIAL SECURITY**

T 4.1

2024/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

2020/Amended

#### **Taxes—Social Security**

WHEREAS, current Social Security laws impose increasing and burdensome taxes on cattle producers and other taxpayers, and

WHEREAS, such laws require the payment of Social Security taxes on wages of part-time agricultural employees, and

WHEREAS, Circuit Court decisions in certain parts of the United States, as well as Internal Revenue

Service and Social Security Administration regulations discriminate against retired cattle producers 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,

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 cattle producers 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  
2020/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.

T 4.4  
2022/Renewed  
**Social Security Tax on Farmland Rent**

WHEREAS, the IRS has attempted 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  
2021/Renewed  
**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 that Congress grant a complete exemption from social security taxes on income received by farmers from participation in conservation programs.

T 4.6  
2021/Renewed  
**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

2020/Amended

**Income Tax Accounting Policies**

WHEREAS, cattle producers historically have had the option to choose whatever method of accounting that best suits their operation, and

WHEREAS, cattle producers may have widely fluctuating income from year to year,

THEREFORE BE IT RESOLVED, NCBA takes whatever action necessary to ensure cattle producers free choice with respect to using the cash, accrual, or hybrid methods of accounting.

BE IT FURTHER RESOLVED, NCBA supports income tax averaging for cattle producers on federal and state tax returns.

T 4.8

2023/Renewed

**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, U.S. 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

2020/Amended

**Corporate Structure for Agriculture**

WHEREAS, the corporate structure provides a useful tool for cattle producers as well as other businesses,

THEREFORE BE IT RESOLVED, NCBA strongly opposes any special limitations which would restrict cattle producers' access to the use of the corporation form of business.

T 5.2

2020/Amended

**Taxes—Limitation on Certain Business Deductions**

WHEREAS, the Internal Revenue Code denies business deductions for entertainment, amusement, or recreation thereby 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 supports the deduction of business expenses for meals, for use of lodges and leases, or for hunting or other sporting purposes as a fully deductible business expense.

T 5.3

2020/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 supports federal legislation that would provide tax incentives for private landowners to implement conservation and erosion control programs.

T 5.4  
2020/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  
2024/Renewed  
**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  
2024/Renewed  
**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 continued inclusion of the 100% bonus depreciation as part of the U.S. tax code.

T 5.7  
2022/Renewed  
**Agriculture Standalone Conservation Purpose**

BE IT RESOLVED, NCBA seeks legislative changes to make agriculture a standalone conservation purpose within the Internal Revenue Code and U.S. Treasury regulations and to allow for alternative valuation methods to be used to value conservation easements.

T 5.8  
2024/New  
**Business Reporting Requirements**

WHEREAS, the federal government and state governments continue to add business registration, disclosure, and reporting requirements for American small businesses, such as the Corporate Transparency Act, and

WHEREAS, small businesses continue to face rising compliance costs with limited resources,

THEREFORE BE IT RESOLVED, NCBA opposes authorizing and implementing any additional burdensome registrations or reporting requirements with respect to business operations



## **6. FEDERAL BUDGET**

T 6.1  
2020/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  
2020/Amended  
**Taxes—Modification of “At Risk” Rule**

WHEREAS, the future of many young cattle producers 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 supports loans from family members or guarantees by family members by including them under the determination of At-Risk under Internal Revenue Code Section 465 as long as such loans are used for agricultural purposes.

T 7.2  
2020/Amended  
**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, pandemics, or other acts of God.

T 7.3  
2020/Amended  
**Credit—Farm Credit System**

WHEREAS, credit is a critical input for our nation’s agricultural sector and assists cattle producers 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.

T 7.4  
2020/Renewed  
**Agricultural Credit**

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.

T 7.5  
2020/Renewed  
**Agricultural Credit - Support Rural Banks**

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.

T 7.6

2022/Renewed

**Beginning Farmer and Rancher Program**

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

WHEREAS, beginning farmer programs are available, but excessive restrictions minimize participation,

THEREFORE BE IT RESOLVED, NCBA supports measures to assist financial institutions in making loans to beginning farmers and ranchers through improved flexibility of loans, such as longer terms, lower down payments, lower interest rates, and redefining the definition of a beginning farmer.

BE IT FURTHER RESOLVED, NCBA supports the tax-exempt Agricultural Bond for Beginning Farmers or “Aggie Bond” program used by state agencies to assist beginning farmers and ranchers with purchases of assets and improvements.

BE IT FURTHER RESOLVED, NCBA supports removing the restrictions of median farm size for beginning farmer and rancher eligibility.

T 7.7

2024/New

**Lending Rates**

WHEREAS, the U.S. Securities and Exchange Commission proposed a regulation to require companies to disclose greenhouse gas emissions from upstream and downstream activities in their respective value chains, and

WHEREAS, such a proposal could require financial institutions to set greenhouse gas emission targets for loan eligibility or vary interest rates according to greenhouse gas emission levels, and

WHEREAS, access to capital, specifically provided through lending, is necessary for new and existing farm and ranch businesses, and

WHEREAS, financial risk is based on the borrower’s overall ability to repay a loan, which is based on factors such as debt load, income, and collateral, not greenhouse gas emissions.

THEREFORE BE IT RESOLVED, NCBA opposes government mandates that require financial institutions to consider greenhouse gas emissions to determine eligibility for loans, lending fees, or lending rates.

## ADDENDUM

### **Interim policy passed by the NCBA Policy Board of Directors, Feb. 6, 2025**

*This policy will be reviewed and voted on during the 2025 Cattle Industry Summer Business Meeting. If it passes the NCBA Policy Board of Directors in July, and the Member Mail Ballot in September, it will become association policy. If it does not pass it will be sunset.*

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#### **AG & FOOD POLICY**

AFP 4.2 – AC-Resolution 1  
2025/Amended

##### **Disaster Payments**

WHEREAS, USDA disaster assistance programs, such as the Livestock Forage Disaster Program, provide compensation to eligible producers to aid in recovery from natural disasters, and

WHEREAS, the compensation is based on a variety of factors, including carrying capacity of the land, and

WHEREAS, carrying capacities may vary significantly within a county based on many factors, including the utilization of best management practices, and

WHEREAS, the federal and state governments have programs to improve agricultural practices for crops and livestock, and

WHEREAS, FSA functions as the administering agency and determines carrying capacity at the county level for disaster assistance payments, and

WHEREAS, a farm or ranch may have an increased carrying capacity approved by NRCS as a result of improvements made through the use of best management practices.

THEREFORE BE IT RESOLVED, NCBA supports disaster assistance payments that accurately reflect losses based on the carrying capacity of the eligible grazing land for the producers implementing documented best management practices which increase carrying capacity instead of the average carrying capacity within a county.

BE IT FURTHER RESOLVED, when disaster assistance payments are made through a USDA program, if incorrect payments are made, the recipient should not be assessed penalties or interest on the returned payment.

AFP – Resolution 2  
2025/Amended

##### **Government Disaster and Emergency Programs**

WHEREAS, some government disaster and emergency programs require crop insurance coverage to be eligible for full payment, and

WHEREAS, due to crop insurance requirements, some crops may be difficult to attain adequate affordable coverage, and

WHEREAS, some programs are not clear in their explanation of requirements for eligibility.

THEREFORE BE IT RESOLVED, NCBA recommends crops that do not count towards base acres should not penalize a producer in USDA programs.

AFP – Resolution 3  
2025/New

##### **Risk Management Programs**

WHEREAS, livestock producers are afforded access to several risk management programs through the USDA such as PRF, Livestock Risk Protection, Livestock Gross Margin Plan and Weaned Calf Risk Protection, and

WHEREAS, programs specifically for livestock producers are relatively new compared to programs for other segments of agriculture necessitates periodic reviews and potential adjustments.

THEREFORE BE IT RESOLVED, NCBA will actively participate in USDA reviews of these and other programs relevant to the beef cattle industry and provide input to ensure the programs are working as effective risk management tools for all producers throughout the country and take into account regional differences.

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## **CATTLE HEALTH & WELL BEING**

CH – AC-Resolution 1

2025/New

### **International Arrivals**

WHEREAS, foreign animal diseases and parasites can be transmitted by humans and companion animals, and

WHEREAS, these threats are more prevalent than ever, and

WHEREAS, routine surveillance and inspection of arriving international travelers at border crossings and ports of entry have become inconsistent.

THEREFORE BE IT RESOLVED, NCBA shall work with federal agencies to increase surveillance and inspections for these risks.

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## **LIVE CATTLE MARKETING**

M 2.9

2025/Amended

### **CME Group Live Cattle & Feeder Cattle Futures Contracts Price Limits**

WHEREAS, expandable price limit mechanisms within the CME Group Live Cattle and Feeder Cattle contracts provide a useful means to allow the market to function efficiently in times of high volatility regardless of prevailing price levels.

THEREFORE BE IT RESOLVED, NCBA supports the use of expanded price limits following a limit move event.

BE IT FURTHER RESOLVED, NCBA opposes formula-based variable price limits as a means to expand daily price limits within the CME Group Live Cattle and Feeder Cattle contracts.

BE IT FURTHER RESOLVED, NCBA shall work with the CME Group to ensure their process to establish daily price limits equally weighs the needs of market participants with short and long positions, and properly accounts for fundamental market conditions.

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## **PROPERTY RIGHTS & ENVIRONMENTAL MANAGEMENT**

PR/EM – AC-Resolution 1

2025/New

### **Stand Your Ground**

WHEREAS, agricultural crime in the U.S. is a threat to the safety of farmers and ranchers, and

WHEREAS, agricultural operations are often in rural areas where personnel are vulnerable to threats such as armed trespassers, poachers, or thieves that endanger property and personal safety, and

WHEREAS, rural areas experience slower response times from law enforcement intervention and support.

THEREFORE BE IT RESOLVED, NCBA supports Stand Your Ground laws for the protection of U.S. farmers and ranchers against undue penalty for protecting themselves from harm.

PR/EM – AC- Resolution 2

2025/New

### **EPA Emission Standards for Rural Volunteer Fire Department Vehicles**

WHEREAS, the EPA's emission standards for certain vehicles used by rural Volunteer Fire Departments (VFDs) create barriers to the use of these vehicles in times of wildfires, and

WHEREAS, rural VFDs are the primary initial source of assistance for wildfires on ranch land in many states, and

WHEREAS, rural VFDs have limited funding with which to purchase firefighting equipment, including vehicles to fight wildfires, and

WHEREAS, rural VFDs are critical to protecting ranchers and producers when wildfires begin.

THEREFORE BE IT RESOLVED, NCBA supports efforts to remove the EPA's emission standards on vehicles used by rural VFDs.

PR/EM – AC- Resolution 3  
2025/New  
**Wildfire Prevention and Mitigation**

WHEREAS, wildfires have wreaked havoc on ranch land and the cattle industry on private property, state lands, and federal lands with increasing frequency throughout the U.S. during the last decade, and

WHEREAS, producers can utilize best practices and management techniques on their land to assist in wildfire prevention and mitigation, and

WHEREAS, producers often need financial assistance to help with wildfire prevention and mitigation efforts, and

WHEREAS, flexibility for producers in these prevention and mitigation efforts is key to their effective implementation and usefulness, and

WHEREAS, states and regions within the U.S. can utilize varied prevention and mitigation strategies to address their specific needs.

THEREFORE BE IT RESOLVED, NCBA supports efforts to secure funding in legislation and regulatory programs for wildfire prevention and mitigation, including region-specific zones for containment of fires, planting of certain forage grasses, removal of brush, and targeted grazing.