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## **TITLE I. FARM SUPPORT, DOMESTIC MARKETS, AND TRANSPORTATION**

### **1.0 Preamble**

The American Soybean Association (ASA) supports individual freedom and private initiative through the competitive enterprise system. ASA supports achieving a balanced federal budget and reducing the national debt through a comprehensive approach to deficit reduction that includes all entitlement programs and discretionary spending. Reductions in the cost of agriculture-related programs should be proportionate.

### **1.1 Farm Income Support Programs**

#### **1.1.1 General**

1.1.1.01 ASA supports a soybean program that:

- assists farmers to better manage risk
- provides planting flexibility to enable U.S. soybean farmers to base their decisions on market signals
- respond to environmental and conservation concerns

#### **1.1.2 Price and Revenue Supports**

1.1.2.01 ASA supports programs that do not distort planting decisions and which are WTO compliant.

1.1.2.02 ASA supports non-recourse marketing loans.

1.1.2.03 ASA opposes efforts to require producers to lose beneficial interest in their commodities at the time they receive a Loan Deficiency Payment (LDP) or Marketing Loan Gain under the marketing loan program.

1.1.2.04 ASA supports equitable treatment of soybean producers in the development and implementation of the federal disaster and low price assistance programs.

1.1.2.05 ASA supports the use of federal crop insurance records and/or production evidence from similar surrounding farms as an acceptable form of proving yields for federal farm programs.

1.1.2.06 ASA supports amending the restriction on planting fruits and vegetables on program crop base acres to allow producers to preserve base history on acres planted to these except under the current exemption for double-cropping practices. (2015)

1.1.2.07 The CCC should not assess check-off fees on soybeans under loan unless they are forfeited to the CCC.

1.1.2.08 ASA supports the Agriculture Act of (2014), including improvements in the Federal crop insurance program, and opposes reopening this legislation. (2014)

1.1.2.09 ASA opposes dividing the agricultural titles from the nutrition title in the next Farm Bill. (2016)

1.1.2.10 ASA recommends in the next Farm Bill that in order to accurately identify current crops being grown, that all base acres have the option to be realigned or re-designated to the previous four years of production. (2016)

1.1.2.11 ASA supports the utilization of current RMA yield information to calculate the county yield for ARC-CO payments under the current Farm Bill (2016)

1.1.2.12 ASA supports the farmer's choice to choose whether to use NASS or RMA calculations for county yield for ARC-CO payment if it is in the next Farm Bill. (2016)

### **1.1.3 Payment Limitations and Eligibility**

1.1.3.01 ASA opposes imposing means testing on Federal farm payments and loans made to U.S. farmers.

1.1.3.02 ASA opposes restricting eligibility for marketing loan gains or LDP's.

1.1.3.03 ASA supports the definition of actively engaged in farming in effect under the 2014 Farm Bill. (2016)

1.1.3.04 ASA supports individual eligibility of a producer and spouse for equal program benefits.

1.1.3.05 ASA supports eligibility of soybeans grown for non-traditional uses for all payments for which commodity soybeans are eligible.

## **1.2 Crop Insurance**

1.2.01 ASA supports Crop Insurance Program reform that eliminates inadequacies of the current program for specific crops and regions. Subsidies should be increased at the higher levels of coverage to ensure that all producers can obtain affordable coverage for 85% of their crop based on actual historical yield. A more accurate and equitable rating system, responsive to multiyear disasters, and recognition of producer history must be integral components of program reform. Understanding that crop insurance is a valuable risk management tool, ASA supports policy that broadens the base of risk management tools, subsidized or otherwise. ASA also supports expanded development of revenue protection programs to insure that all producers can manage production and price risk at an affordable cost.

1.2.02 ASA supports additional crop insurance buy up options as a way to manage risk. (2016)

1.2.03 ASA urges the Federal Crop Insurance Corporation (FCIC) to establish representative farmer advisory committees at both the federal and state levels to provide input into the process of evaluating and revising farming methods to be included for coverage.

1.2.04 ASA should work towards the following changes being made to the crop insurance program.

- On land rated as high risk due to a specific peril, such as flooding, we recommend the attachment of a rider for that peril which will allow the producer to buy up additional coverage for other perils at regular rates.
- FSA tract numbers should be used to determine units.
- The actual loss in crop value attributed to crop quantity and quality discounts should be fully covered by crop insurance.
- Allow a producer that has had a Federal disaster declaration in their county/parish to delete those yields from their APH.
- If a crop is uninsurable in a certain county, but is insurable in a neighboring county, ASA recommends that that crop be allowed to be insured in that county without having to do a written agreement. (2015)

1.2.05 ASA supports changing the federal crop insurance regulations so that once a farmer has filed a claim and has provided all necessary information pertaining to the claim, the insurance company should have no more than 30 days to get a claim processed and paid. After this deadline, the insurance company should be required to pay interest on the outstanding claim until said claim is settled. Also, while that claim is outstanding, the insurance company cannot charge late fees or interest to the farmer's account for any outstanding premium due for the crop the claim has been filed on.

1.2.06 ASA recommends that RMA establish a comprehensive and fair policy for double crop soybeans. ASA supports efforts of states or regions that double-crop soybeans to compile the production and yield data necessary to allow FSA and RMA to adjust final planting dates without penalty on a sound actuarial basis. (2015)

1.2.07 ASA recommends that in counties where the practice of double-cropping is recognized as an acceptable practice that RMA rules requiring the exact double-crop practice in two out of the last four years be eliminated. (2014)

1.2.08 ASA supports a stand-alone double-crop insurance policy in counties where the practice of double-cropping is recognized as an acceptable practice under RMA Rules. (2016)

1.2.09 ASA supports FCIC and RMA to re-review the actuarial rating process and rates for center pivot irrigating practice on all crops on a state by state basis. (2014)

1.2.10 ASA supports alternative private revenue protection products or insurance be made available for soybean farmers to use as risk management tools in addition to the current federal crop insurance program.

1.2.11 ASA supports a crop insurance premium discount for insured acres through the Risk Management Agency (RMA) for recognized crop rotations that decrease pest incidence and efficient nitrogen usage while increasing yield and profitability.

1.2.12 ASA supports moving the Federal Crop Insurance premiums due date to September 30 of each fiscal year.

1.2.13 The ASA urges Risk Management Agency (RMA) and Federal Crop Insurance Corporation (FCIC) to reinstate Group Risk Plan (GRP) and Gross Revenue Insurance Plan (GRIP) policies where they are no longer available.

1.2.14 ASA recognizes that the interaction between a farmer and their crop insurance agent and the amount of service provided by the agent to the farmer exceeds that of other types of insurance. ASA urges the Risk Management Agency (RMA) to consider this when considering the Standard Reinsurance Agreement (SRA).

1.2.15 ASA requests the Risk Management Agency (RMA) to use a fair and equitable formula based off of actual production history (APH) when establishing a historical yield for specialty beans/output trait soybeans. These plug yields should be used for years in which specialty soybean history is unavailable.

1.2.16 ASA supports private insurance carriers delivering crop insurance programs and opposes having FSA selling and servicing Federal Crop Insurance. ASA opposes any further cuts to the administrative and operating (A&O) expense reimbursement to approved insurance providers. (2016)

1.2.17 As soybean farmers adopt new traits that are covered under Federal Crop Insurance, ASA urges that:

1. Crop insurance agents to be trained to explain all allowable options available to clients regarding insuring specialty and commodity soybeans.
2. RMA strive to verify yield correlation between existing APH transfer to specialty soybeans where appropriate.

1.2.18 ASA urges the U.S. Secretary of Agriculture to make sure that one of the appointments to the Board of the Federal Crop Insurance Corporation has a major financial interest in the production of commodity soybeans.

1.2.19 ASA believes cover crops offer economic benefits including improved soil quality while at the same time reducing erosion off site movements of nutrients. To allow further adoption ASA supports practical Risk Management Agency (RMA) policies allowing producers flexibility to destroy cover and still insure spring planted crops. In all cases producers must continue best management practices.

1.2.20 ASA supports the trend adjusted APH endorsement for crop insurance, and encourages RMA to make it available to all soybean farmers for the (2015) crop year and beyond.

1.2.21 ASA supports a producer's ability to reopen a crop insurance claim if the discrepancy of delivered bushels exceeds 3% or \$5,000 whichever is less. The final settlement must be completed no later than 270 days after the date of signing the claim. (2015)

1.2.22 ASA opposes reducing the current government subsidy levels of Federal Crop Insurance premiums. (2015)

### **1.3 Production**

#### **1.3.1 Crop Protection**

1.3.1.01 ASA supports and encourages reasonable efforts to improve crop protection product safety, handling and education. ASA feels farm and commodity organizations should take leadership on those environmental and food safety issues that affect producers. ASA supports the efforts of farm organizations to obtain objective scientific research that quantifies the economic impacts of agricultural input restrictions. ASA encourages the inclusion of agricultural organizations by government, consumer and environmental groups in designing practical solutions to environmental issues.

1.3.1.02 ASA supports the use of safe, environmentally friendly containers for agricultural inputs. ASA supports policies that require Good Laboratory Practices (GLP) in generation of data for crop protection products. ASA believes that agricultural leaders and environmental advocates need to work together in developing environmental policies and common goals, creating an atmosphere of cooperation.

1.3.1.03 ASA recommends that EPA use scientifically valid data and research in making decisions governing crop production inputs and that EPA and other regulatory bodies must consider economic impact statements and risk/benefit analysis before proposing any restriction on inputs or new technology.

1.3.1.04 ASA supports the expedited approval process for new environmentally friendly crop protection products.

1.3.1.05 ASA believes that the EPA should grant producers emergency use permits in emergency situations for products already approved by the EPA for other crops.

1.3.1.06 ASA supports voluntary record keeping for general use crop protection product application and believes that such a practice provides evidence of responsible land and water use.

1.3.1.07 ASA encourages state soybean associations to take an active role in states' development of environmental policy. Local governing bodies should be prohibited from imposing requirements more stringent than federal requirements on the sale or use of federally registered crop protection products or biotech products.



1.3.1.08 ASA favors an international harmonized crop protection product code that conforms to U.S. standards as economic agreements are made with other countries.

1.3.1.09 ASA endorses the use of voluntary integrated pest management programs and best management practices consistent with sound ecological and economical principles.

1.3.1.10 ASA supports the complete and detailed labeling of all crop protection products and does not condone the misuse of crop protection products. ASA recommends that farmers not be liable for environmental damages resulting from input use where recommended label rates and application procedures are followed.

1.3.1.11 ASA recommends that all imported food products meet USDA crop protection product residue or other food safety standards.

1.3.1.12 ASA recommends Worker Protection Standard Act (WPSA) be reasonably and rationally implemented.

1.3.1.13 ASA supports the preservation of crop protection uses to maximize the list of pest management tools available to the grower for best management practices. ASA supports the use of the “data call in” provisions for the tolerance.

1.3.1.14 ASA supports the use of scientifically valid research in making decisions regulating the use of all seed and crop protection products. (2016)

1.3.1.15 ASA opposes the EPA establishing nationwide testing for certification or re-certification of private pesticide applicators, and supports allowing individual states to determine testing procedures, necessary training and re-certification length. (2016)

1.3.1.16 ASA recognizes that crop protection products are a significant part of the soybean farmers input costs, and that under the North American Free Trade Agreement (NAFTA), U.S. markets are open to Canadian grain imports. ASA in the full spirit of NAFTA judges that all Canadian crop protection products that have an equivalent U.S. EPA registered product be given automatic reciprocal EPA registration.

1.3.1.17 ASA opposes any additional permitting process for crop protection product applications and urges EPA to craft any new regulations in a way that is not onerous to farmers. ASA opposes the EPA requirements for NPDES Permits for pesticide applications in crop production.

1.3.1.18 ASA believes the Environmental Protection Agency (EPA) already gives adequate consideration to the Endangered Species Act (ESA) when registering pesticides and additional requirements are not needed.

1.3.1.19 ASA believes that “common detection” should be redefined in the Pesticide Management Plan based on some level of a scientifically established Health Risk Limit.

1.3.1.20 ASA requests the U.S. Environmental Protection Agency (EPA) to discontinue any further implementation of “chemical specific” or “chemical class specific” use of buffer restrictions on pesticide labeling until the agency establishes protocols to evaluate “drift reduction technology” (DRT) and incorporates DRT language into pesticide labeling.

1.3.1.21 ASA opposes the elimination of atrazine and atrazine products as a method of weed control in general farming practices.

1.3.1.22 ASA opposes efforts to ban neonicotinoid seed treatment products.

1.3.1.23 ASA urges the EPA to support the continued use of chlorpyrifos and flubendiamide insecticide products in the U.S.

### **1.3.2 Energy**

1.3.2.1 ASA supports preferential energy allocation for agricultural production and marketing during times of critical energy shortages.

1.3.2.2 ASA opposes the sale, transfer or other disposal of the federal power marketing administrations, as well as any regulatory or legislative measures that would increase the costs of electricity or impose other artificial cost burdens onto the rates U.S. farmers must now pay for electrical energy.

1.3.2.3 ASA is opposed to the concept of an energy tax and/or users fee when agriculture is forced to bear a disproportionate share of these costs.

1.3.2.4 ASA supports legislative action to increase domestic production of petroleum and natural gas to help stabilize further dramatic increases in farm input supply prices.

1.3.2.5 ASA supports a comprehensive energy policy which utilizes all current sources, and continues to develop and implement all new sources of domestically produced energy. (2015)

1.3.2.6 ASA supports the routing and construction of pipelines to fully utilize North American Energy Resources. Routing can, and should be done in a safe and environmentally sustainable way. (2015)

1.3.2.7 ASA recognizes the immense role that agriculture can play in meeting our nation’s energy needs. ASA endorses the goal of securing 25% of the U.S. energy supply from America’s farms, forests and rangeland by the Year 2025. The benefits to the environment, fuel security and the economic stimulus for rural areas justify the sizable investment in a new energy future. ASA supports the 25 x 25 initiative.

## **1.4 Domestic Markets**

### **1.4.1 General**

1.4.1.01 ASA believes in the need to continue maintaining expanding, and promoting markets for identity preserved and specialty soybeans or soybean products. ASA also supports premium structures that reflect the additional costs of identity preservation.

1.4.1.02 ASA favors the promotion and use of registered soybean product logos to stimulate consumer awareness, thus encouraging expanded U.S. production, manufacturing and employment.

### **1.4.2 Livestock and Aquaculture**

1.4.2.01 ASA supports the continuation and expansion of the livestock industry (meat, poultry and aquaculture) in the U.S. for greater use of U.S. soybean products. ASA will work with these industries to improve the public image on the importance of these foods in a balanced diet.

1.4.2.02 ASA will publicly support responsible livestock producers who face unwarranted challenges by individuals or organizations through local, state and federal zoning, permitting, regulatory or legislative processes. (2016)

1.4.2.03 ASA asks consideration that cost share dollars that are available to livestock producers for upgrading livestock facilities be made available to all livestock producers who upgrade, replace or expand their operation to make it an environmentally viable entity.

1.4.2.04 ASA encourages states to use science based environmental review process to evaluate livestock facilities. ASA also supports that petitioners reside within reasonable proximity of the questioned site.

1.4.2.05 ASA supports Livestock Premise ID to protect against the loss of soybean demand due to the outbreak of exotic diseases of livestock, poultry and aquaculture.

1.4.2.06 ASA supports the efforts of the U.S. livestock, poultry and aquaculture industries to vigorously oppose any initiatives that would limit the use of modern and accepted production practices.

1.4.2.07 ASA supports expansion of the domestic aquaculture industry, including offshore aquaculture, to increase food security, create jobs, and reduce the negative trade balance in aquaculture. ASA also encourages federal funding for research that would optimize the use of soybean protein and oil in aquaculture feed.

1.4.2.08 ASA supports clear, consistent and reasonable science based regulations and processes needed for the livestock industry to remain profitable. ASA further recognizes the following as science based programs:

- Pork Quality Assurance Plus (PQA+)
- United Egg Producers Certified (UEP)

- Beef Quality Assurance (BQA)
- Humane Slaughter Act as regulated by the USDA and meat packing industry
- Transport Quality Assurance (TQA)

1.4.2.09 ASA supports the recommendation of the Gulf Coast Fishery Management Council to allow offshore fish farms in the Gulf of Mexico.

1.4.2.10 ASA will work with our partners to educate consumers that modern animal agriculture production is science-based and provides safeguards for humane treatment of animals.

1.4.2.11 ASA opposes legislative efforts and ballot initiatives that restrict established animal production systems that adequately provide for animal welfare, worker safety and environmental and economic sustainability.

1.4.2.12 ASA believes that no state should attempt to regulate interstate commerce of crop and livestock products by adopting more stringent regulations than federal requirements for crop and livestock production and products and applying those standards to all products sold in that state

### **1.4.3 Bio-Based Products**

1.4.3.01 ASA supports incentives for the use of bio-based products. ASA supports expanding USDA's bio-preferred product list and an equitable tax credit for bio-based products. ASA encourages the USDA to actively provide the bio-based product label in order to increase acceptance and use of soy-based products by consumers and industry.

1.4.3.02 ASA supports a soy or bio-based buying preference for federal, state and local government entities.

### **1.4.4 Soy Foods**

1.4.4.01 ASA supports exempting refined vegetable oil from any domestic or international labeling requirement based on allergenicity or hypersensitivity.

1.4.4.02 ASA supports front of package labeling on processed foods indicating the level of saturated fat content on a per serving basis.

1.4.4.03 ASA opposes local, state and federal laws, tariffs and regulations that discriminate against the use of soy oil or protein in foods.

1.4.4.04 ASA supports the increased use of soy protein in foods and beverages, including foods used in federal nutrition programs and opposes the protein restrictions for school lunches.

1.4.4.05 ASA supports the reimbursable option for fortified soymilk in the federal school lunch and breakfast programs without the requirement of a doctor's note.

1.4.4.06 Any qualitative definitions of food such as wholesome or nutritious should be based on the food's actual composition without regard to geographical origin, growing practices, or type of crop (e.g. local foods, biotech traits, corn sugar, organic, etc).

1.4.4.07 Commercialization of high oleic soybeans provides U.S. soybean farmers and the soybean industry the opportunity to regain a significant portion of the 4 billion pounds of edible soybean oil use lost as a result of trans fat labeling, and offers expanded use of soybean oil in industrial applications. ASA supports regulatory review, timely approvals and the rapid market adoption of this new technology.

1.4.4.08 ASA believes the FDA's proposal to eliminate the Generally Regarded As Safe (GRAS) status for partially-hydrogenated oils (PHOs) should be modified to allow a tolerance for PHOs in food products, and should reflect a reasonable timeframe to ramp up high oleic soybean production and other technologies as alternative for food processors.

## **1.5 Biodiesel**

1.5.01 ASA supports U.S. production of biodiesel fuel using domestic feed stocks.

1.5.02 ASA supports policies that encourage all diesel fuel and diesel-powered vehicles to use biodiesel or a biodiesel blend.

1.5.03 ASA supports the development of state and federal legislation that promotes biodiesel and biodiesel blends through:

- Tax incentive
- Minimum renewable fuel content requirements that include biodiesel blends
- Programs that promote biodiesel blends of 2% minimum or higher
- Energy security measures that reduce U.S. dependence on foreign oil sources
- Use of biodiesel as a fuel additive to improve the lubricity of ultra low sulfur diesel fuel for on and off road applications including railroads
- Federal and state grants or programs for establishing biodiesel infrastructure.

1.5.04 ASA supports extension of the federal biodiesel tax credit for (2015) and beyond. ASA supports restructuring the biodiesel tax credit from a blender's credit to a production credit to more effectively promote and support domestic biodiesel production. (2015)

1.5.05 ASA recognizes and supports the role agriculture can and should play in the U.S. food and fuel security. ASA believes the bio-fuels industry utilizes co-products from agricultural production to reduce U.S. dependence on foreign oil as well as lower carbon emission, enabling the U.S. to become more energy independent.

1.5.06 ASA supports biodiesel as a domestically produced commercially available biomass based diesel fuel that meets EPA's definition of an advanced biofuel to meet RFS2 obligation.

1.5.07 ASA supports the Renewable Fuel Standard (RFS2) that reflects the expansion of the renewable fuels industry for biodiesel and ethanol and opposes any changes that would reduce obligations or otherwise negatively impact the biodiesel industry. ASA urges EPA to release renewable volume obligation (RVO) volumes in a timely manner as established by Congress and in doing so restrict the damage that delaying the volume levels announcement past the established deadline can cause the biodiesel industry. (2015)

1.5.08 ASA believes EPA should place a higher priority on policies that promote and support domestic biodiesel production, including the establishment of annual volume requirements that accommodate increasing volumes of domestic biodiesel production. One of the primary intents and purposes of the Renewable Fuel Standard is to promote U.S. energy independence and reduce dependence on foreign imports. (2015)

1.5.09 ASA supports stringent enforcement by EPA of RFS feedstock eligibility requirements for imported biodiesel. (2016)

1.5.10 ASA recommends that the economic impacts on production agriculture, including both crops and livestock, must be analyzed prior to any consideration by the EPA of a Renewable Fuel Standards (RFS2) waiver request.

1.5.11 ASA encourages state soybean associations and all biodiesel stakeholders to enhance biodiesel as a renewable fuel and energy source through communications and marketing efforts.

1.5.12 ASA urges state associations to work with state officials to:

- Define biodiesel as a fuel comprised of mono-alkyl esters of long chain fatty acids derived from vegetable oils or animal fats, designated B100, and meeting the requirements of ASTM D6751.
- Adopt the most current version of ASTM D6751 as the specification for biodiesel used as a blend stock with diesel fuels, as well as future biodiesel or biodiesel blend specifications approved by ASTM.
- Encourage state officials to actively enforce the adopted biodiesel related fuel specification standard
- Encourage the adoption and enforcement of BQ9000 for feedstock production facilities and marketers of biodiesel

1.5.13 ASA supports and endorses the inclusion of soybeans and soybean-based product applications and blends of such products in the development and implementation of any potential alternative and/or renewable fuel policy programs. ASA only supports the ASTM designation of D6751 as the quality standard for biodiesel.

1.5.14 ASA encourages petroleum distributors to provide biodiesel blends at all stations across the country to enhance our nation's energy security, improve our air quality and reduce our dependence on foreign oil.

1.5.15 ASA recommends continued national education and research in the use of soy oil and other alternative sources of energy from renewable agricultural products. ASA supports the Biodiesel Education Program as authorized in the Farm Bill. (2014)

1.5.16 ASA supports labeling at the fuel pump when biodiesel is at or above 6%, as defined by American Standard for Testing Materials (ASTM) and the National Council on Weights and Measures (NCWM).

1.5.17 ASA supports nationwide fuel quality testing at the appropriate governmental level to ensure the highest quality in all fuels. (2014)

1.5.18 ASA supports the development of technologies to produce additional renewable energy products (including but not limited to cellulosic ethanol, soy meal derived ethanol or bio-butanol, and hydrogen from soybean sources).

1.5.19 ASA encourages the development and usage of technologies addressing cold flow properties in the production of soy biodiesel. ASA supports any new retail devices including but not limited to blender pumps to distribute various blends of biodiesel at the level desired by the customer.

1.5.20 ASA supports the work that the National Biodiesel Board (NBB) has done to support practices and promote the use of sustainable feed stocks and biodiesel production methods.

1.5.21 ASA supports that any policy involving direct and indirect land use metrics be based on multi-disciplinary science based and verifiable, transparent data so that biodiesel's impact on greenhouse gas (GHG) emissions is accurately assessed.

1.5.22 ASA supports the use of biodiesel for electrical generation, industrial and home heating purposes.

1.5.23 ASA supports a home heating oil checkoff program that promotes U.S. soy biodiesel (bioheat) in home heating oil markets.

## **1.6 Transportation**

### **1.6.1 General**

1.6.1.01 ASA urges the Department of Transportation (DOT), the U.S. Department of Agriculture (USDA), other agencies, and private industry to ensure an infrastructure allowing U.S. soybeans to be delivered to domestic and international markets in a timely and cost-effective manner.

1.6.1.02 ASA supports directing federal infrastructure funding toward improving commercial transportation, including locks and dams and rural roads and bridges.

1.6.1.03 ASA supports efforts by the Soy Transportation Coalition to address issues affecting the marketing and transport of oilseeds, grains, and their products.

1.6.1.04 ASA supports an infrastructure funding framework that allows for public and private investment in the U.S. commercial transportation system to ensure U.S. soybeans and soybean products will be delivered to domestic and international markets in a timely and cost effective manner.

1.6.1.05 ASA opposes any new labeling of soy oil that would restrict its current transportation status.

1.6.1.06 ASA supports the transportation of petroleum through pipelines in order to alleviate transportation congestion that limits soybeans ability to be delivered to all markets. (2015)

## **1.6.2 Waterways Infrastructure**

1.6.2.01 ASA supports maintenance and improvements of the U.S. waterway and navigation systems and that ASA be actively involved with other groups to improve the Mississippi River Waterway System.

1.6.2.02 ASA believes that monies deposited into the Inland Waterways Trust Fund should be used for new construction and major rehabilitation of navigation infrastructure. ASA supports additional and alternative financing measures to supplement the Inland Waterways Trust Fund (IWTF) to provide sufficient funds for new construction, major rehabilitation, and maintenance needs. ASA supports additional and alternative financing measures to provide a steadier and more reliable funding stream that is needed to reduce U.S. Army Corps of Engineers project costs and timeframe for completion.

1.6.2.03 ASA supports the maintenance and improvement of river locks and dams which maintain water-shipping levels in a manner that sustains barge traffic and does not inhibit agricultural production. We believe available funding should first be directed toward maintaining and preserving the existing system. If additional funding becomes available we support the construction of new 1,200 foot lock chambers at Lock and Dam 20-25 on the Upper Mississippi River and LaGrange and Peoria on the Illinois River along with the modification and expansion of other structures and facilities that increase transportation efficiency. (2014)

1.6.2.04 ASA urges the U.S. Army Corps of Engineers and Congress to take actions necessary to ensure that sufficient funding is provided for dredging all ports and waterways including the Great Lakes and the St. Lawrence Seaway, to maintain the maximum authorized navigable depth to ensure the free movement of soybeans and soybean product domestically and internationally. ((2014))

1.6.2.05 ASA supports legislation to require that all funds collected for the Harbor Maintenance Trust Fund (HMTF) are used for the intended purposes of waterways dredging and port maintenance.



1.6.2.06 ASA urges the U.S. Army Corp of Engineers (USACOE) to recognize flood control and navigation as their top priority. ASA also urges that their funding reflects and supports these priorities.

1.6.2.07 ASA urges the Department of Transportation (DOT), U.S. Army Corps of Engineers and other responsible agencies to expedite the process of rebuilding and reconstructing flood control structures. ASA opposes proposed Master Water Control Manuals that would cause seasonal flooding or restricted barge traffic on the nation's waterways. ASA opposes any diversion of river flows that would adversely impact barge transportation.

- ASA supports Missouri River master plan alternatives that keep navigation and inland drainage as top priorities.
- ASA supports keeping all river navigation systems important to agriculture open for use.
- ASA supports maintaining full funding for all river navigation systems.
- ASA supports legislation that defunds Missouri River Authorized Purpose Study (MRAPS)
- ASA opposes the actions by FEMA to expand a flood plain designation. (2014)

1.6.2.08 ASA urges Congress and the Administration to adopt legislation and policies to minimize strikes, work slowdowns and lockouts that interrupt the flow of soybeans and other farm commodities to our customers. (2016)

1.6.2.09 ASA supports the further development of West Coast Shipping of Midwest soybeans and soy products. (2014)

1.6.2.10 The Jones Act should be amended so as to allow the shipment on the lowest cost vessels of U.S. agricultural commodities from one U.S. port to another. ASA also supports an exemption for bulk agricultural commodities from the Jones Act.

1.6.2.11 ASA supports the aggressive pursuit of container shipping of soybeans and soybean products.

### **1.6.3 Railroads**

1.6.3.01 ASA supports legislative efforts to promote increased competition in the rail industry to foster better service and lower rates.

1.6.3.02 ASA supports reform of the Surface Transportation Board (STB) to address competitiveness issues.

1.6.3.03 ASA supports the development of increased railroad capacity to Pacific Northwest export facilities to help maintain the U.S. reputation for timely delivery of soybeans.

1.6.3.04 ASA supports strong state and federal assistance in maintaining low volume rail facilities in rural areas of the country.

1.6.3.05 ASA encourages alternative access for farmers in the event of railroad grade closings during and following railroad development.

#### **1.6.4 Highways and Roads**

1.6.4.01 ASA supports sufficient funding of the Federal Highway Trust Fund to ensure adequate resources are available to meet the construction, maintenance and repair of existing and proposed highway and bridges. (2015)

1.6.4.02 ASA urges State and Federal Department of Transportation to update roads and bridges to accommodate all modern implements of husbandry, trucks and trailers per Federal DOT definition.

1.6.4.03 ASA supports expanding the truck weight limits on federal highways to a minimum of 91,000 pounds, provided that there is a 6<sup>th</sup> axle with proper vehicle configurations. (2015)

1.6.4.04 ASA opposes states or local municipalities enacting lower weight limits on primary roads going through their jurisdiction without providing alternative routes.

1.6.4.05 ASA encourages federal and state government entities to review ways to improve our state and federal highway system and to explore ways to finance it by working with the freight industry. (2016)

#### **1.7 Communications and Technology**

1.7.01 ASA believes that broadband access to the Internet is important to the quality of life in rural America and to strong and competitive farming operations. Therefore, we urge the federal, state and local governments to develop programs that will encourage private businesses and cooperatives to bring quality high-speed access to farms at affordable rates.

1.7.02 ASA supports a dependable public Global Positioning Satellite (GPS) differential correction signal available to all producers at no cost.

1.7.03 ASA opposes the use of adjacent band width by any company that would compromise the effectiveness of GPS technology for farmers.

1.7.04 ASA encourages the continued development and expansion of cellular networks to adequately address the needs of rural regions of the United States.

1.7.05 ASA urges USDA to ensure the timely publication of agency reports, regardless of government status, to prevent adverse market effects.

1.7.06 ASA urges USDA to provide oversight and take all appropriate measures to improve and ensure the security of all agency reports, no matter the transmission mode, before their uniform release.

1.7.07 ASA encourages the Federal Aviation Administration (FAA) to finalize regulations governing the use of unmanned aerial vehicles (drones) for their use in crop and animal production, insuring public safety and privacy. (2015)

## **II. RESEARCH, CONSERVATION, AND FARMER-FOCUSED POLICIES**

### **2.0 Agricultural Research - Preamble**

The American Soybean Association (ASA) is a leader in promoting the research and conservation priorities and needs of the soybean industry. ASA stresses the need to increase funding for agricultural research and conservation efforts. ASA supports measures to prohibit sovereign nations or global entities from setting environmental and/or water quality standards more stringent than federal or state regulations.

### **2.1 General**

2.1.1 ASA should place major emphasis on research to increase competitiveness of U.S. soybean farmers, expand consumer use of soybean products, reduce production costs; improve profitability of soybean production and position U.S. soybeans and soy products as the preferred source.

2.1.2 ASA believes more research on soybean composition should focus on the enhancement of industrial applications (including biobased energy), health and nutrition benefits, animal nutrition and production for both domestic and foreign customers.

2.1.3 ASA supports conventional research & development of soybean varieties that are important to agriculture to provide the biodiversity and a widest availability of varieties and traits. ASA encourages private and public soybean breeders to continue the development of conventional soybean varieties and to make them available to soybean producers. Conventional plant breeding and germplasm accessibility must be maintained.

2.1.4 ASA supports the efforts of the National Council on Food and Agricultural Research (C-FAR) and state councils intended to promote research funding for food and agriculture initiatives.

2.1.5 ASA supports the protection for the U.S. soybean industry from both bio-terrorism and naturally occurring pests and pathogens by providing adequate funding for the continued efforts by the Animal Plant Health Inspection Service (APHIS) of USDA.

2.1.6 ASA encourages soybean producers to select seed genetics based on high quality, high yielding protein and oil content. ASA also encourages soybean seed companies to include estimated amino acid, protein and oil values content on a 13% moisture basis in their sales

literature. Seed variety name/number should be available to the producer at the time of purchase. ASA encourages seeking ways to enhance the nutritional bundle and oil levels. (2016)

2.1.7 ASA supports a requirement that all research data cited or used as the basis for rules and regulations are available and completely open for independent review. (2015)

2.1.8 ASA supports a mandate that trout stream designation not be expanded beyond existing streams in agricultural production areas. (2016)

## **2.2 Research Funding**

2.2.1 ASA supports strategic increases in federal investment in USDA's Agricultural Research Service (ARS) National Institute of Food and Agriculture (NIFA) formerly the Cooperative State Research, Education, and Extension Service (CSREES) programs that will benefit soybean producers.

2.2.2 ASA supports full funding for the National Plant Germplasm System of the Agricultural Research Service of USDA and also supports full disclosure of all information concerning germination, vigor and quality.

2.2.3 ASA urges that soybean research conducted at public institutions and funded completely or in part with farmer check-off investments be considered as public property and made available for the benefit of U.S. soybean farmers.

2.2.4 ASA encourages public soybean breeders to release new varieties on a non-exclusive basis.

2.2.5 Soybean Cyst Nematode (SCN) is an emerging and ongoing problem in the soybean growing areas. ASA supports research into new resistant varieties, biologicals and genomes, producer education and testing recommendations for SCN. (2015)

2.2.6 ASA supports working with the American Seed Trade Association (ASTA) or individual seed companies to develop guidelines which will allow farmers to continue to plant and propagate soybean varieties that a seed company has patented and no longer offers for sale.

2.2.7 ASA supports QUALISOY to continue to improve commodity soybeans through compositional work. ASA will coordinate and manage all legislative activities with regard to QUALISOY.

2.2.8 ASA supports a coordinated effort of state and national soybean organizations to set priorities and coordinate all federally funded soybean research projects. Among the factors to be considered in setting priorities are acreage, disease and compositional traits.

2.2.9 ASA applauds the Department of Energy (DOE) collaboration with USDA to sequence the soybean genome. ASA urges these agencies to establish long-lived plant genomic databases

capable of responding to technological advances. This will allow the soybean industry to benefit not only from the sequencing of the soybean genome, but also from translation of information from other sequencing projects.

2.2.10 ASA encourages Federal funding for research that would optimize the use of soy in aquaculture feed and support species development in aquaculture to better utilize soybean protein.

2.2.11 ASA opposes any USDA efforts to impose administrative charges on cooperative research agreements, including farmer check-off funded research projects.

2.2.12 ASA supports the development and transition to high oleic soybeans.

2.2.13 ASA urges APHIS to take all appropriate precautions to protect domestic soybean production against the additional spread of soybean rust. Importation of whole soybeans, soybean meal, and soybean seed from countries with soybean rust infestation must be subject to science-based regulations as determined and implemented by APHIS.

2.2.14 ASA supports Homeland Security Presidential Directive, HSPD-9 with a stated purpose to establish a national policy to defend U.S. agriculture and food systems against terrorist attacks and major disasters including the spread of soybean rust.

2.2.15 ASA encourages Congress and USDA to support the continuation and permanent funding for Pest Information Platform for Extension and Education (PIPE). This national strategy monitors and communicates the detection and latest information regarding domestic occurrences and treatment of soybean rust including, but not limited to the following issues:

- Scouting soybeans and other host plants
- Expanding U.S. research on soybean rust, subject to strong bio-security requirements
- Continuing a diagnostic and identification network
- Establishing a National Center for Soybean Rust & Plant Pathogen Solutions.
- Expansion to other soybean diseases and other crops
- Continue funding a soybean rust sentinel system (IA)

## **2.3 Intellectual Property Rights**

2.3.1 ASA recognizes the need for research and development to improve the profitability of soybeans for the grower and to create added value traits to address end user needs, and supports intellectual property rights of the developers of new traits, domestically and internationally.

2.3.2 ASA supports the Plant Variety Protection Act. ASA believes this protection is important to encourage investment in research that will keep soybeans as a profitable crop and maintain soybeans as a premium source of oil and protein.

2.3.3 Strong and uniform international intellectual property protection for new soybean technologies is critical to maintain the growth and development of the soybean industry. ASA will continue to work with the U.S. government, the U.S. seed industry and international organizations to ensure consistent global application of the intellectual property rights for new soybean technologies.

2.3.4 ASA discourages producer contracts concerning patented genetic material that may transgress on private property rights without reasonable belief of patent infringement.

2.3.5 ASA supports keeping the soybean genome and proteome research information in the public sector.

2.3.6 ASA encourages genetic intellectual property rights to be issued and controlled in the public sector when they are developed by public or soybean check-off funds.

2.3.7 ASA encourages the seed production companies to continue offering “genetic technology” post patent.

2.3.8 ASA believes that patents derived from soybean checkoff funding which are subsequently sold to private industry, should be brought to market within a 3-year span of time, or be returned at no cost to the original public entity.

## **2.4 Domestic Biotechnology Policies - Preamble**

ASA supports the adoption and use of biotechnology-derived products in farming operations. ASA supports biotechnology and believes the development of biotechnology-enhanced crop varieties and products will benefit farmers, consumers and the environment. ASA believes biotechnology is a key tool that will help us meet growing world food, health and energy needs. ASA believes that it is critical that USDA, EPA and FDA operate a timely, efficient, predictable, and science based regulatory system for approval of new biotech traits. (2015)

### **2.4.1 U.S. Regulatory Approvals**

2.4.1.1 ASA supports mandatory review and approval of all biotechnology-enhanced crops by the Environmental Protection Agency (EPA), U.S. Department of Agriculture (USDA) and Food and Drug Administration (FDA) and supports policy that assures that proper marketing protocols are developed and implemented so that germplasm or varieties approved for specific, non-generic use do not enter the commodity soybean market.

### **2.4.2 Domestic Commercialization of New Biotech Traits**

2.4.2.01 For new biotech soybean products intended for domestic food or feed use, ASA expects biotech and seed companies to obtain full food, feed, and environmental regulatory clearances from U.S. regulatory agencies before a new biotech product is commercialized. Until such clearances are obtained, ASA expects biotech and seed companies to institute the strict controls necessary to ensure that the new biotech product is kept completely out of all domestic and export food, feed, and planting seed channels.

2.4.2.02 For new biotech soybean products not intended for food or feed (e.g., products with industrial or pharmaceutical properties), ASA encourages biotech and seed companies to comply with all relevant regulatory requirements and ensure that such products are kept completely out of all domestic and export food, feed, and planting seed channels.

2.4.2.03 ASA encourages biotechnology and seed companies bringing new soybean biotech products to the market to implement a comprehensive “marketplace acceptance” strategy at least one, and preferably two-to-three years before the products are commercialized. Such a strategy should include outreach and education to both domestic and foreign buyers, processors, feed millers, food companies, livestock feeders, retailers, consumer groups, and the media.

2.4.2.04 ASA supports expansion of controlled identity preserved systems that meet ASA’s Identity Preserved guidelines for internationally unapproved biotech and specialty varieties while continuing to provide customers with the products they desire and support the development, production and promotion of biotech crops that are acceptable to domestic and foreign consumers.

2.4.2.05 ASA believes producers should not be held liable for damages resulting from biotechnology-enhanced product use, when recommended practices and procedures are followed.

2.4.2.06 ASA recommends that life science companies should develop tests that can be used to efficiently detect the presence of a new biotechnology event before that event is commercialized. ASA supports the development of a review process that will result in standardized tests and methodology for detecting biotechnology-enhanced products within the soy food chain.

2.4.2.07 ASA believes that regulations governing biotechnology-enhanced products be based on science. (2014)

2.4.2.08 ASA supports private sector efforts to resolve any issues surrounding the deregulation of special use biotech traits through consultations between the trait provider and interested industry sectors, including farmer associations, processors and exporters.

2.4.2.09 ASA advocates production contracts that allow for producers’ liability to end when the first purchaser accepts the product.

### **2.4.3 Biotech Product Labeling**

2.4.3.01 ASA opposes state food labeling requirements, and supports federal legislation that would preempt state laws requiring labeling of GMOs. (2014)

2.4.3.02 ASA should work closely with food manufacturers, technology companies, and others in the supply chain to develop strategies for the long term on biotech labeling.

2.4.3.03 ASA supports development of a voluntary certification and/or labeling system domestically and internationally for non-biotechnology-enhanced crops and organically grown crops or products for those customers who desire them

## **2.5 Competition Policy**

### **2.5.1 Anti-Trust**

2.5.1.01 ASA urges strengthening the enforcement rules of antitrust laws and the Agricultural Fair Practices Act to protect the economic interests of America's farmers that may be affected by vertical integration and consolidation.

2.5.1.02 ASA supports the following changes to antitrust statutes and regulations that will further protect the sellers of commodities from anti-competitive behavior:

- The Department of Justice (DOJ) should ensure that proposed cooperative and/or vertical integration arrangements, if implemented, should continue to maintain independent producers access to markets;
- USDA should be more active in giving authority to review and provide recommendations to the DOJ on agribusiness mergers and acquisitions;
- A high level position should be maintained within the DOJ to enforce antitrust laws in agriculture;
- USDA should be empowered to investigate mergers, consolidation or concentration of agricultural input suppliers and processors for antitrust or anti-competitive activities.

### **2.5.2 Soybean Trading**

2.5.2.01 ASA opposes a merger of the CFTC and the Securities and Exchange Commission (SEC) or the transfer of futures regulation to any agency other than CFTC.

2.5.2.02 ASA opposes federal regulation of margin levels for futures contracts and on options contracts. ASA opposes transaction fees on commodity trading which will inhibit the trading of soybeans and soybean products.

2.5.2.03 ASA believes any futures or options transactions that offset a current or anticipated cash commodity position and reduce price or basis risk should be considered a hedging position and not speculating. Gain or loss from a hedging or option position should be considered by the IRS as ordinary gain or loss for either personal or corporate tax returns.

2.5.2.04 ASA advocates and proposes a change in tax law to treat call options that are tied to a cash sale the same as a put option with gains taxed as ordinary income and losses 100% deductible in the year they are incurred.



2.5.2.05 ASA supports improvement of federal oversight of commodity hedge funds to ensure the integrity of the futures trading system.

## **2.6 Conservation and Natural Resources**

### **2.6.1 General**

2.6.1.01 ASA encourages farmers to implement conservation plans to bring their highly erodible land into compliance. ASA endorses the implementation of voluntary best management and conservation practices that reduce soil erosion and improve water quality. Conservation plans should allow for adaptive management. Public funding should be available for land altering practices required by conservation plans. (2015)

2.6.1.02 Future requirements for conservation plans should be changed or exceptions allowed (minimum area and width) for erosion control, grass strips, wildlife food plots and other similar measures. ASA encourages requirements for conservation plans that promote flexibility for soil conservation and water quality practices.

2.6.1.03 ASA urges the Natural Resources Conservation Service (NRCS) to recognize the full value of no-tilled, strip-tilled, ridge-tilled, narrow row or solid-seeded soybeans and the use of cover crops. (2015)

2.6.1.04 ASA supports Conservation Reserve Program (CRP) or other national conservation programs for the most fragile and environmentally sensitive lands. ASA supports efforts to ensure that water quality objectives remain a priority under CRP and are reflected in rental contracts.

2.6.1.05 ASA encourages the Farm Service Agency to enforce the 25% total tillable acres cap on CRP acres per county.

2.6.1.06 ASA does not support the requirement to reseed established CRP grasses when CRP is reenrolled.

2.6.1.07 ASA opposes subjecting all Conservation Reserve Program (CRP) payments to Self-Employment Contribution Act (SECA).

2.6.1.08 ASA supports allowing small, irregularly shaped whole fields into the continuous enrollment CRP program.

2.6.1.09 ASA encourages the USDA to maintain the current penalties incurred on CRP acres withdrawn early from the CRP program.

2.6.1.10 ASA supports full funding of the Environmental Quality Incentives Program (EQIP) for both commodity and livestock projects. States and counties should be allowed to choose and administer all soil conservation, water conservation and water quality programs that best meet the needs at the local level.

2.6.1.11 ASA supports the NRCS as an agency within USDA and urges USDA to provide adequate federal funding for field staff and technical assistance. ASA urges adequate funding for the NRCS to provide locally trained field staff and experienced technical assistance. ASA also supports using mandatory funding to pay for Technical Service Providers. ASA recommends that NRCS has clear freedom to operate without undue influence from NGO's (Non-Governmental Organizations) in performing their duties by not allowing co-location of NGO staff. (2015)

2.6.1.12 ASA believes farmers must have flexibility in improving and maintaining drainage for production purposes. ASA discourages regulations that limit the most beneficial use of agricultural land.

2.6.1.13 ASA urges NRCS to allow variances for the implementation of conservation plans in declared disaster counties and on small tracts of land under super-sod busting law. ASA supports the idea that the super sod-busting provision of the Conservation Reserve Program (CRP) approved in the 1990 Farm Bill remains farmer friendly. ASA agrees with the intent of the super sod-busting law on larger tracts of land; however ASA believes that some tolerance or exemptions need to exist.

2.6.1.14 ASA recommends that all environmental mandates must have incentives for farmer compliance rather than penalties for non-compliance.

2.6.1.15 ASA recommends that wetland non-compliance determinations be limited to a three (3) year look back.

2.6.1.16 ASA urges that in the case of a wetland compliance violation, a penalty shall be assessed based on wetland, fair market tax value of said wetland. Said fine shall only apply to the wetland acreage found in non-compliance.

2.6.1.17 ASA supports public policies to maintain a navigable level of water in rivers and inland waterways by preventing the Corps of Engineers from assigning undue importance and priority to interests such as recreation to the detriment of power, municipal water supply, navigation and flood control. ASA discourages additional land acquisition by government agencies with the purpose of increasing wetlands and recreation without consideration of the impact to inland drainage, navigation and flood control.

2.6.1.18 ASA supports the timely determination of the FSA Form 1026 process. ASA supports on-site methods be used for certified wetland determinations at the landowner request. Landowners should have the choice in which methods are used for their wetland determinations. The process should be completed in 60 days and the appeal process should be completed in 30 days. (2015)

2.6.1.19 ASA supports the establishment of a local arbitration system for disputed determinations of wetlands and highly erodible lands. (2014)

2.6.1.20 ASA recommends that whole farm planning remain a voluntary process. Farm payment or cost share payment should not be dependent on the development of a whole farm plan. ASA does not support establishment of national standards.

2.6.1.21 ASA requests that all federal agencies review and justify the use of river gauge data, frequency of inundation and length of inundation to define a true agricultural wetland. After this review and justification, an emphasis should be placed on assigning an environmental value to said wetlands and allow the scope of normal farming practices to be assigned to that value.

2.6.1.22 ASA believes that the Natural Resources Conservation Service (NRCS) should be the federal agency responsible for making technical determinations on agricultural lands with respect to wetlands or converted wetlands. ASA recommends that Federal environmental regulations for farming related activities be administered by the NRCS at the local level, when possible.

2.6.1.23 ASA opposes use by NRCS of the wetland determination process as a deterrent to improvements to drainage systems, which may produce water quality and crop production benefits.

2.6.1.24 ASA supports significant stakeholder involvement in all components of impaired waters and TMDL process.

2.6.1.25 ASA supports requiring all public entities to maintain their drainage ditches at the proper designed depth.

2.6.1.26 ASA urges the Natural Resources Conservation Service (NRCS) to implement consistent guidelines regarding the interpretation and determination of a wetland designation across county lines.

2.6.1.27 ASA supports the education to local and state NRCS that improves the profitability of farmable wetlands through subsurface drainage systems such as tiling which will also benefit conservation and erosion of farmland and improve productivity by establishing more surface residue.

2.6.1.28 ASA encourages the development of wetland mitigation banks and further, that mitigation is limited to a one-acre for one-acre basis.

2.6.1.29 ASA supports consistent wetland delineation procedures for all states.

2.6.1.30 ASA urges farmer representation at the local watershed level whenever policies and regulations are being formulated.

2.6.1.31 ASA supports producer-led and managed application of Certified Environmental Management Systems for Agriculture (CEMSA) as a framework for producers to improve resource management and address impacts on the environment. ASA encourages federal and

state governments, universities, and private interests to provide support for a pilot project that involves providing goods and services to producers in the application of CEMSA.

2.6.1.32 ASA supports full funding and implementation of the Conservation Stewardship Program (CSP). Payments should reward producers for good stewardship and conservation practices. Compensation for conservation practices should not be limited by the size of the producer's operation. Consideration should be given to practical conservation farming practices based on soil type and climate conditions.

2.6.1.33 ASA believes that information a producer provides to the USDA for participation in the Conservation Stewardship Program (CSP) should remain confidential. Furthermore, farmers who voluntarily submit information to the USDA in order to participate in the CSP should be held harmless for that disclosure.

2.6.1.34 ASA calls on the U.S. EPA to include land grant university researchers in its scientific review process of water quality and hypoxia related issues, especially white papers by the U.S. EPA. (2014)

2.6.1.35 ASA supports a requirement of using aerial photos from the 1980 to 1990 timeframe for making wetland determinations.

2.6.1.36 ASA believes that land dedicated to wildlife habitat should be subject to property taxes.

2.6.1.37 ASA supports policy that requires any information used by USDA, EPA or other agencies to form agriculture nutrient, pesticide and/or climate change regulations to meet the following requirements:

- The person providing the information to provide an express and identifiable reference to the sources used as the basis for the recommendation.
- The sources used as the basis for the recommendation shall be public information and shall include the underlying data and methodology in a format sufficient to allow the general public to evaluate the statistical inferences and to duplicate the methodology used to create the source information.

2.6.1.38 ASA supports land owners and tenants having exclusive rights to regulate access for hunting, fishing or recreation on private land. (2014)

2.6.1.39 ASA discourages disproportionate compensation from Government conservation programs that potentially remove valuable agricultural land from production.

2.6.1.40 ASA opposes the depletion of productive, irreplaceable and essential natural resource of farmland for the sole purpose of establishing urban growth in areas prone to flooding. (2014)

2.6.1.41 ASA supports voluntary agriculture conservation programs that are farmer led, flexible and confidential at the individual farm level. These programs should be based on the premise that long term soil health, fertility and productivity are the primary conservation goals. These programs should be in place to supersede any mandatory certification programs brought forth by local, state or federal agencies.

2.6.1.42 ASA supports a requirement that data generated by any water quality monitoring programs, including data used for development of standards and data to establish designated uses, be gathered and analyzed with protocols that meet the highest level of Quality Control and Quality Assurance.

2.6.1.43 ASA supports the recommendation of the 25x25 Adaptation Initiative, including engaging in public and private research on best adaptations for crops and livestock, implementation of conservation practices designed to maintain the productivity of land, and assisting farmers in risk management to minimize potential losses. We support adaptation pathways that strengthen production systems, improve profitability and reduce environmental impacts. (2014)

2.6.1.44 ASA recommends any land that has been planted one of the past four years should not be defined as a wetland. (2015)

2.6.1.45 ASA supports the right to use commonly accepted agricultural practices on private farmland on or adjacent to national wildlife refuges. (2016)

2.6.1.46 ASA supports significant stakeholder involvement in drainage and water management decision on federal wildlife refuges when it impacts adjacent farmland. (2016)

## **2.6.2 Water Quality and Usage**

2.6.2.01 ASA recommends that Natural Resources and Conservation Service (NRCS) be the responsible agency for coordinating groundwater and surface voluntary water programs. (2015)

2.6.2.02 ASA supports the use of scientific based research in developing national water quality standards and educational programs to safeguard groundwater and surface water resources. State and local agricultural agencies should plan and assist in implementing programs and policies based on geographical and geological differences.

2.6.2.03 ASA supports the definition of excess crop root zone water as “gravitational water”. A definition is necessary to prevent these waters from being misclassified as surface or ground water.

2.6.2.04 ASA should work with other commodity groups and farm organizations to collectively address water issues to assure that a sound scientific foundation is the basis for all water quality decisions made by US EPA and other federal agencies.

2.6.2.05 ASA recommends that research should be conducted that addresses the source, movement and acceptable levels of crop protection products in surface and groundwater regardless of whether the source is agricultural or non-agricultural. Based upon scientific research, any environmental recommendations or regulations must take into consideration a cost-benefit analysis to the consumer, producer and positive balance of U.S. trade.

2.6.2.06 ASA recommends the continuation of research and education programs that would enhance the environmentally sound and economically viable storage and use of agricultural by products and animal manure nutrients.

2.6.2.07 ASA supports water quality standards that are ecologically and economically attainable. ASA supports just compensation to the producer when standards are imposed or required other than agronomically optimal management systems.

2.6.2.08 ASA supports agriculture's right to use ground water and surface water for production purposes and considers it a priority use.

2.6.2.09 ASA supports voluntary science based programs and policies directed on a farm-by-farm basis toward ongoing in-field evaluation of nutrient management methods which allow producers to continually improve their nutrient management practices. ASA supports and believes in:

- central coordination of networks of in-field evaluation to improve nutrient management decisions
- infrastructure for conservation efforts in watersheds and sub-watersheds
- cooperative conservation efforts among public and private organizations and individuals that achieve a positive environmental impact and meets demands for production
- research findings and citations of data accessible to producers must be the foundation for developing and expanding nutrient management programs.

2.6.2.10 ASA believes all rules and regulations impacting production agriculture should be based on current scientific based research. Linkages and citations of data must be a guiding force in developing environmental programs and policy. Quality assurance provisions must be available for review in order to judge data integrity and utility.

2.6.2.11 ASA opposes a shift in liability that could occur with a Point: Non-Point pollution credit trading program and supports a requirement that farmer stakeholders affected by the trading provisions have final control over the program.

2.6.2.12 ASA supports the requirements that point-point source water quality pollution trading be automatically available to any new point source permit holders that have lower discharge concentrations than existing point sources.

2.6.2.13 ASA opposes labeling of animal manure as a hazardous waste.

2.6.2.14 ASA supports requiring that a “cause and effect” linkage to water quality be established through field or farm scale research, before federal or state watershed monitoring and demonstration programs are funded.

2.6.2.15 ASA opposes removing the word “navigable” from the Federal Clean Water Act or redefining it to include all U.S. waters which would then greatly expand the jurisdictional authority of the federal government to the detriment of farmers and others.

2.6.2.16 ASA believes that landowners or farmers should not be held responsible for negative water quality or public health consequences resulting from the establishment of wetlands or wildlife habitat.

2.6.2.17 ASA supports the proper implementation of the agricultural exemption to Section 404 of the Clean Water Act, including the continuation of the normal farming practice exemption.

2.6.2.18 ASA supports water quality initiatives that are science based. ASA encourages the participating agencies in the Mississippi River Water Shed Nutrient Management Task Force project to continue to fund research and monitoring on the causes of hypoxia in the Gulf of Mexico and their sources, and to submit its research to science based review.

2.6.2.19 ASA supports a Gulf of Mexico Hypoxia Action Plan that is consistent with the scientific studies in the Science Advisory Board Reports; taking into account the strength of the sources and linkages between Nitrogen and Phosphorous discharges into the Gulf.

2.6.2.20 ASA believes the Clean Water Act does not authorize EPA’s extension of Total Maximum Daily Load (TMDL) requirements to agricultural lands. ASA should continue to monitor the development of, and modification of; TMDL standards to ensure that any mandated TMDL requirements would be scientifically sound and economically practical for farmers to implement or farmers are provided compensation for such implementation. The EPA must be able to cite the specific scientific based research that proves that the impairment threshold is justified.

2.6.2.21 ASA believes an Agricultural Ecosystem is a legitimate ecosystem and should be preserved and recognized in establishing water quality standards. TMDL discharge standards appropriate for other types of ecosystems should not be imposed on Agricultural Ecosystems.

2.6.2.22 ASA supports a requirement for consideration of background loading in all TMDL studies, plans, and legislation.

2.6.2.23 ASA believes that agriculture should not be held responsible for pollution caused by natural conditions when dealing with TMDL legislation, and that all natural loadings be separately identified and properly considered in the TMDL process, and that natural loadings consider climate and ecosystem dynamics.

2.6.2.24 ASA believes there is a need for research that ensures that climatic effects on flow and sediment loads are properly factored into TMDL studies.

2.6.2.25 ASA supports a policy requiring that BMP's (Best Management Practices) which are promoted or required in Conservation and Water Quality programs have input from agricultural professionals, including farm operators and managers.

2.6.2.26 ASA opposes the establishment, by any unit of government, water quality impairment taxes or fees.

2.6.2.27 ASA supports a requirement that TMDL allocations be updated when new science indicates the existing allocations are incorrect.

2.6.2.28 ASA recommends that the Clean Water Act be amended to exempt producers from litigation/liability and not require a National Pollution Discharge Elimination System (NPDES) permit when producers can certify that the pesticides have been used in a manner that complies with the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA).

2.6.2.29 ASA supports subsurface drainage such as tiling as a means to increase sustainability. ASA supports subsurface drainage such as tiling as a means to increase sustainability, improved soil health and to reduce soil erosion from surface water movement and saline levels in the soil. (2016)

2.6.2.30 ASA opposes the inclusion of ditches and prior converted crop land on the EPA and Army Corps of Engineers list of impaired waterways.

2.6.2.31 ASA supports the balance of volunteer and elected stakeholders, and the restrictions of Federal, State and Local government agency employees as participants on advisory councils, boards, technical committees and stakeholder committees that are components of the impaired waters TMDL process.

2.6.2.32 ASA supports practices and policies that create permanent runoff reduction through increased crop water usage versus temporary retention through increased wetlands or dams for flood control.

2.6.2.33 ASA does not support the U.S. Bureau of Reclamation plan to divert water from the Missouri River to the western states.

2.6.2.34 ASA supports farmer implementation of environmental programs that incorporate adaptive and best management practices for nutrient stewardship and provide farmers long term economic benefits with the goal of continuous environmental improvement. (2015)

2.6.2.35 ASA opposes the EPA utilizing citizen monitoring to collect samples and submit data for determining product regulation, registration, or environmental impact.



2.6.2.36 ASA supports the use of county, state and federal funds to perform routine maintenance on water and sediment control basins, grade stabilization structures, terraces and other sediment catch basins. (2014)

2.6.2.37 ASA supports farmers' efforts to achieve continuous improvement in environmental performance by collaborating with industry, ag producers, and other units of government. (2015)

2.6.2.38 ASA opposes the 2014 EPA Waters of the United States (WOTUS) rule and any attempts by any agency to enact any portion of WOTUS rule. (2016)

2.6.2.39 ASA supports Congress directive in Water Resources Reform & Development Act (WRRDA) 2014 to establish a 10,000 gallon jurisdictional threshold regarding spill prevention, control and counter-measures Spill Prevention, Control and Counter-measures Plans (SPCC) plans and urges EPA to honor that directive when releasing the findings of a Congressionally-automated study of this issue. (2016)

### **2.6.3 Air Quality**

2.6.3.01 ASA encourages EPA to work with producers to develop voluntary, incentive-based programs that would assist producers in meeting any current and future air quality standards. ASA favors air quality standards for agriculture which are ecologically and economically attainable, and that are supported by science-based research. ASA further believes air quality standards for agriculture should be addressed and promulgated at the federal level.

2.6.3.02 ASA is opposed to any local, state or federal legislation or EPA actions to regulate particulate matter, gases or odor from agriculture operations. (2015)

2.6.3.03 ASA should be engaged in legislative and/or regulatory efforts that address Climate Change.

2.6.3.04 ASA believes that agriculture should not be subject to greenhouse gas emission caps established in Climate Change legislation or regulation.

2.6.3.05 ASA supports farmers being able to enroll the same tract of land for multiple incentive based payments addressing carbon sequestration, water quality, air quality and any other future environmental credits of benefit to the society as a whole.

2.6.3.06 ASA supports carbon sequestration research and related efforts to maximize the ancillary benefits of conservation practices that store carbon and other nutrients in soil.

2.6.3.07 ASA is opposed to the federal government signing or endorsing any global warming treaty or implementing parts of the treaty by Executive Order that would have a negative effect on agriculture.

2.6.3.08 ASA is opposed to any national or international carbon tax programs. (2016)

## **2.6.4 Sustainable Agriculture**

2.6.4.01 ASA supports biotechnology, commercial fertilizer, and commercial crop protection products as part of an integrated crop management system, and believes that any definition of “sustainable agriculture” includes the use of these products. ((2014))

2.6.4.02 ASA supports the statutory definition of sustainable agriculture, as included in the 1990 Farm Bill. Public Law 101-624, Title XVI, Subtitle A, Section 1603. Under that law, sustainable agriculture means “an integrated system of plant and animal production practices having a site-specific application that will, over the long term:

- Satisfy human food needs;
- Enhance environmental quality and the natural resource base upon which the agricultural economy depends;
- Make the most efficient use of nonrenewable resources and on-farm resources and integrate where appropriate, natural biological cycles and controls;
- Sustain the economic viability of farm operations; and
- Enhance the quality of life for farmers and society as a whole.”

2.6.4.03 ASA supports an aggregate approach to documenting the sustainability of U.S. soybean production. ASA believes U.S. federal and state conservation, environmental and labor laws, and existing U.S. farmer compliance with them, provide assurance that U.S. soybeans are sustainably produced. We support premium structures that reflect the additional costs of industry driven sustainability initiatives. (2016)

2.6.4.04 ASA recognizes that American soybean production is one of the most sustainable in the world and will work to ensure that our image is maintained while avoiding undue regulations and empowering movements that would jeopardize our competitive position.

2.6.4.05 ASA opposes programs which would subvert constitutional authority by implementing sustainability and environmental programs through local and national executive orders.

## **2.6.5 Endangered Species**

2.6.5.01 ASA believes input benefits and economic impact on farmers and consumers should be considered in laws and regulations designed to protect endangered species. ASA favors exempting man-made agricultural structures from the provisions of the Endangered Species Act. (2015)

2.6.5.02 ASA believes laws and regulations designed to protect endangered species must be science based. ASA supports legislation that would protect producers from unintentional impacts to endangered species.

2.6.5.03 ASA supports voluntary based efforts on private lands to improve pollinator and Monarch butterfly habitat and urges federal, state and local governments to incorporate methods to improve such habitat on publicly owned lands. (2016)

## **2.7 Education Funding**

2.7.1 ASA believes that agricultural education is an important foundation for the future of agriculture and that there is need for a comprehensive school curriculum that will accurately inform and educate K-12 students about the importance of agriculture. ASA particularly supports the efforts and expansion of 4-H, FFA and the national Ag-in-the-Classroom program and believes that it is important that all groups representing agriculture must be involved. We also believe that the corporations and companies that are our suppliers and which resell or process commodities also have a vital interest in a favorable public perception of agriculture.

2.7.2 ASA endorses the long range goal for agricultural education and urges ASA members to provide active support for its projects and activities on local, state and national levels that will help create new programs in communities not yet served by agricultural education and FFA and ensure the quality and high performance of current programs providing personal, academic and career education in agriculture.

2.7.3 ASA supports more government, corporate and private education that increases public awareness of the stewardship, economics and risks involved in agricultural production.

2.7.4 ASA urges more effort by our land grant university system and all other public and private organizations and entities to increase responsible and accurate educational programs as a way to offset consumer concerns regarding biotechnology, food safety, renewable fuels, crop protection products and animal agriculture.

2.7.5 ASA should work with USB to create educational materials and opportunities to educate youth and elected officials on the food chain and life cycle of soybeans.

2.7.6 ASA supports the Morrill Act as written in 1862 and later amended in 1890. The original intent of the Morrill Act was to develop land grant universities with the charge of specializing in agriculture and mechanical arts. ASA also supports the Hatch Act, which developed the experimental stations and the Smith-Lever Act which developed the cooperative extension service. ASA is concerned that the current implementation of these Acts has been diverted from their original and important intent. (2015)

2.7.7 ASA supports the National Association of Agriculture Educators and the National Council for Agriculture Education in the Teach Ag Campaign to combat the current national agriculture teacher shortage. (2015)

## **2.8 Farmer-Focused Policies**

### **2.8.1 Contract Production**

2.8.1.01 ASA recommends that farmers work together in cooperative ventures to gain increased access in a vertically integrated market environment.

### **2.8.2 Equity Protection of Grain**

2.8.2.01 ASA should work with the USDA, other organizations and governmental agencies at the state and federal level to develop adequate protection for farmer's equity in the event of grain warehouse or dealer failure.

2.8.2.02 ASA opposes any Federal warehouse dealer regulation that would supersede State licensing and warehouse regulations when it offers less protection for farmers.

2.8.2.03 ASA supports grain warehouse regulations under which producers are provided a receipt to prove ownership upon delivery of grain, whether the grain is sold immediately or is delivered for storage.

### **2.8.3 Farm Continuation and Tax Policy**

2.8.3.01 ASA encourages more funding and quicker distribution of funds for beginning farmers through the FSA Direct Loan Program, special young farmer loans, Farm Credit Associations and other sources. The percentage of residence allowance for beginning farmer loans should be raised from 5% to 20%.

2.8.3.02 ASA supports efforts that would allow proceeds from the sale of qualified farm assets to be treated as an individual farmer retirement account to defer current capital gains taxes to a future date.

2.8.3.03 ASA supports continuation of the estate tax exemption of \$5 million per individual with a 100% spousal exemption, indexed to inflation with continuation of stepped up basis, and return to a maximum tax rate of 35%. Special use valuation should include all land staying in production agriculture for minimum of 15 years.

2.8.3.04 ASA favors implementation of \$500,000 in lifetime tax credits for sale of used farm equipment.

2.8.3.05 ASA supports maintaining the current three-year income averaging programs for agricultural producers, including family farm corporations.

2.8.3.06 ASA supports an increase in the maximum gift tax exemption and is opposed to the application of the Alternative Minimum Tax on Schedule F.

2.8.3.07 ASA urges that an individual who rents land or equipment to a family farm corporation, partnership, Limited Liability Corporation or any other farming entity not be subject to self-employment tax on rental income.

2.8.3.08 ASA supports a change in the U.S. tax code to allow tax deductibility for permanent conservation practices to landowners that cash rent their land.

2.8.3.09 ASA opposes double taxation when dissolving corporations.

2.8.3.10 ASA supports the proposed expansion of the tax exclusion on the sale of residences to include up to \$500,000 value of farm real estate.

2.8.3.11 ASA supports a federal tax credit for farmers' investment in value-added agricultural ventures. ASA encourages federal support to provide technical assistance to commercialize value-added products as well as business structure assistance for farmer-owned value-added companies. ASA supports a federal tax credit for farmer's investment in value-added agricultural processing ventures.

2.8.3.12 ASA supports extending the time period allowed for reinvestment of capital gains from 45 days to 12 months.

2.8.3.13 ASA supports the full deductibility of health insurance premiums and contributions to Health Savings Accounts (HSA's) by the self-employed and supports equitable treatment for self-employed people under any new health care legislation.

2.8.3.14 ASA supports enactment of Federal legislation that would help to lower the cost of Group Health Insurance plans by allowing participation in the Group regardless of state of residence.

2.8.3.15 ASA supports that real estate sold must maintain its current tax status when sold to Government entities or nonprofit groups or organizations, exempting religious institutions up to 20 acres, as long as they maintain ownership.

2.8.3.16 ASA recognizes the estate tax to be a major obstacle in farm transition planning and would prefer that it be eliminated regardless of estate valuation.

2.8.3.17 ASA supports Section 179 depreciation and continuation of Bonus Depreciation at 50%. (2016)

2.8.3.18 ASA opposes any proposal to require farmers to use accrual rather than cash accounting. (2014)

2.8.3.19 ASA favors continued rebate of Federal and State fuel taxes on fuels used in non-highway uses.

2.8.3.20 ASA opposes the 3.8% tax on passive income recently instated by the Federal government to help fund national health care.

2.8.3.21 ASA supports lowering the top corporate income tax rate. (2016)

2.8.3.22 ASA opposes S-Corporation net income being subject to self-employment tax at the shareholder level. (2016)

2.8.3.23 ASA supports basis step-ups on gifts and bequests and not treating transfers of appreciated property as a sale. (2016)

2.8.3.24 ASA opposes any attempt by a Federal government entity to enact a tax on agricultural products to fund infrastructure that is used by all citizens. (2016)

## **2.8.4 Property Rights**

2.8.4.01 ASA endorses private property rights as set forth in the United States Constitution. ASA believes that farmers should be adequately compensated for loss in property value or income due to unsubstantiated land claims, environmental regulations such as endangered species, wetlands and other government regulations. We also support a strong “Right to Farm” law.

2.8.4.02 Government agencies developing flood control projects must ensure that any damages caused by the project to surrounding property owners be fairly compensated.

2.8.4.03 ASA realizes that production data such as field maps, soil tests, production records, images and input records have monetary value. ASA believes this information gathered by GPS, GIS, or other precision farming practices remain the sole property of the owner and/or operator, or their agent, based on their respective investment, regardless if the data collection was voluntary or involuntary. This information should not be used, released or sold without consent. (2014)

2.8.4.04 ASA supports national agricultural organizations working together on behalf of farmers and industry to develop standards to clarify policy for the acquisition, ownership, valuation and utilization of agricultural data and provide educational opportunities for farmers on best use practices. (2015)

2.8.4.05 ASA opposes condemnation or mandatory restrictions that postpone or restrict the property rights of landowners without just compensation. ASA opposes the condemnation of land for recreation purposes such as trails, parks, wildlife areas and wetlands, and for purposes of economic development. ASA also supports a process that provides reasonable advanced warning of right-of-way encroachment.

2.8.4.06 ASA supports voluntary and practical programs for buying land development rights in order to preserve the land as green space or for farming.

2.8.4.07 ASA supports not holding landowners responsible for costs associated with unlawful acts committed by others on a landowner's property.

2.8.4.08 ASA opposes the use of Eminent Domain for taking wind, mineral, water, solar or development rights.

2.8.4.09 ASA opposes involuntary annexation by municipalities, and supports restrictions on the ability of municipal governments to encroach or infringe on agricultural land unless the farmer is fairly compensated.

2.8.4.10 ASA supports a requirement that wetlands, government owned lands and private conservation lands should be used as a first choice, instead of farmland, when routing public utilities and roadways.

2.8.4.11 ASA opposes federal executive orders that could deprive farmers of private property rights.

2.8.4.12 ASA supports legislation allowing a farmer to protect crops and livestock from wildlife destroying or attempting to destroy or injure crops or livestock. (2016)

2.8.4.13 ASA supports keeping all crop nutrients from being over-regulated so that it may remain an affordable option to producers and suppliers. (2016)

## **2.8.5 Financing**

2.8.5.01 ASA supports the participation of all types of lenders to provide businesses with loans or other financial arrangements to add value and find new uses for agricultural commodities.

2.8.5.02 ASA will support the Farm Credit Service (FCS) as a farmer-owned and controlled financial cooperative to meet the needs of agriculture.

2.8.5.03 ASA opposes any restructuring of FCS that replaces farmer-elected members of FCS Boards with commercial bankers or expands bank access to FCS funding.

2.8.5.04 ASA believes the Farm Service Agency (FSA) should have the ability to make direct loans and loan guarantees sufficient to meet producer requirements for operating funds that are not met by other farm lending institutions.

2.8.5.05 ASA supports adequate funding for FSA credit programs including:

- Increase of guaranteed loan limits;
- Increase of the subsidy rate on guaranteed loans;
- Interest assistance for guaranteed farm ownership loans
- To fully fund the direct Farm Ownership Loan Program;
- Extended lifetime loan eligibility for FSA credit programs;

- Waiver of the 1% fee for guaranteed loans;
- Interest assistance on loans for building farmer owned grain facilities.

2.8.5.06 ASA supports the USDA farm storage facility loan program with this exception. ASA recommends to USDA-FSA to establish terms of the loans to be the same regardless of the dollar amount of the loan.

2.8.5.07 ASA supports strengthening the FSA appeals process at all levels. (2016)

## **2.8.6 Farm Labor**

2.8.6.01 ASA recognizes that child safety is important. However, ASA opposes the Department of Labor's proposing changes that limit the types of work minors could perform in agriculture.

2.8.6.02 ASA supports the process of streamlining the H2A work visa program.

2.8.6.03 ASA recognizes farm safety is an important issue. However, ASA opposes attempts by the Department of Labor to expand the jurisdiction of the Occupational Health and Safety Authority to include farms with less than 10 employees. (2014)



### **III. TRADE POLICY, FOREIGN MARKET DEVELOPMENT, AND FOOD SECURITY**

#### **3.0 Preamble**

The American Soybean Association (ASA) recognizes that U.S. soybeans and soybean products must have fair access to world markets and must be competitive on price, quality and availability for markets.

#### **3.1 Trade Policy**

##### **3.1.1 General**

3.1.1.01 ASA supports the removal of barriers to international trade in soybeans, soybean products, as well as livestock, poultry and aquaculture products and the prevention of the establishment by other nations of barriers to the importation and consumption of U.S. soybeans, soybean products, as well as livestock products.

3.1.1.02 ASA supports Trade Promotion Authority (TPA). (2016)

3.1.1.03 ASA opposes the imposition of restrictions on the export of any and all agricultural commodities including soybeans and soybean products, whether it is for supply, national security, or foreign policy reasons. Any embargo, sanction, or other restriction on exports of U.S. agricultural commodities for national security or foreign policy reasons shall require a formal determination by the President and Congress that such action is supported and joined by all other major world producers and exporters of affected commodities. Any action would terminate unless the President re-certifies this determination on an annual basis.

3.1.1.04 Contract sanctity should be guaranteed for all foreign purchasers of U.S. agricultural commodities. ASA calls on the President and Congress to revise legislation that exempts sales of U.S. agricultural products from economic sanctions so that normal commercial credit can be offered by U.S. entities. ASA shall increase its efforts to inform U.S. soybean producers and consumers as to the scope and the ramifications of above said sanctions on U.S. farmers.

3.1.1.05 ASA favors the immediate removal of agricultural trade, financial and travel restrictions for Cuba and urges Cuban eligibility for federally authorized check off activities, Foreign Market Development (FMD), Market Access Programs (MAP), General Sales Manager (GSM) and other credit programs and to work with the current administration on changing the terminology through administrative action concerning credit. (2014)

3.1.1.06 ASA opposes the establishment of restrictions by the United States on the importation of fairly traded goods that may precipitate retaliation against the export of U.S. soybeans, soybean based products and livestock products by other nations or which would economically burden U.S. soybean farmers.

### **3.1.2 WTO Policies**

3.1.2.01 ASA supports achievement of a Level Playing Field trading basis for oilseeds, oilseed products and plant-based oil and products in future negotiations. The Level Playing Field approach is a multilateral phase-out of all trade distorting export subsidies, including differential export taxes, and all tariff and non-tariff barriers to oilseeds, oilseeds product and plant-based oil and product imports.

3.1.2.02 The Blair House Agreement (BHA) sets a WTO-bound limit on subsidized oilseed production in the EU, and ASA insists on strict enforcement of the EU's commitments. The U.S. has the reasonable expectation that (a) the subsidized area planted to oilseeds will not exceed the BHA level of about 4.9 million hectares plus the BHA-consistent area of new EU members and (b) oilseed production on set aside for industrial use will not exceed 1 million tons on a soybean meal equivalent basis. As the EU implements changes in its agricultural policies and implements new "energy crop" payments to encourage the growing of energy crops, including oilseeds, the U.S. Government must insist that the EU be in compliance with its obligations. The U.S. must insist that the EU policies, including single-form payments, energy crop payments, and biodiesel tax incentives, do not nullify or impair the zero-tariff binding for oilseeds the EU granted the U.S. in previous trade negotiations.

3.1.2.03 ASA supports comprehensive WTO negotiations as the best means to increase worldwide incomes and reduce trade barriers to soy and livestock products. ASA believes that bilateral or regional Free Trade Agreement (FTA) negotiations should be focused toward those countries that represent significant commercial markets for U.S. soybeans and products, livestock products, and agricultural exports in general.

3.1.2.04 ASA recommends that the WTO negotiations encompass all sectors as a comprehensive single undertaking. This means that all aspects of the negotiations should be included and implemented simultaneously in order to get the best results for U.S. agriculture, (i.e, No "early harvest" during the negotiations)

3.1.2.05 ASA supports substantial improvements in market access for soybeans and soybean products, including livestock, poultry and aquaculture products, as the top priority of the DOHA Development Round negotiating under the WTO.

3.1.2.06 ASA believes that any new WTO agreement reducing trade-distorting (i.e., "amber box") domestic support must reflect the extent to which market access is increased in developing and developed countries through reductions in tariffs and other measures.

3.1.2.07 ASA supports maintaining the "de minimus" exemption of product and non-product specific support from reductions required in trade-distorting domestic programs.

3.1.2.08 ASA opposes any caps on "green box" domestic support policies that do not, or only minimally, distort production or trade.

3.1.2.09 ASA supports establishing a rules-based system for disciplining the use of export credits and similar government supported export financing programs.

3.1.2.10 ASA supports defining Differential Export taxes as export subsidies that would be subject to discipline and elimination in a Doha Round agreement.

3.1.2.11 ASA supports the elimination of differential export taxes for oilseeds, oilseed products, and plant-based oil and products.

3.1.2.12 ASA opposes including disciplines on food assistance programs in the WTO negotiations.

3.1.2.13 ASA opposes allowing countries to self-designate as “developing countries” for the purpose of obtaining special and differential treatment under the WTO. ASA supports the establishment of objective criteria for determining if a country is eligible to claim special and differential treatment overall or for certain sectors.

3.1.2.14 ASA opposes exempting government supported domestic transportation and marketing subsidy programs in developing countries from disciplines under the WTO.

3.1.2.15 ASA opposes including in the WTO agreement the precautionary principle or other food safety concerns that are not science based that could be used as a justification for restricting market access.

3.1.2.16 ASA supports “WTO-plus” sanitary and phytosanitary provisions that underscore the importance of harmonized, science-based regulations that are trade facilitative and fully enforceable.

### **3.1.3 Regional and Bilateral Agreements**

3.1.3.01 ASA supports ratification of a Free Trade Agreement (FTA) with Trans-Pacific Partnership (TPP) countries and other countries that may join the negotiations in the future, which may provide new market access opportunities for U.S. soybean, soybean products, livestock products, and new soybean based products. (2016)

3.1.3.02 ASA supports negotiation of a comprehensive Transatlantic Trade and Investment Partnership (TTIP) Agreement with the European Union that provides meaningful market access for exports of U.S. soybean products and that addresses trade barriers, including current EU biotechnology policies (delayed approval of traits, compliance by EU Member States with EU laws and regulations, and mandatory biotech labeling). The TTIP must also address the EU Renewable Energy Directive (RED) and the proposed Ecological Focus Area Program that would support soybean and high protein crop production in the EU.

3.1.3.03 ASA opposes any product exclusions from Free Trade Agreements (FTA) on the grounds that they serve as negative precedents for countries seeking to exclude soy or livestock products.

### **3.1.4 Government Responsibilities**

3.1.4.01 ASA opposes any proposal to merge the Office of the U.S. Trade Representative (USTR) with other trade agencies. ASA believes that USTR should remain an independent agency within the Executive Office of the President, focusing on trade negotiations, trade agreements and trade enforcement.

3.1.4.02 ASA opposes currency legislation or any action by Congress to unilaterally regulate the value of foreign currencies. ASA believes that currency legislation would create retaliatory actions that would negatively affect soybean trade. Instead, ASA supports an approach by the U.S. that engages the international community in its efforts to address global foreign exchange policies.

3.1.4.03 ASA opposes any proposal to move responsibility for food inspection and livestock product safety from USDA to any existing or newly created agency. (2015)

## **3.2 Foreign Market Promotion and Export Credit Programs**

### **3.2.1 Foreign Market Development Programs**

3.2.1.01 ASA supports the Foreign Market Development (FMD) Program. FMD is a successful public/private partnership which is a cooperative, cost-share program between private industry groups that represent farmers and ranchers and the U.S. Government. ASA urges Congress to fund the FMD Program at a level of not less than \$50 million per year.

3.2.1.02 ASA supports continuation of the Market Access Program (MAP) at current levels, or above, which will continue to increase exports, secure new and current markets and support the Administration's export goals under the National Export Initiative. Further, MAP and FMD represent some of the highest returns on investment for soybean producers, are currently green box, and should remain a high priority in the next Farm Bill, and in yearly appropriations bills. (2014)

### **3.2.2 Export Credit Guarantee Programs**

3.2.2.01 ASA supports continuation of General Sales Manager (GSM) 102 export credit guarantee programs at a minimum funding level of \$4 billion and at the maximum amount necessary to fully utilize the program maintaining the tenor of up to -four months. (2014)

- Allow extension of revolving credit lines to private entities as well as foreign countries in order to make these programs more flexible while reducing USDA's risks;
- Relax the "creditworthiness" determination that must be made in operating these programs by allowing the Secretary of Agriculture to consider the longer-term economic growth potential of a country, and economic policy reforms that are being instituted

unilaterally or in conjunction with international financial institutions such as the International Monetary Fund and World Bank;

- Implement an infrastructure loan guarantee program that would allow GSM 102 guarantees to be used for specific import-related infrastructure projects in foreign countries that would result in increased U.S. agricultural exports to those countries;
- Allow the Secretary to permit, as appropriate, U.S. produced agricultural commodities that may contain less than 100% U.S. content to be covered under the programs.

### **3.2.3 Government Responsibilities: Marketing and Export**

3.2.3.01 ASA encourages Congress and the Foreign Agricultural Service (FAS) of the United States Department of Agriculture (USDA) to support the investment of farmer checkoff dollars to maximize funding for market development efforts and to respond quickly to opportunities in international trade.

3.2.3.02 ASA encourages that USB and QSSBs appropriate funds for international marketing to qualify and fully maximize USDA/FAS matching funds.

3.2.3.03 ASA urges Congress and the Administration to aggressively support P.L. 480 and Commodity Credit Corporation (CCC) grant programs and initiatives to expand exports of U.S. soybeans and soybean products.

3.2.3.04 ASA encourages the development of common national and international standards for maximum residual levels of animal health products in livestock trade internationally.

3.2.3.05 ASA shall continue to be the U.S. soybean growers' International Marketing Contractor with the Foreign Agricultural Service (FAS) of the United States Department of Agriculture (USDA).

## **3.3 International Biotechnology Policies**

### **3.3.1 Foreign Regulatory Approvals**

3.3.1.01 ASA will actively support the efforts of biotechnology and seed companies to obtain regulatory clearances in significant U.S. export markets, using both ASA policy and international marketing resources.

3.3.1.02 ASA supports an expedited process for approval and acceptance of biotechnology products in international markets. (2015)

3.3.1.03 ASA supports establishing a process to maintain foreign registrations of biotech traits in countries that require them as long as traces of a trait are identified in export shipment.

### **3.3.2 International Commercialization of New Biotech Traits**

3.3.2.01 ASA encourages biotechnology and seed companies to apply for international regulatory clearances on a timely basis in all significant U.S. soy export markets that have biotech approval processes, well before the new biotech product is commercialized in the U.S. market. International regulatory submissions on new biotech products should be made such that, based on previous experience in these export markets, sufficient time for regulatory review and approval is allowed prior to product commercialization. A “timely basis” is considered to be the average time period in each individual export market the regulatory agencies require to grant approvals, plus an appropriate additional period of time required to provide a “regulatory approval cushion.”

3.3.2.02 In the event a biotechnology or seed company obtains U.S. regulatory clearances but has not made submissions to allow sufficient time for international regulatory clearances in all significant U.S. soy export markets that have biotech approval processes, ASA encourages the biotech and seed companies involved to institute the strict controls necessary to ensure that the whole soybeans and soy products produced from the new biotech product are kept out of commodity soy export as well as planting seed channels until the appropriate international clearances are obtained. In such a circumstance, ASA also supports the biotech and seed companies involved to establish the compliance systems and documentary evidence necessary to show that whole soybeans and soy products produced from the new biotech product have been utilized in the U.S. market.

3.3.2.03 In the event regulatory clearances have been applied for in a timely manner in significant export markets but clearances have not been obtained due to a non-functioning approval process in a country, ASA will consult with the biotech company involved to determine the best course of action. In making its decision on whether to support the commercialization of the new biotech product despite the lack of regulatory clearance in an export market, ASA will consider the potential benefits of the new biotech product to the profitability and competitiveness of U.S. soybean farmers, the size of the export market in question, and the likelihood of a functioning approval process being implemented and clearances obtained, among other factors.

3.3.2.04 ASA encourages biotechnology and seed companies NOT to commercialize new soybean biotech products in countries that have weak intellectual property protection laws and/or enforcement unless a system is implemented to obtain appropriate compensation of the value created by the technology. Biotechnology and seed companies should take appropriate steps to prevent the misappropriation of new biotech products and technologies by or in those countries. ASA urges that all legal remedies be pursued to prevent the illegal planting in foreign countries of soybean seed for which biotechnology and seed companies have not received appropriate compensation for biotech traits.

3.3.2.05 Before technology companies commercialize a soybean biotechnology event in a country in addition to the United States, ASA urges technology companies to ensure that:

- Intellectual property protection and value capture systems are in place to ensure that growers are paying appropriate royalties similar to U.S. growers; and

- A new event is not commercialized in a country until it is determined that patent protection for an event will expire no sooner than patent protection in the U.S. market

3.3.2.06 ASA urges the soybean industry to work to ensure that financial liability for soybean products that contain unintended and unapproved traits in soybeans and products to be appropriated to the responsible parties.

### **3.3.3 Low Level Presence**

3.3.3.01 ASA supports efforts to establish a commercially viable and internationally accepted LLP tolerance of not less than five percent for the presence of any deregulated biotechnology event in shipments and products in order to ensure the competitiveness of U.S. soy exports in world markets and prevent disruptions in trade. Low Level Presence (LLP) refers to low level unintentional introduction of biotech derived plant material in grain or feed that has been through a full safety and risk assessment in one or more countries, but not the country of import. ASA encourages USDA to collaborate with its counterparts in Australia and other countries to formally propose a 5% threshold within the framework of the International Plant Protection Convention. The value chain must cooperate to steward new technologies when unique functional characteristics impact commodity markets below 5%. (2016)

## **3.4 Assistance to Developing Countries**

### **3.4.1 Foreign Food Assistance**

3.4.1.01 ASA supports uses of food in emergency and development assistance. ASA opposes budgetary reductions in developmental food aid to compensate for emergency shortfalls. ASA supports PL480 programs and total Title II budget at a level of \$1.5 billion.

3.4.1.02 ASA supports the continued funding for the McGovern-Dole International Food for Education and Child Nutrition Program at no less than \$200 million, the Food for Progress program at no less than \$200 million and supports seeking additional funding from other U.S. and G-8 sources.

### **3.4.2 International Agricultural Development**

3.4.2.01 ASA urges U.S. and multilateral institutions to consider long-term environmental consequences and benefits when allocating funds to developing nations for projects that could result in large-scale land clearing or deforestation. ASA opposes U.S. tax dollars being used by American and multilateral institutions and universities to fund competition for U.S. soybeans and soybean products.

3.4.2.02 ASA urges the U.S. Agency for International Development (USAID) to continue its policy of not funding programs that promote foreign production resulting in the exports of soybeans and soybean products and would encourage that this policy be extended to crops which compete with soybeans and soybean products. ASA encourages USAID to increase funding of programs that expand international use of soybeans and soybean products and encourages USAID to support ASA in developing and implementing such programs.

3.4.2.03 The U.S. soybean farmers recognize that agricultural development in Least Developed Countries (LDC's) can help drive economic development worldwide. U.S. soybean farmers stand ready to work with participants in the soybean value chain targeting subsistence farmers to improve nutrition to their community, raise themselves from poverty and develop strong local markets providing such assistance complies with current agricultural policy and law (Bumpers Amendment of 1986).

3.4.2.04 ASA supports legislation realigning U.S. international agricultural development programs to focus primarily on increasing productivity and profitability of small farmers in underdeveloped countries and to put USDA and the U.S. agriculture community in the center of these efforts through research, land grant education and extension, technology transfer, and programs to develop value chains and local markets. (2015)

3.4.2.05 ASA supports full funding for the Cochran Program, and the Office of Capacity Building and Development's efforts to link this program with other programs, such as the McGovern-Dole International Food for Education and Child Nutrition Program. (2016)

3.4.2.06 ASA is committed to developing relationships with commercial entities in the private sector to address protein deficiencies and under-nutrition. WISHH will encourage companies in the U.S. and developing world to use soy as a supplement to local foods and will reach out to both food processing companies, and manufacturing companies to develop soy fortified, protein rich products. (2015)

### **3.4.3 Quality, Grading and Sustainability Standards**

3.4.3.01 ASA supports the following principles as long-term objectives in any revisions or updating of present standards to:

- Define uniform and accepted descriptive terms to facilitate trade.
- Provide the information for the market to create incentives to improve the overall quality of soybeans.
- Provide information for the end user to help determine end product yield and quality.
- Provide information for the farmer to help select varieties of greatest value.
- Require that grading factors have a definable economic value.
- Encourage development of soybean standards that will set standard for U.S. soybeans at 1% foreign material (FM) in export and domestic markets. ASA will strive to implement grain standards to assure the best product available for our customers. To fully accomplish this task ASA must request the full cooperation of the grain traders in adhering to these quality requirements for exported soybeans to the end user.
- Both public and commercial soybean breeders and producers should be represented on committees formed to develop grain quality standards for soybeans and to cooperate with other farm groups to set international standards for specialty grains.
- Soybeans should be purchased on dry matter content with a 13% moisture standard.



3.4.3.02 ASA encourages a study be undertaken by the appropriate governmental agencies, farmer leaders and industry representatives to determine the need for additional intrinsic testing capabilities, revised procedures, or other controls resulting from the rapid growth in volume and number of differentiated identity preserved marketing's of enhanced trait soybeans.

3.4.3.03 ASA supports a grading and marketing system that recognizes the intrinsic quality and value of soybeans and to reward farmers who are capable of producing and marketing soybeans of enhanced value to users.

3.4.3.04 ASA encourages strict enforcement of the handling of any treated seed to ensure it does not get into any commercial shipment of U.S. soybeans.

3.4.3.05 ASA recognizes the need for reasonable seed tolerance levels that allow for movement of seed within international trade. ASA believes that such tolerances, however, must be linked directly with accompanying tolerances for the resulting commodity products.

3.4.3.06 ASA supports the continued successful implementation and refinement of the Sustainability Assurance Protocol and Soy Export Sustainability LLC to promote the sustainability of U.S. soybeans to buyers worldwide. (2016)

3.4.3.07 The ASA is concerned about recent policy and food standard initiatives which assign 5.71 as the nitrogen to protein conversion factor for soy which can have a significant negative impact on the perception of soy as a nutritious and high-quality protein. The ASA urges the US Codex delegation and other regulatory agencies to continue to support the existing regulatory policy and many Codex Standards that accept 6.25 as the nitrogen to protein conversion factor for soy. (2015)

3.4.3.08 ASA supports removing economic incentives that promote inefficiencies and undesired practices that would include the reintroduction of any foreign material into customer shipments of soybeans. (2016)

## **IV. ORGANIZATIONAL AFFAIRS**

### **4.0 Preamble**

ASA is a national, not-for-profit, grassroots membership organization that develops and advocates policies to increase the profitability of U.S. soybean farmer members, and the entire soybean industry. ASA further believes that control must remain with its farmer members.

### **4.1 Membership**

4.1.1 Membership is the core of the American Soybean Association. Members determine the future direction of the Association through policy resolutions and the election of volunteer leaders. ASA is made up of affiliated state soybean associations that provide the leadership,

grassroots support and guidance to help make ASA successful. Membership is a state-oriented program operated cooperatively with the national association.

4.1.2 Membership generates farmer involvement and investment in ASA, strengthens ASA's policy influence and builds future leadership for the organization.

4.1.3 ASA places the membership program as one of its top priorities and believes it is vital both to ASA and the state associations to maintain and increase current membership and strive to be a strong membership organization. State soybean associations are encouraged to make membership a priority, have active membership committees and volunteers, develop funding, and conduct membership acquisition, retention and involvement programs.

4.1.4 The ASA Voting Delegate body supports the annual membership goals set by the ASA Membership & Corporate Relations Committee and urges the Committee and staff to assist all states in meeting their membership goals.

4.1.5 To meet the needs of members the Association should seek input from the members and should communicate directly with them.

## **4.2 Checkoff and Promotion**

4.2.1 ASA supports continuation of the national soybean checkoff and encourages soybean farmers to support the same. ASA believes that the national soybean checkoff is an important tool to help soybean farmers develop new uses, conduct production research and expand domestic and foreign markets.

4.2.2 ASA supports the original intent of the Soybean Promotion and Research Checkoff (SPARC). ASA recommends that ASA and USB implement the coordination committee as allowable in the SPARC orders.

4.2.3 ASA supports commodity and livestock checkoff programs, and supports the stance that any and all funds may not be used for any government deficit or general fund needs.

4.2.4 ASA, as the cooperator with USDA-FAS, fully supports USSEC as the international marketing contractor for ASA and USB, and is committed to working as a partner with USSEC and USB to promote U.S. soybeans and soybean products worldwide.

4.2.5 ASA believes it should maintain a shared leadership role with USB in implementing international market development efforts.

4.2.6 ASA supports ASA and state soybean associations in contracting with USB and QSSB's and earning a reasonable management fee. ASA and state associations shall have no restrictions on the use of this fee.

4.2.7 ASA supports policy that would ensure that USB, USSEC, QUALISOY & QSSB'S use ASA and state associations as primary contractors and coordinates for use in policy development any non-restricted dollars they may generate.

4.2.8 ASA encourages all soybean farmers to voluntarily be a member of their state soybean grower association and ASA so they better understand how policy and active farmer involvement compliments their checkoff-funded successful marketing, research and education efforts for U.S. soybean farmer profitability. (2016)

4.2.9 ASA recommends that the appointees to all federal commodity checkoff boards be active producers of their commodity.

4.2.10 ASA encourages USDA to select the first nominees from QSSB's to serve on USB.

4.2.11 ASA urges that the ASA and USB Executive Committees meet at least twice annually to develop common goals and evaluate programs to benefit the U.S. soybean producer.

4.2.12 ASA encourages USB to continue to support research to advance soy biodiesel and soy bio-based products. (2014)

### **4.3 Industry and Community**

4.3.1 ASA and affiliates appreciate the support they are receiving from their current agribusiness partners and encourage other agricultural allied industries to consider providing financial and in-kind investments in ASA programs.

4.3.2 Leadership skills are more and more valuable as the industry further expands into global markets. ASA greatly appreciates all corporate and checkoff funded programs that develop leadership and relationships and reach new people in the industry.

4.3.3 ASA supports USB's efforts to educate the general public about the positive aspects of production agriculture with particular emphasis on soybeans and allied commodities.

4.3.4 ASA supports efforts by commodity and rural interest groups to reach out to non-ag groups to build positive relationships and improve communication.

4.3.5 ASA supports the United States Farmers and Ranchers Alliance and Common Ground programs at the national level.

4.3.6 ASA encourages cooperation with other farm organizations to promote and implement farm safety and education programs. ASA encourages farm families to develop, maintain, and implement aggressive farm safety practices to help protect our current and future generations.

#### **4.4 Public Affairs**

4.4.1 One of the primary member services of ASA should be to provide and implement an effective governmental relations program. To be a more effective national policy voice for U.S. soybean farmers, ASA should continue to build coalitions and develop congressional contacts, as well as be sensitive to both national and/or state concerns as they are addressed by national policy. (2015)

4.4.2 ASA supports the continuation of a Political Action Committee (PAC) to support issues and individual candidates supportive of ASA policies.

4.4.3 Realizing the importance of a united front in the policy area and the need to develop a positive public image of farmers and agriculture, ASA leadership should maintain a continuing dialogue and work with general farm organizations, commodity groups, urban interests, and others to achieve our policies and objectives.

#### **4.5 Finance and Viability**

4.5.1 The ASA Voting Delegate body directs the ASA Governing Committee to examine the annual resolutions and formulate a priority list that takes into account available monetary and human resources. The draft copy shall be submitted to the ASA Board for review, amended if necessary, and adopted in a timely manner.

4.5.2 The ability of soybean associations to successfully impact the issues of importance to soybean farmers is largely determined by the financial strength of these organizations. As such, maintaining financially viable state and national soybean associations is paramount, and innovative fundraising strategies should be pursued.

4.5.3 Continued support and work should be maintained to ensure the viability and strength of ASA as the national soybean policy organization for state affiliates and individual farmer members.

4.5.4 The name American Soybean Association (ASA) should continue to be used for domestic and international policy work and the name American Soybean Association-International Marketing (ASA-IM) used for market development activities involving USSEC and the World Initiative for Soy in Human Health (WISHH).