

Resolutions & Directives for Consideration

NCBA Policy Board of Directors

February 2, 2024

Orlando, FL

AGRICULTURE & FOOD POLICY COMMITTEE

AFP Resolution 1

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, for the producers implementing documented best management practices which increase carrying capacity, disaster assistance payments shall accurately reflect losses based on the carrying capacity of the eligible grazing land, instead of the average carrying capacity within a county.

AFP Resolution 2

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 the LIP by adjusting the normal mortality rate requirements for all qualifying LIP benefits.

AFP Resolution 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 shall advocate to permit emergency haying, emergency grazing, and emergency use of the forage on all CRP acres regardless of enrollment in a SAFE project.

CATTLE HEALTH & WELL BEING COMMITTEE

CH – AC-Directive 1

2024/New

Support for Traceability Education, Partnership, and Implementation

WHEREAS, the U.S. cattle industry faces catastrophic economic consequences from the outbreak of a foreign animal disease, and

WHEREAS, NCBA continues to be an industry-leading organization committed to innovative animal identification practices that support animal disease traceability, and

WHEREAS, additional educational efforts are necessary to inform cattle producers of the importance and benefits of traceability systems for responding effectively and efficiently to animal health emergencies,

THEREFORE BE IT DIRECTED, NCBA will engage with agricultural stakeholders to educate cattle producers about the value of animal disease traceability efforts and promote adoption of electronic identification devices (EID) tags.

BE IT FURTHER DIRECTED, NCBA will partner, where appropriate, with state departments of agriculture; state animal health officials; veterinary organizations; extension agents; cattle industry associations; and private industry to accomplish these educational efforts, increase adoption of EID tags, and lead implementation of an effective animal disease traceability system.

CATTLE HEALTH & WELL BEING COMMITTEE

CH 10.3 – AC-Resolution 1
2023/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, 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 WOAH.
- 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 will provide 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 will support 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.

FEDERAL LANDS COMMITTEE

FL – AC-Resolution 1

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 Bureau of Land Management or USFS system 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.

FL 3.4 – *AC-Resolution 2*

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.

LIVE CATTLE MARKETING COMMITTEE

M – AC-Resolution 1

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 for the ability to obtain an LRP contract once a purchase contract is obtained and the down payment has been paid.

M – AC-Resolution 2

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 percent 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 the USDA 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.

PROPERTY RIGHTS & ENVIRONMENTAL MANAGEMENT COMMITTEE

PR/EM – AC Resolution 1

PR/EM 3.17

2023/Renewed

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 will ask for the immediate cessation of unmanned surveillance being conducted by federal regulatory agencies as a blatant violation of private property rights of businesses, residents, and adjoining property owners.

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.

TAX & CREDIT COMMITTEE

T – AC-Resolution 1

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.

T– AC-Resolution 2

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 shall advocate to bring back the exceptions for family farms and small businesses with fewer than 100 employees from the term “assets”.