



**National Cattlemen's
Beef Association**



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Beltway Beef is a weekly report from Washington, D.C., giving an up-to-date summary of top policy initiatives concerning the cattle industry; direct from the National Cattlemen's Beef Association (NCBA). Please feel free to reprint in full or in part. If you would like to include NCBA's logo, contact us at 303-694-0305.

Cattlemen's Capitol Concerns

Study Shows Costly Consequences of Regulating Dust

In anticipation of an Environmental Protection Agency (EPA) proposed rule to regulate dust at levels twice as stringent as current standards, the National Cattlemen's Beef Association (NCBA) contracted with Dr. John Richards, Ph.D., P.E. of Air Quality Control Techniques to study the likely effects regulating dust at such levels would have on attainment and nonattainment regions throughout the United States. The study concluded that moving forward with regulating dust at anticipated levels would bring vast areas of the United States into nonattainment or to the brink of nonattainment.

NCBA Chief Environmental Counsel Tamara Thies said the current standard is 150 µg/m³ with an allowance of one violation per year to remain in compliance. She said NCBA expects EPA to propose a new standard of between 65-85 µg/m³ with an allowance of seven

violations per year to remain in compliance.

"EPA claims these two standards are essentially equivalent in terms of health protection. While both may protect the public's health equally, this study confirms that changing the standard would be devastating for our economy, and particularly for rural America," Thies said.

"Regulating dust at levels twice as stringent will wreak havoc in rural agricultural areas."

"Regulating dust at levels twice as stringent will wreak havoc in rural agricultural areas that would have to purchase new, expensive technologies to control dust."

The study concluded that the existing and anticipated dust standards are not equivalent in terms of attainment and nonattainment areas of the country. More nonattainment areas means more regulation and a direct hit on the bottom lines of businesses

operating in those nonattainment areas.

The study found that 42 sites currently are in nonattainment. However, of the sites studied, a change to 85 µg/m³ (98th percentile form) would increase the number of sites in nonattainment by 81 percent (from 42 to 76). A change to 75 µg/m³ would increase the number of

sites in nonattainment by 243 percent (from 42 to 102). A change to 65 µg/m³ would increase the number of sites in nonattainment by 348 percent (from 42 to 146).

"If EPA moves forward, entire states could be thrown into nonattainment or be on the brink of nonattainment where slight changes in dust emissions or weather conditions could throw them into nonattainment," Thies said. "This study is further proof that regulating dust at such unprecedented levels will be financially devastating for production agriculture."

Senate Should Follow House, Stop Burdensome Regulations

National Cattlemen's Beef Association (NCBA) Vice President of Government Affairs Colin Woodall said U.S. cattlemen and women were relieved to see members of the U.S. House of Representatives lead the charge to put a block on burdensome regulatory proposals coming from the administration. Woodall said members offered amendments to block funding for regulatory initiatives being proposed by the Environmental Protection Agency (EPA), the Department of the Interior (DOI) and other federal agencies during debate

of a continuing resolution (CR) to fund the federal government through the end of this fiscal year.

Specifically, Woodall said of the hundreds of amendments considered during debate of the CR, NCBA was most pleased with amendments to block to the EPA funding to regulate dust; to implement its Total Maximum Daily Load rule for the Chesapeake Bay and its numeric nutrient criteria rule for Florida; and to move forward with its partial waiver for E15 ethanol. He also said the CR includes a funding block on the DOI's Secretarial

Order 3310 regarding wild lands designations as well as a block on payments under the Equal Access to Justice Act.

"While we were very relieved to see these common sense amendments pass the House, the work doesn't stop there," Woodall said. "NCBA urges the U.S. Senate to follow suit and work to stop these overreaching regulatory proposals that will cost cattle producers millions of dollars and will further stifle job creation and economic growth in our country."

NCBA Members Oppose Wild Lands Secretarial Order

Members of the National Cattlemen’s Beef Association (NCBA) passed policy during the industry’s recent convention to oppose the Department of the Interior’s Secretarial Order 3310 (the Order) that directs the Bureau of Land Management (BLM) to inventory, manage and designate areas with wilderness characteristics under its jurisdiction as “Wild Lands” and to manage them to “protect” their wilderness values. The NCBA member-passed policy requests the Order be rescinded and supports congressional efforts to defund any attempt to implement the Order. Additionally, the policy requests Congress to enact legislation requiring withdrawal of the Order.



NCBA Director of Federal Lands Dustin Van Liew said Congress, not the administration, has authority to designate Wild Lands under authority of the Wilderness Act of 1964.

“If Congress wanted the administration to have authority to designate Wild Lands, they would have included that in the Wilderness Act. But they didn’t, and the Order appears to violate the BLM’s congressionally mandated mission to manage public lands for

multiple-use activities,” Van Liew said. “Shifting the BLM’s mission to management for wilderness characteristics will restrict natural resource uses on public lands across the West and will further impede longstanding multiple-use activities on public lands, including livestock grazing.”

Van Liew said the U.S. House of Representatives, in the recently passed continuing resolution (CR) to fund the government through the end of the current fiscal year, included a block on any funds to be used to implement the Order. He also said the House Committee on Natural Resources is scheduled to hold an oversight hearing on the Order on March 1, 2011.

“Members of the House of Representatives understand our concerns with the Order,” Van Liew said. “We are pleased the House blocked funding to implement the Order in the CR and that the Natural Resources Committee is holding an oversight hearing. But similar action needs to happen in the Senate as well, and we urge the Senate to retain the funding block on the Order as it moves to consider the CR.”

Legislative Watch

S. 228 / H.R. 750 – Defending America’s Affordable Energy and Jobs Act

Prevents the Environmental Protection Agency (EPA) from regulating greenhouse gases (GHGs) without first obtaining specific congressional authorization; precludes legal action against sources of GHGs based only on the possibility of contributing to climate change; and doesn’t preempt states from enacting GHG emission regulations.

NCBA urges a **YES** vote on S. 228.

Key Sponsors: Sen. John Barrasso (R-Wyo.), Rep. Tim Walberg (R-Mich.)

U.S.-South Korea Free Trade Agreement (KORUS FTA)

Passage of the KORUS FTA would phase out South Korea’s 40 percent tariff on beef imports, one of the highest in the world, with \$15 million in tariff benefits for beef in the first year of the agreement alone and about \$325 million in tariff reductions annually once fully implemented.

NCBA urges a **YES** vote on the KORUS FTA.

S. 407 / H.R. 758 – National Monument Designation Transparency and Accountability Act

Requires the administration to seek congressional approval before designating future national monuments. This oversight is intended to ensure that the impacts on the local economy, ranching, national energy security, and other uses associated with the land, are taken into consideration before a designation takes effect.

NCBA urges a **YES** vote on S. 407 / H.R. 758

Key Sponsors: Sen. Mike Crapo (R-Idaho), Devin Nunes (R-Calif.)

New on the Web

Check out the [Beltway Beef blog](#) for inside perspectives on issues affecting U.S. cattlemen and women. This week’s features include information on the House-passed continuing resolution; anti-animal agriculture activist organizations and more. You can also follow us on [Twitter](#), be a fan of us on [Facebook](#), check out our latest photos on

[Flickr](#) or watch video updates on our [YouTube](#) page. For audio, visit and subscribe to the Beltway Beef [Podcast](#). You can also subscribe to our [podcast](#) on iTunes.

Budget Debacle of 2011 & The Cattle Factor



*Colin Woodall
is NCBA Vice
President of
Government
Affairs*

The U.S. House of Representatives carried through late last week - efficiently and effectively - on its commitment to cut wasteful spending and create a budget that's manageable for the remainder of this fiscal year. Don't get me wrong, the House made some tough and controversial cuts that we all may not agree with. But when all is said and done, they cut the supersized budget by 14 percent or \$61.5 billion below current spending levels. Now, all eyes are on the Senate to see if it can buckle down and make the tough calls fast. The continuing resolution currently funding the government expires in a little over a week. Congress has until March 4 to avert a shutdown, either with another short-term continuing resolution or with a spending plan to get us through the end of this fiscal year. What will happen? Nobody knows.

As the wise will tell you, stick to what you do know. The outcome of this debacle has left political pundits speechless. In all reality, it is anyone's guess at this point. What I do know is that the House passed a handful of amendments that directly affect the cattle business. There were four amendments that cut some of the wasteful and unnecessary spending by the Environmental Protection Agency (EPA). The House voted to stop funding to EPA for three regulations and one pet project.

First off, the EPA believes it makes sense to regulate dust to a level that would make it an illegal activity for a six year old to play t-ball and run around the bases. I am exaggerating, but only slightly. The EPA wants to regulate dust at an unprecedented level that is twice as stringent as the current level. This means farmers and ranchers will be faced with a burdensome and costly regulation for no rational purpose. There is no science that shows rural dust causes health concerns. If the activists turned government officials at EPA took some time to look beyond the city sidewalks, they would realize dust happens. Regulating dust on a farm or ranch is like regulating flour in a bakery. It is beyond ridiculous.

Another amendment stops funding for EPA to implement its Total Maximum Daily Load (TMDL) rule for the Chesapeake Bay, which is based on flawed scientific assumptions. EPA's data was even proven inaccurate by another agency in the same administration. One would think that contradiction would encourage EPA to take another look. So far, it hasn't. A related, but separate, amendment would protect cattle producers in Florida from EPA's extremely

detrimental, scientifically indefensible nutrient criteria rule. Both of these rules, if implemented, will cost cattle producers millions of dollars in compliance costs, financially devastate state economies and erase thousands of jobs. Defunding the EPA's ability to implement its TMDL rule for the Bay and its nutrient criteria rule in Florida also stops these flawed regulations from becoming a model for other watersheds in the country, including the Mississippi River basin, that are vital to the survival of family farms and ranches.

The House also voted to defund one of EPA's pet projects – E15 (15 percent ethanol) waivers – that also come with a total lack of research. Little research was done to prove that 2007 and newer vehicles could operate with E15 without causing damage. Not to mention the impact allowing E15 would have on family farmers and ranchers struggling to pay for \$7 corn the way it is. EPA needs to think about the unintended consequences of their actions.



Burdensome and unnecessary regulations don't start and stop at the EPA. The continuing resolution also included an amendment to block funding to implement the Department of the Interior's "Wild Lands" Secretarial Order 3310 (the Order) and halted payments authorized under the Equal Access to Justice Act (EAJA). Among other things, this would finally stop environmental extremists from abusing EAJA to fund petty lawsuits designed to bring down the public lands livestock grazing industry and other multiple-use activities on public

lands. Ranchers impacted by these suits must pay crippling legal fees to defend their land, business or way of life against lawsuits from extremist groups. Then, they are also forced to help pay the attorney fees for the very groups attacking them. Does that make sense?

No matter what happens with this continuing resolution, we urge both chambers of Congress to use some commonsense. Leave these amendments attached to the continuing resolution to protect farmers and ranchers; the U.S. economy; and thousands of jobs. So far this administration has taken farmers and ranchers, who provide food and fiber for a growing global population, on a regulatory rollercoaster ride. The administration has declared war on this industry but these commonsense amendments give us reason for optimism. We urge the Senate to follow the U.S. House of Representatives' lead by protecting our industry from burdensome and unnecessary regulations. I may not have the crystal ball when it comes to predicting the outcome of this issue, but I do know that our industry needs Congress to remember rural America and its importance to food security and economic recovery.

CattleFax Update

The fed cattle market was quoted \$3 to \$5 higher on cash and \$6 to \$7 higher on dressed this week. Cattle in the South sold for primarily \$110, while the North traded at \$109 to \$111 live and mostly \$176 to \$177 dressed. Trade volumes were active. Boxed beef prices softened this week as end cuts struggled to hold their value. Feeder cattle prices were \$3 to \$5 higher on the week, while calves were \$5 to \$10 higher. Slaughter cows increased by another \$3 to \$5, reflecting excellent demand for trimmings. Corn prices continued to escalate this week. A Cattle On Feed report was issued by the USDA this week. On Feed came in at 106 percent, the trade was expecting 105.1 percent. Placement were noted at 104 percent, pre-report estimates were at 104.5 percent. Marketing's were reported at 100 percent, the trade was looking for 100.5 percent.

For recent market news and analysis, visit www.CattleFax.com.

Don't Miss Out on NCBA's Cattlemen to Cattlemen!

Don't miss NCBA's *Cattlemen to Cattlemen*, March 1-5. Viewers will learn what one Florida rancher is doing to prevent pinkeye on his operation. Plus, viewers will hear from NCBA Vice President Scott George about the top priorities in 2011.

NCBA's *Cattlemen to Cattlemen* debuts each Tuesday at 8:30 p.m. The show also airs Wednesday at 10:30 a.m. and on Saturday at 9 a.m. (all times are Eastern). Don't forget that you can also [watch NCBA's Cattlemen to Cattlemen online](#) anytime by visiting our website. Follow us on [Twitter](#) and become a fan on [Facebook](#).



Your NCBA

NCBA Elects 2011 Officer Team

The 2011 Cattle Industry Convention and National Cattlemen's Beef Association (NCBA) Trade Show wrapped up Sat., Feb. 5, 2011, with the NCBA board of directors, membership meetings and the election of new officers. Bill Donald, third generation Melville, Mont., rancher, was officially elected to succeed Steve Foglesong as NCBA president. Joining Donald on the 2011 NCBA officer team are J.D. Alexander, Pilger, Neb., NCBA president-elect; and Scott George, Cody, Wyo., NCBA vice president.

David Dick, Sedalia, Mo., was elected chairman of the NCBA Federation Division, and Craig Uden, Cozad, Neb., is the new federation vice chairman. The new NCBA Policy Division chairman is Bob McCann of Victoria, Texas, and Don Pemberton of Hopkinsville, Ky., is the new policy vice chairman.

Communications, Public Policy Intern Starts in NCBA's Washington Office

NCBA's Washington office welcomed a new face to its team this week. Jeralyn Stephens joined NCBA as the communications and public policy intern for spring 2011. She is currently attending Tarleton State University in Stephenville, Texas, where she is pursuing a degree in agricultural communications. Jeralyn grew up in McKinney, Texas, and was involved in 4-H and FFA. Throughout her time in both



National Cattlemen's Beef Association

The National Cattlemen's Beef Association (NCBA) has represented America's cattle producers since 1898, preserving the heritage and strength of the industry through education and public policy. As the largest association of cattle producers, NCBA works to create new markets and increase demand for beef. Efforts are made possible through membership contributions. To join, contact NCBA at 1-866-BEEF-USA or membership@beef.org.