



# 2019 ASA DIRECTORY & RESOLUTIONS



## **ASA Mission**

Advocate for U.S.  
soy farmers on  
policy and trade.

## **ASA Vision**

Be a nimble,  
responsive, and  
highly effective  
agriculture policy  
organization.



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## TABLE OF CONTENTS

---

<b>ASA Governing Committee .....</b>	<b>3</b>
<b>ASA Directors .....</b>	<b>4</b>
<b>ASA Advocacy Teams .....</b>	<b>7</b>
<b>State Executives .....</b>	<b>8</b>
<b>ASA Staff.....</b>	<b>11</b>
<b>2019 ASA Policy Resolutions .....</b>	<b>13</b>
<b>ASA Bylaws.....</b>	<b>76</b>
<b>2019-2020 ASA Board Meetings.....</b>	<b>91</b>

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# **2019 ASA POLICY RESOLUTIONS**

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**As amended by  
ASA Voting Delegates  
March 2, 2019**

# 2019 ASA POLICY RESOLUTIONS

## TITLE A – FARM SUPPORT, DOMESTIC MARKETS AND TRANSPORTATION

PREAMBLE .....	16
FARM INCOME SUPPORT PROGRAMS .....	16
General .....	16
Price and Revenue Supports .....	16
Payment Limitations and Eligibility.....	17
CROP INSURANCE .....	17
PRODUCTION .....	21
Crop Protection .....	21
Energy.....	23
DOMESTIC MARKETS .....	24
General.....	24
Livestock and Aquaculture .....	24
Bio-Based Products.....	26
Soy Foods .....	26
BIOMASS-BASED DIESEL .....	27
TRANSPORTATION .....	30
General.....	30
Waterways Infrastructure.....	31
Railroads.....	32
Highways and Roads.....	33
COMMUNICATIONS AND TECHNOLOGY .....	34

## TITLE B – RESEARCH, CONSERVATION AND FARMER-FOCUSED POLICIES

PREAMBLE .....	35
AGRICULTURAL RESEARCH .....	35
General.....	35
Research Funding .....	36
Intellectual Property Rights.....	38
DOMESTIC TECHNOLOGY .....	38
General.....	38
U.S. Regulatory Approvals.....	39
Domestic Commercialization of New Biotech Traits..	39
Biotech Product Labeling.....	40
COMPETITION POLICY .....	41
Anti-Trust .....	41
Soybean Trading .....	41
CONSERVATION AND NATURAL RESOURCES .....	42
General.....	42
Water Quality and Usage .....	46
Air Quality.....	50

Sustainable Agriculture .....	51
Endangered Species.....	52
Wetlands.....	53
EDUCATION FUNDING .....	54
FARMER-FOCUSED POLICIES .....	55
Contract Production .....	55
Equity Protection of Grain.....	55
Farm Continuation and Tax Policy .....	56
Property Rights .....	58
Financing .....	59
Farm Labor .....	60

## **TITLE C – TRADE POLICY, FOREIGN MARKET DEVELOPMENT & FOOD SECURITY**

PREAMBLE .....	61
TRADE POLICY .....	61
General.....	61
WTO Policies.....	62
Regional and Bilateral Agreements.....	64
Government Responsibilities .....	64
FOREIGN MARKET PROMOTION AND	
EXPORT CREDIT PROGRAMS .....	65
Foreign Market Development Programs .....	65
Export Credit Guarantee Programs.....	65
Government Responsibilities: Marketing & Export...	66
INTERNATIONAL BIOTECHNOLOGY POLICIES.....	66
Foreign Regulatory Approvals .....	66
International Commercialization of	
New Biotech Traits .....	66
Low Level Presence .....	68
ASSISTANCE TO DEVELOPING COUNTRIES .....	68
Foreign Food Assistance .....	68
International Agricultural Development.....	69
Quality, Grading and Sustainability Standards .....	70

## **TITLE D – ORGANIZATIONAL AFFAIRS**

PREAMBLE.....	72
MEMBERSHIP .....	72
CHECKOFF AND PROMOTION.....	72
INDUSTRY AND COMMUNITY .....	73
PUBLIC AFFAIRS .....	74
FINANCE AND VIABILITY .....	74

## TITLE A – FARM SUPPORT, DOMESTIC MARKETS AND TRANSPORTATION

### 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.

### FARM INCOME SUPPORT PROGRAMS

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#### General

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- A-1. ASA supports a soybean program that:
  - a. assists farmers to better manage risk
  - b. provides planting flexibility to enable U.S. soybean farmers to base their decisions on market signals
  - c. responds to environmental and conservation concerns
- A-2. ASA will work closely with other farm organizations to enhance risk management tools and strengthen the farm safety net in the next Farm Bill. (2019)
- A-3. ASA supports maintaining decoupling under the ARC and PLC programs. (2017)
- A-4. ASA supports the pilot program for dividing up to 25 large counties under ARC in the 2018 Farm Bill. (2019)

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#### Price and Revenue Supports

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- A-5. ASA supports programs that do not distort planting decisions and which are WTO compliant.
- A-6. ASA supports non-recourse marketing loans.
- A-7. 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.
- A-8. ASA supports equitable treatment of soybean producers in the development and implementation of the federal disaster and low price assistance programs.
- A-9. ASA supports the use of federal crop insurance records and/or production evidence from similar surrounding farms to update yields for federal farm programs. (2017)



- A-10. 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)
- A-11. The CCC should not assess checkoff fees on soybeans under loan unless they are forfeited to the CCC.
- A-12. ASA supports the Agriculture Improvement Act of 2018 and opposes reopening this legislation. (2019)
- A-13. ASA supports keeping the agricultural titles and the nutrition title in the next Farm Bill. (2019)
- A-14. ASA supports the extension of the Market Facilitation Program if market losses in U.S. ag exports continue as a result of tariffs. (2019)

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

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- A-15. ASA opposes imposing means testing on Federal farm payments and loans made to U.S. farmers.
- A-16. ASA opposes restricting eligibility for marketing loan gains or LDP's.
- A-17. ASA supports the definition of actively engaged in farming in effect under the 2018 Farm Bill. (2019)
- A-18. ASA supports individual eligibility of a producer and spouse for equal program benefits.
- A-19. ASA supports eligibility of soybeans grown for non-traditional uses for all payments for which commodity soybeans are eligible.

#### **CROP INSURANCE**

- A-20. ASA supports Crop Insurance Program reform that eliminates inadequacies of the current program for specific crops and regions. Support 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. ASA also supports expanded development of revenue protection programs to insure that all producers can manage production and price risk at an affordable cost. (2018)

# ASA POLICY RESOLUTIONS

- A-21. ASA supports additional crop insurance buy up options as a way to manage risk. (2016)
- A-22. 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.
- A-23. ASA should work towards the following changes being made to the crop insurance program.
- a. 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.
  - b. FSA tract numbers should be used to determine units.
  - c. The actual loss in crop value attributed to crop quantity and quality discounts should be fully covered by crop insurance.
  - d. Allow a producer that has had a Federal disaster declaration in their county/parish to delete those yields from their APH.
  - e. 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)
- A-24. 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.
- A-25. 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)
- A-26. 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)

- A-27. 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)
- A-28. 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)
- A-29. 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.
- A-30. ASA supports a crop insurance premium discount for insured acres through the Risk Management Agency (RMA) for recognized crop rotations. (2019)
- A-31. ASA supports moving the Federal Crop Insurance premiums due date to September 30 of each fiscal year.
- A-32. The ASA urges Risk Management Agency (RMA) and Federal Crop Insurance Corporation (FCIC) to reinstate Area Risk Protection Insurance (ARPI) policies in counties where no longer available. (2018)
- A-33. 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).
- A-34. ASA requests the Risk Management Agency (RMA) to recognize the increased value of specialty soybeans when calculating plug yields when producers switch from commodity soybeans to specialty soybeans.
- A-35. 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)
- A-36. As soybean farmers adopt new traits that are covered under Federal Crop Insurance, ASA urges that:
  - a. Crop insurance agents be trained to explain all allowable options available to clients regarding insuring specialty and commodity soybeans.
  - b. RMA strive to verify yield correlation between existing APH transfer to specialty soybeans where appropriate.
- A-37. 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.

# ASA POLICY RESOLUTIONS

- A-38. 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.
- A-39. 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.
- A-40. 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)
- A-41. ASA opposes reducing the current government subsidy levels of Federal Crop Insurance premiums. (2015)
- A-42. ASA supports continuous evaluation of crop insurance policies including reviewing and updating beginning and ending planting dates, premium levels and adjustment guidelines, to address developing management practices and technologies. We support pilot programs that gather necessary data to determine those sustainable conservation practices that reduce risk and could lower farmers' crop insurance premiums. (2019)
- A-43. ASA supports survey research that utilizes post-harvest scientific sampling strategies within National Oceanic and Atmospheric Administration (NOAA) identified Palmer Drought Index areas to supplement USDA's National Agricultural Statistics Service (NASS) reported yields to compute more realistic and yet statistically defensible yields for RMA crop insurance programs. (2019)
- A-44. ASA supports the continuation of harvest price option in revenue protection policies while preserving current levels of underwriting premium support. (2018)
- A-45. ASA supports that RMA pay quality loss based on the first purchaser's discount schedule at time of delivery. (2019)
- A-46. ASA supports changes to crop insurance policies and/or procedures that will make quality loss adjustments more closely aligned with revenue losses in the marketplace when quality damage occurs in soybeans. (2019)

## PRODUCTION

### Crop Protection

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- A-47. 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. (2017)
- A-48. 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.
- A-49. 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.
- A-50. ASA supports expedited approval process for new environmentally friendly crop protection products. (2018)
- A-51. ASA believes that the EPA should grant producers emergency use permits in emergency situations for products already approved by the EPA for other crops.
- A-52. 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.
- A-53. 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.
- A-54. ASA favors an international harmonized crop protection product code that conforms to U.S. standards as economic agreements are made with other countries.

# ASA POLICY RESOLUTIONS

- A-55. ASA endorses the use of voluntary integrated pest management programs and best management practices consistent with sound ecological and economical principles.
- A-56. ASA recommends that farmers not be liable for environmental damages resulting from input use where recommended label rates and application procedures are followed.
- A-57. ASA recommends that all imported food products meet USDA crop protection product residue or other food safety standards.
- A-58. ASA recommends Worker Protection Standard Act (WPSA) be reasonably and rationally implemented.
- A-59. 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.
- A-60. 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)
- A-61. ASA recognizes that crop protection products are a significant part of the soybean farmer’s input costs. ASA judges that all Canadian crop protection products that have an equivalent U.S. EPA registered product be given automatic reciprocal EPA registration. (2018)
- A-62. 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.
- A-63. 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.
- A-64. ASA believes that “common detection” should be redefined in the Pesticide Management Plan based on some level of a scientifically established Health Risk Limit.
- A-65. 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.

- A-66. ASA supports the use of crop protection products based on current EPA regulations, provided application follows the label and manufacturers support further testing of the product. ASA encourages additional educational efforts to increase the knowledge applicators and producers have regarding new chemical technologies and their interaction on other crops. (2018)
- A-67. ASA encourages makers of any new crop protection formulations to increase their investments in and recognition of national and state associations, academic institutions and state departments of agriculture for their efforts to ensure new innovative technologies are available for growers to combat weed resistance issues. (2018)
- A-68. ASA opposes arbitrary elimination of current and previously approved crop protection products. (2019)

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## Energy

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- A-69. ASA supports preferential energy allocation for agricultural production and marketing during times of critical energy shortages.
- A-70. 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.
- A-71. 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.
- A-72. ASA supports legislative action to increase domestic production of petroleum and natural gas to help stabilize further dramatic increases in farm input supply prices.
- A-73. 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)
- A-74. 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)
- A-75. 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. *(A-75 continues on next page.)*

# ASA POLICY RESOLUTIONS

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.

- A-76. ASA supports inclusion of an Energy Title in the Farm Bill that includes specific authorization and funding for the Bioenergy Program for Advanced Biofuels, the Bio-based Market Program and the Biodiesel Education Program to support and promote the development and use of bio-based products. (2018)
- A-77. ASA asks Congress to allocate funding for and require electrical providers to properly harden the U.S. electrical grid. (2018)
- A-78. ASA asks Congress to allocate funding for and encourage electrical providers to expand 3-phase power grid into rural areas. (2019)

## DOMESTIC MARKETS

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### General

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- A-79. 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.
- A-80. ASA favors the promotion and use of registered soybean product logos to stimulate consumer awareness, thus encouraging expanded U.S. production, manufacturing and employment.

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### Livestock and Aquaculture

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- A-81. 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.
- A-82. 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)
- A-83. 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.



- A-84. 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.
- A-85. ASA supports animal disease traceability programs to protect against the loss of soybean demand due to the outbreak of diseases of livestock, poultry and aquaculture. (2019)
- A-86. 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.
- A-87. 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.
- A-88. 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:
- a. Pork Quality Assurance Plus (PQA+)
  - b. United Egg Producers Certified (UEP)
  - c. Beef Quality Assurance (BQA)
  - d. Humane Slaughter Act as regulated by the USDA and meat packing industry
  - e. Transport Quality Assurance (TQA)
- A-89. ASA supports offshore marine aquaculture legislation that creates a means to achieve security of tenure for farms. (2019)
- A-90. 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.
- A-91. 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.
- A-92. 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

# ASA POLICY RESOLUTIONS

- A-93. ASA supports a program within the present and future farm bills to create and maintain an adequate Foot and Mouth Disease vaccine bank as well as foreign animal disease surveillance to protect U.S. food security. (2018)
- A-94. ASA supports agriculture exemptions for emissions reporting requirements under Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). (2018)
- A-95. ASA believes that US food regulatory agencies should prevent the labeling of non-live animal-based food products as meat. (2018)

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## Bio-Based Products

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- A-96. 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.
- A-97. ASA supports a soy or bio-based buying preference for federal, state and local government entities.

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## Soy Foods

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- A-98. ASA supports exempting refined vegetable oil from any domestic or international labeling requirement based on allergenicity or hypersensitivity.
- A-99. ASA supports front of package labeling on processed foods indicating the level of saturated fat content on a per serving basis.
- A-100. ASA opposes local, state and federal laws, tariffs and regulations that discriminate against the use of soy oil or protein in foods.
- A-101. 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.
- A-102. ASA supports the reimbursable option for fortified soymilk in the federal school lunch and breakfast programs without the requirement of a doctor's note.
- A-103. 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.).

- A-104. ASA supports commercialization of high oleic soybeans to provide 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 to offer expanded use of soybean oil in industrial applications. (2018)

## BIOMASS-BASED DIESEL

- A-105. ASA supports U.S. production of biodiesel and renewable hydrocarbon diesel fuel using domestic feed stocks. (2019)
- A-106. ASA supports policies that encourage all diesel fuel and diesel-powered vehicles to use biodiesel, a biodiesel blend and renewable hydrocarbon diesel. (2019)
- A-107. ASA supports the development of state and federal legislation that promotes biodiesel and biodiesel blends through:
- a. Tax incentives that maintain a blenders credit.
  - b. Minimum renewable fuel content requirements that include biodiesel blends and renewable hydrocarbon diesel
  - c. Programs that promote biodiesel blends of 11% minimum while striving for 20% or higher
  - d. Energy security measures that reduce U.S. dependence on foreign oil sources
  - e. 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
  - f. Federal and state grants or programs for establishing biodiesel infrastructure
  - g. Incentivizing and support for biodiesel inclusion in meeting the International Maritime Organization 2020 global particulate reduction mandate. (2019)
- A-108. ASA supports long-term extension of the biodiesel blender's tax credit. (2019)
- A-109. ASA recognizes and supports the role agriculture can and should play in the U.S. food and fuel security. ASA believes the biofuels 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.
- A-110. ASA supports biodiesel and renewable hydrocarbon diesel as domestically produced commercially available biomass-based diesel fuels that meets EPA's definition of an advanced biofuel to meet RFS2 obligation. (2019)

# ASA POLICY RESOLUTIONS

- A-111. ASA supports the Renewable Fuel Standard (RFS2) that reflects the expansion of the renewable fuels industry for biodiesel, renewable hydrocarbon diesel and ethanol, and opposes any changes that would reduce obligations or otherwise negatively impact the biodiesel or renewable hydrocarbon diesel 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 biomass based diesel industry. (2019)
- A-112. ASA believes EPA should place a higher priority on policies that promote and support domestic biodiesel and renewable hydrocarbon diesel production, including the establishment of annual volume requirements that accommodate increasing volumes of domestic biodiesel and renewable hydrocarbon diesel 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. (2019)
- A-113. ASA supports stringent enforcement by EPA of RFS feedstock eligibility requirements for imported biodiesel. (2016)
- A-114. ASA supports policy that requires the economic impacts on production agriculture, including both crops and livestock, to be analyzed prior to any consideration by the EPA of a Renewable Fuel Standards (RFS2) waiver request. ASA opposes any waiver request with negative economic impact to agriculture. (2019)
- A-115. ASA encourages state soybean associations and all biodiesel and renewable hydrocarbon diesel stakeholders to enhance these fuels as a renewable energy source through communications and marketing efforts. (2019)
- A-116. 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.

- A-117. 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.
- A-118. 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.
- A-119. ASA recommends continued national education and research in the use of soy oil and other alternative sources of energy from renewable agricultural products. (2019)
- A-120. 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).
- A-121. ASA supports nationwide fuel quality testing at the appropriate governmental level to ensure the highest quality in all fuels. (2014)
- A-122. 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).
- A-123. 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.
- A-124. 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.
- A-125. 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.
- A-126. ASA supports the use of biodiesel for electrical generation, industrial and home heating purposes, and supports promotion of U.S. soy biodiesel (bio-heat) in home heating oil markets. (2019)
- A-127. ASA opposes importation of unfairly subsidized foreign biodiesel and renewable hydrocarbon diesel that is sold at levels below domestic production costs. (2019)

# ASA POLICY RESOLUTIONS

- A-128. ASA supports educating legislators and the public about food and fuel as it relates to biodiesel production. (2017)
- A-129. ASA supports continued authorization and increased funding for the Bioenergy Program for Advanced Biofuels in the Farm Bill Energy Title to support and promote expanded production of domestic biodiesel. (2017)
- A-130. ASA supports the use of domestically produced biodiesel and renewable hydrocarbon diesel in national, state and regional programs to lower the carbon intensity of transportation fuels. (2019)
- A-131. ASA opposes tax incentives, subsidies, and RFS eligibility for co-processed renewable diesel. (2019)

## TRANSPORTATION

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### General

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- A-132. 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.
- A-133. ASA supports directing federal infrastructure funding toward improving commercial transportation, including locks and dams and rural roads and bridges.
- A-134. ASA supports efforts by the Soy Transportation Coalition to address issues affecting the marketing and transport of oilseeds, grains, and their products.
- A-135. 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.
- A-136. ASA opposes any new labeling of soy oil that would restrict its current transportation status.
- A-137. 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)
- A-138. ASA supports the extended hours of service and the exemption of the electronic logging device (ELD) when carrying live or perishable agricultural commodities and products beyond the 150-mile agricultural zone. (2018)

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**Waterways Infrastructure**

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- A-139. ASA supports maintenance and improvements of the U.S. waterway and navigation systems. (2019)
- A-140. ASA believes that monies deposited into the Inland Waterways Trust Fund should be used for new construction and major rehabilitation of navigation infrastructure. (2019)
- A-141. ASA supports additional and alternative financing measures to supplement the Inland Waterways Trust Fund (IWTF) to provide sufficient funds for new construction for 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, excluding privatization. (2019)
- A-142. 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. We support the necessary funding to modify and expand structures and facilities that increase transportation efficiency. (2018)
- A-143. 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)
- A-144. 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.
- A-145. 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.
- A-146. 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. *(A-146 continues on next page.)*

# ASA POLICY RESOLUTIONS

- a. ASA supports keeping all river navigation systems important to agriculture open for use.
- b. ASA supports maintaining full funding for all river navigation systems.
- c. ASA opposes the actions by FEMA to expand a flood plain designation. (2019)

A-147. 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)

A-148. ASA supports the further development of West Coast Shipping of Midwest soybeans and soy products. (2014)

A-149. 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.

A-150. ASA supports the aggressive pursuit of container shipping of soybeans and soybean products.

A-151. ASA supports the creation of inland container handling ports facilitating the growth of containerized soybean shipments along the inland waterway. (2019)

A-152. ASA supports expanded dredging of Lower Mississippi River Ship Channel to increase the operating river channel depth from 45 to 50 feet. (2019)

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## Railroads

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A-153. ASA supports legislative efforts to promote increased competition in the rail industry to foster better service and lower rates.

A-154. ASA supports reform of the Surface Transportation Board (STB) to address competitiveness issues.

A-155. ASA supports the development of increased railroad capacity to export facilities to help maintain the U.S. reputation for timely delivery of soybeans. (2018)

A-156. ASA supports strong state and federal assistance in maintaining low volume rail facilities in rural areas of the country.

A-157. ASA encourages alternative access for farmers in the event of railroad grade closings during and following railroad development.



- A-158. ASA encourages the U.S. railroad industry to include biodiesel blends and renewable hydrocarbon diesel in their fuel use at the optimal levels appropriate to support an energy balance that achieves mitigation of impacts to the environments through emissions mitigation, efficiency of the locomotive operation including considerations of maintenance and repair, and enhance relationships with agricultural customers and stakeholders. (2018)
- A-159. ASA supports expansion of container handling facilities along the U.S. rail network. (2019)

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### Highways and Roads

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- A-160. ASA supports an increase of approximately \$.10 per gallon, indexed to inflation, in the Federal motor fuel tax that is dedicated exclusively to the Federal Highway Trust Fund to ensure adequate resources are available for maintenance and repair of highways and bridges. (2018)
- A-161. ASA urges State and Federal Departments of Transportation to update roads and bridges to accommodate all modern implements of husbandry, trucks and trailers per Federal DOT definition.
- A-162. ASA supports expanding the truck weight limits on federal highways to a minimum of 91,000 pounds, provided that there is a 6th axle with proper vehicle configurations. (2015)
- A-163. ASA opposes states or local municipalities enacting lower weight limits on primary roads going through their jurisdiction without providing alternative routes.
- A-164. 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)
- A-165. ASA supports researching alternate methods of funding the Federal Highway Trust Fund that do not disproportionately affect agriculture more than other industries. (2018)
- A-166. ASA supports an exemption of blended portion of biofuels in highway motor fuel taxes. (2018)
- A-167. ASA supports the Soy Transportation Coalition project which tests the structural integrity of bridges. (2019)
- A-168. ASA urges the use of soy-based products to be used by the U.S. Department of Transportation on all federally funded infrastructure projects where applicable. (2019)

## COMMUNICATIONS AND TECHNOLOGY

- A-169. 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. ASA encourages private businesses and cooperatives to collaborate with state and local governments to seek grants through the USDA's Rural Utilities Service (RUS) and the American Recovery & Reimbursement Act (ARRA) or other available sources to bring quality high-speed broadband to rural areas at affordable rates. (2018)
- A-170. ASA supports a dependable and free public Global Positioning Satellite (GPS) differential real time kinematic correction signal available across all of the U.S.'s agricultural production land. (2017)
- A-171. ASA opposes the use of adjacent band width by any company that would compromise the effectiveness of GPS technology for farmers.
- A-172. ASA encourages the continued development expansion and improvement of cellular networks to adequately address the needs of rural regions of the United States. (2017)
- A-173. ASA urges that USDA's agricultural reports be classified as an "essential government service" to ensure their scheduled release in the event of government service disruptions. (2017)
- A-174. ASA urges USDA to provide oversight and take all appropriate measures to ensure the security of all agency reports, no matter the transmission mode, before their uniform release. (2017)
- A-175. ASA believes the information gathered by GPS, precision agriculture systems, unmanned aerial vehicles and other data acquisition platforms should remain the sole property of the farm. (2017)
- A-176. ASA supports legislative statutes that establish a single confidentiality classification of all USDA collected producer data and the reorganization within USDA that delegates that data collection function to a single unit within the USDA's Farm Service Agency (FSA).
- A-177 ASA supports the agricultural producer's right to repair equipment and machinery. (2019)

# ASA POLICY RESOLUTIONS

## TITLE B – RESEARCH, CONSERVATION AND FARMER-FOCUSED POLICIES

### PREAMBLE

The American Soybean Association (ASA) is a leading advocate for the research of agronomics, crop husbandry, animal and aquaculture nutrition, food and industrial uses, conservation priorities and standards needed to support and maintain a viable, profitable, and sustainable soybean industry. ASA supports the various sources of funding needed to meet and expand these goals. (2019)

### AGRICULTURAL RESEARCH

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#### General

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- B-1. ASA strongly supports research that increases competitiveness of U.S. soybean farmers, expands consumer use of soybean products, improves efficiency and profitability of soybean producers, and positions U.S. soybeans and soy products as the preferred source. (2017)
- B-2. ASA believes more research on soybean composition should focus on the enhancement of industrial applications (including bio-based energy), health and nutrition benefits, animal nutrition and production for both domestic and foreign customers.
- B-3. ASA supports research & development of conventional soybean varieties that are important to agriculture to provide the biodiversity and the 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.
- B-4. ASA supports the National Council on Food and Agricultural Research (C-FAR) and state councils' efforts intended to promote research funding for food and agriculture initiatives. (2017)
- B-5. 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)

# ASA POLICY RESOLUTIONS

- B-6. 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)
- B-7. ASA supports new technologies for trait development that enhance individual soybean plant characteristics using the soybean genome. (2017)
- B-8. ASA advocates for researchers' responsible access to producer production data to help uncover and document practices that further improve the soybean industry's sustainability, profitability, and messaging. (2019)

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## Research Funding

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- B-9. ASA supports increasing federal investment in USDA's Agricultural Research Service (ARS) and the USDA's National Institute of Food and Agriculture (NIFA) programs that will benefit soybean producers. (2017)
- B-10. 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. ASA supports expanded funding of the USDA-ARS for the exploration and applied use of the USDA NPGS Global Soybean Collection to develop new and diverse conventional varieties as parental stock to broaden the genetic base of public and private soybean breeding. (2019)
- B-11. ASA urges that soybean research conducted at public institutions and funded completely or in part with soybean checkoff investments be considered as public property and made available for the benefit of U.S. soybean farmers. (2017)
- B-12. ASA encourages public soybean breeders to release new varieties on a non-exclusive basis.
- B-13. ASA supports research into new resistant varieties, biologicals and genomes, producer education and testing recommendations for Soybean Cyst Nematode. Soybean varieties should be tested for cyst nematode reproduction. Seed tags and marketing and information profiles should reflect if it is a cyst resistant variety, source of resistance, and the variety number. (2017)
- B-14. 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.

- B-15. ASA supports QUALISOY to continue to improve commodity soybeans through compositional work. ASA will coordinate and manage all legislative activities with regard to QUALISOY. (2017)
- B-16. ASA supports a coordinated effort of state and national soybean organizations to set priorities for all federally-funded soybean research projects. Among the factors to be considered in setting priorities are acreage, disease and compositional traits. (2017)
- B-17. 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.
- B-18. ASA opposes any USDA efforts to impose administrative charges on cooperative research agreements, including farmer checkoff funded research projects.
- B-19. ASA supports adequate funding through USDA's Animal Plant Health Inspection Service (APHIS) to protect the U.S. soybean industry from both bio-terrorism and naturally occurring pests and pathogens. (2017)
- B-20. ASA supports the development and transition to high oleic soybeans.
- B-21. 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. (2017)
- B-22. ASA supports Homeland Security Presidential Directive, HSPD-9, a national policy established to protect U.S. agriculture and food systems against terrorist attacks and major disasters including the spread of soybean rust. (2017)
- B-23. ASA encourages Congress and USDA to permanently fund the 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:
  - a. Scouting soybeans and other host plants
  - b. Expanding U.S. research on soybean rust, subject to strong bio-security requirements
  - c. Continuing a diagnostic and identification network
  - d. Establishing a National Center for Soybean Rust & Plant Pathogen Solutions
  - e. Expansion to other soybean diseases and other crops
  - f. Continue funding a soybean rust sentinel system (2017)

# ASA POLICY RESOLUTIONS

- B-24. ASA supports expanded funding for development of new soybean varieties resistant to drought and flood damage by the Agricultural Research Service of the USDA. ASA supports conventional field testing and genomic analysis. Existing soybean varieties should be tested for resistance to drought and flooding. (2019)

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## Intellectual Property Rights

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- B-25. ASA supports research and development to create added value traits intended to improve soybean sustainability and growers' profitability. (2019)
- B-26. ASA supports the Plant Variety Protection Act. (2017)
- B-27. ASA will continue to work with the U.S. government, seed industry, and national and international organizations to ensure consistent global application of soybean technologies' intellectual property rights, essential to the growth and development of the soybean industry. (2017)
- B-28. ASA discourages producer contracts concerning patented genetic material that may transgress on private property rights without reasonable belief of patent infringement.
- B-29. ASA supports keeping the soybean genome, transcriptome, proteome and metabolome research information in the public sector. (2019)
- B-30. ASA encourages genetic intellectual property rights to be issued and controlled in the public sector when they are developed by public or soybean checkoff funds.
- B-31. ASA encourages the seed production companies to continue offering "genetic technology" post patent.
- B-32. ASA believes that patents derived through soybean checkoff funding which are subsequently sold to private industry, should be brought to market within 3 years, or returned cost free to the original public entity. (2017)

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## DOMESTIC TECHNOLOGY

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### General

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- B-33. 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. (2018)

## U.S. Regulatory Approvals

- B-34. ASA supports mandatory review before approval of all transgenic biotechnology-enhanced crops by the Environmental Protection Agency (EPA), U.S. Department of Agriculture (USDA) and Food and Drug Administration (FDA). ASA 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. (2019)
- B-35. ASA believes that plant breeding innovations, which include modification of plants that could be found in nature or obtained through conventional breeding, are valuable tools that are needed to adapt to changing conditions and environmental threats. (2019)
- B-36. ASA believes that plant breeding innovations should be regulated the same as similar varieties that are found in nature or developed through conventional breeding that do not require pre-market regulatory approval. ASA urges USDA, EPA, and FDA to coordinate closely in changes to the Coordinated Framework to affirm this policy domestically as well as work with export countries to harmonize that approach internationally. (2019)

## Domestic Commercialization of New Biotech Traits

- B-37. 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.
- B-38. 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.
- B-39. 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

*(B-39 continues on next page.)*

# ASA POLICY RESOLUTIONS

companies, livestock feeders, retailers, consumer groups, and the media.

- B-40. 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.
- B-41. ASA believes producers should not be held liable for damages resulting from biotechnology-enhanced product use, when recommended practices and procedures are followed.
- B-42. 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.
- B-43. ASA believes that regulations governing biotechnology-enhanced products be based on science. (2014)
- B-44. 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.
- B-45. ASA advocates production contracts that allow for producers' liability to end when the first purchaser accepts the product.
- B-46. ASA supports efficient, science-based regulatory policies that are based on characteristics of the product itself, and not the method used to produce it. Undue regulatory burden on products of plant breeding innovation such as gene-edited variations may discourage scientific innovation and limit technology adoption by private and public soybean breeders. (2017)

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## Biotech Product Labeling

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- B-47. ASA opposes a patchwork of state labeling requirements for foods containing biotech products and supports P.L. 114-216, the National Bioengineered Food Disclosure Standard, which sets a uniform national standard that preempts individual state laws requiring labeling of GMOs. (2017)



- B-48. 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 and implementation of the biotech labeling law and update to the Coordinated Framework. (2017)
- B-49. ASA supports the definition of “bioengineering” in Section 291 of P.L. 114-216 and believes that rules and regulations to implement the law should adhere to the statute. (2017)
- B-50. ASA supports legislation that would prohibit labeling a product as non-GMO when there is no GMO alternative available for use. (2018)

## COMPETITION POLICY

### Anti-Trust

- B-51. 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.
- B-52. 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.
- B-53. ASA will analyze the potential impacts on soybean farmers of proposed agribusiness mergers. If our analysis identifies areas of concern, ASA will urge divestiture or other remedies for any segments of a proposed merger where competition would be significantly impacted, or disapproval of the merger. (2017)

### Soybean Trading

- B-54. 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.

# ASA POLICY RESOLUTIONS

- B-55. 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.
- B-56. 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.
- B-57. 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.
- B-58. ASA supports improvement of federal oversight of commodity hedge funds to ensure the integrity of the futures trading system.
- B-59. ASA recommends the CFTC release daily trading reports to provide transparency for producers. (2017)

## CONSERVATION AND NATURAL RESOURCES

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### General

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- B-60. 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)
- B-61. 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.
- B-62. 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)
- B-63. ASA supports Conservation Reserve Program (CRP) or other national conservation programs targeting 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. (2017)

- B-64. ASA encourages the Farm Service Agency to enforce the 25% total tillable acres cap on CRP acres per county.
- B-65. ASA does not support the requirement to reseed established CRP grasses when CRP is reenrolled.
- B-66. ASA opposes subjecting all Conservation Reserve Program (CRP) payments to Self-Employment Contribution Act (SECA).
- B-67. ASA supports allowing small, irregularly shaped whole fields into the continuous enrollment CRP program.
- B-68. ASA encourages the USDA to maintain the current penalties incurred on CRP acres withdrawn early from the CRP program.
- B-69. ASA supports the increase in CRP acres in the Agricultural Improvement Act of 2018. (2019)
- B-70. 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. ASA supports the use of burning, light disking and other means of mechanical destruction of CRP acres for mid-term management and general maintenance.
- B-71. 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 Non-Governmental Organizations (NGO) in performing their duties. (2015)
- B-72. ASA supports expanding the conservation and environmental planning work force by providing private sector conservation planners access to the same tools and resources the public sector uses, and by accelerating development and evaluation of new planning tools and technologies through private sector engagement efforts. ASA supports the use of private technical service providers at producer reimbursable expense. These determinations are to be treated equally by NRCS and reviewed in a timely and fair manner to expedite conservation practices. We believe that the spending for approved practices should be flexible and tied to acreage serviced by the practice. (2018)

# ASA POLICY RESOLUTIONS

- B-73. 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.
- B-74. 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.
- B-75. ASA recommends that all environmental mandates must have incentives for farmer compliance rather than penalties for non-compliance.
- B-76. 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.
- B-77. ASA supports significant stakeholder involvement in all components of impaired waters and TMDL process.
- B-78. ASA supports requiring all public entities to maintain their drainage ditches at the proper designed depth.
- B-79. ASA urges farmer representation at the local watershed level whenever policies and regulations are being formulated.
- B-80. 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.
- B-81. 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.
- B-82. 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.

- B-83. 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)
- B-84. ASA believes nonprofit organizations that dedicate land to wildlife habitat should be subject to property taxes. (2019)
- B-85. 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:
  - a. The person providing the information to provide an express and identifiable reference to the sources used as the basis for the recommendation.
  - b. 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.
- B-86. ASA supports land owners and tenants having exclusive rights to regulate access for hunting, fishing or recreation on private land. (2014)
- B-87. ASA discourages disproportionate compensation from government conservation programs that potentially remove valuable agricultural land from production.
- B-88. 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)
- B-89. 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.
- B-90. 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.

# ASA POLICY RESOLUTIONS

- B-91. 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 adaption pathways that strengthen production systems, improve profitability and reduce environmental impacts. (2014)
- B-92. ASA supports the right to use commonly accepted agricultural practices on private farmland on or adjacent to national wildlife refuges. (2016)
- B-93. ASA supports significant stakeholder involvement in drainage and water management decisions on federal wildlife refuges when it impacts adjacent farmland. (2016)
- B-94. ASA supports Congress requiring the United States Fish and Wildlife Service (USFWS) to offer landowners of property burdened by USFWS waterfowl production area easements the opportunity to purchase releases of those easements. (2017)
- B-95. ASA supports establishing and enforcing a seed inspection and certification policy to ensure that seed used for cost share habitat and cover crop programs is free from noxious weeds. (2017)
- B-96. ASA supports measures that prohibit sovereign nations or global entities from setting environmental standards, including water quality, more stringent than federal or state regulations. (2017)
- B-97. ASA supports flexibility in the use of existing funding and the creation of new incentives under USDA programs for nutrient application research, farmer equipment and infrastructure upgrades, such as fertilizer and manure incorporation tools and nutrient management plans. (2018)

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## Water Quality and Usage

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- B-98. ASA recommends that Natural Resources and Conservation Service (NRCS) be the agency responsible for coordinating groundwater and surface voluntary water programs. (2015)
- B-99. 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.

- B-100. ASA supports agriculture's right to use ground water, surface water and gravitational water for production purposes. ASA supports the definition of excess crop root zone water as "gravitational water." (2017)
- B-101. 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 U.S. EPA and other federal agencies.
- B-102. 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.
- B-103. 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.
- B-104. 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.
- B-105. 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:
- a. Central coordination of networks of in-field evaluation to improve nutrient management decisions.
  - b. Infrastructure for conservation efforts in watersheds and sub-watersheds.
  - c. Cooperative conservation efforts among public and private organizations and individuals that achieve a positive environmental impact and meets demands for production.
  - d. Research findings and citations of data accessible to producers must be the foundation for developing and expanding nutrient management programs.
- B-106. 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.

# ASA POLICY RESOLUTIONS

- B-107. ASA opposes a shift in liability that could occur with a point-nonpoint pollution credit trading program and supports a requirement that farmer stakeholders affected by the trading provisions have final control over the program.
- B-108. ASA supports the requirements that point-nonpoint source water quality pollution trading be automatically available to any new point source permit holders that have lower discharge concentrations than existing point sources.
- B-109. ASA opposes labeling of animal manure as a hazardous waste.
- B-110. 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.
- B-111. 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.
- B-112. 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.
- B-113. ASA supports science-based water quality initiatives. ASA encourages the participating agencies to continue to fund research that monitors water quality including impairments, causes, sources, and to submit its research for science-based review. (2018)
- B-114. ASA supports action plans that are 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. (2018)
- B-115. 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.



- B-116. 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.
- B-117. ASA supports a requirement for consideration of background loading in all TMDL studies, plans, and legislation.
- B-118. 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.
- B-119. ASA believes there is a need for research that ensures that climatic effects on flow and sediment loads are properly factored into TMDL studies.
- B-120. ASA supports a policy requiring that BMPs (Best Management Practices) which are promoted or required in Conservation and Water Quality programs have input from agricultural professionals, including farm operators and managers.
- B-121. ASA opposes the establishment, by any unit of government, water quality impairment taxes or fees.
- B-122. ASA supports a requirement that TMDL allocations be updated when new science indicates the existing allocations are incorrect.
- B-123. 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).
- B-124. ASA supports subsurface drainage such as tiling as a means to increase sustainability, improve soil health and to reduce soil erosion from surface water movement and saline levels in the soil. (2017)
- B-125. ASA opposes the inclusion of ditches and prior converted crop land on the EPA and Army Corps of Engineers list of impaired waterways.
- B-126. 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.

# ASA POLICY RESOLUTIONS

- B-127. 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)
- B-128. ASA opposes the EPA utilizing citizen monitoring to collect samples and submit data for determining product regulation, registration, or environmental impact.
- B-129. 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)
- B-130. ASA supports farmers' efforts to achieve continuous improvement in environmental performance by collaborating with industry, ag producers, and other units of government. (2015)
- B-131. ASA opposes the 2015 EPA Waters of the United States (WOTUS) rule and any attempts by any agency to enact any portion of WOTUS rule. (2018)
- B-132. ASA supports a farmer's ability to self-certify a Spill Prevention, Control and Countermeasure (SPCC) plan if the farm has a total aboveground oil storage capacity of 10,000 U.S. gallons or less. (2019)

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## Air Quality

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- B-133. 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.
- B-134. ASA is opposed to any local, state or federal legislation or EPA actions to regulate particulate matter, gases or odor from agriculture operations. (2015)
- B-135. ASA should be engaged in legislative and/or regulatory efforts that address Climate Change.
- B-136. ASA believes that agriculture should not be subject to greenhouse gas emission caps established in Climate Change legislation or regulation.
- B-137. 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.

- B-138. ASA supports carbon sequestration research and related efforts to maximize the ancillary benefits of conservation practices that store carbon and other nutrients in soil.
- B-139. 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.
- B-140. ASA is opposed to any national or international carbon tax programs. (2016)

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### **Sustainable Agriculture**

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- B-141. 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)
- B-142. 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;
  - enhance the quality of life for farmers and society as a whole.”
- B-143. 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)
- B-144. 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.
- B-145. ASA opposes programs which would subvert constitutional authority by implementing sustainability and environmental programs through local and national executive orders.

## Endangered Species

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- B-146. 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)
- B-147. ASA believes laws and regulations designed to protect endangered species must be science-based. ASA supports legislation and education that would protect producers from unintentional impacts to endangered species. (2017)
- B-148. 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)
- B-149. ASA supports the collaborative efforts of the National Resources Conservation Service (NRCS) and U.S. Fish and Wildlife Services (USFWS) that created the Monarch Butterfly Conference Report (December 2016). This report gives the pathways for producers to receive predictability should the Monarch become listed under the Endangered Species Act (ESA). (2017)
- B-150. ASA supports the collaborative efforts of the Farm Service Agency (FSA) and U.S. Fish and Wildlife Service (USFWS) to complete a Section 7 Conference Report consistent with Section 2407 of the Agriculture Improvement Act of 2018 to provide Conservation Reserve Program (CRP) participants technical and programmatic information as well as offer regulatory predictability under the Endangered Species Act (ESA). (2019)
- B-151. ASA supports voluntary Monarch Butterfly Conservation Plans to improve the long-term viability of the monarch butterfly. (2017)
- B-152. ASA supports NRCS in developing a weed management plan that prevents the spread of weeds to adjacent areas while maintaining a refuge area for monarch butterflies during migration. The plan should allow for follow-up weed control during periods when monarch butterflies are not migrating.
- B-153. ASA supports having producers and landowners held harmless from possible federal regulations if any species for which farmers develop habitat is placed on the Endangered Species List. (2018)

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**Wetlands**

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- B-154. 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.
- B-155. ASA supports the establishment of a local arbitration system for disputed determinations of wetlands and highly erodible lands. (2014)
- B-156. 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.
- B-157. 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.
- B-158. 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.
- B-159. ASA recommends requiring the U.S. Fish and Wildlife Service, when administering USFWS wetlands easement to use NRCS guidelines for determining applicable setback distances from wetlands and for mitigation options in drainage projects. (2017)
- B-160. 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.
- B-161. 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.

# ASA POLICY RESOLUTIONS

- B-162. ASA urges that in the case of a wetland compliance violation, a penalty shall be assessed based on fair market tax value of said wetland. Said fine shall only apply to the wetland acreage found in non-compliance.
- B-163. 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)
- B-164. 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.
- B-165. ASA urges the Natural Resources Conservation Service (NRCS) to implement consistent guidelines regarding the interpretation and determination of a wetland designation across county and state lines. (2018)
- B-166. ASA encourages the development of wetland mitigation banks and further, that mitigation is limited to a one-acre for one-acre basis.
- B-167. ASA supports a requirement of using aerial photos from the 1980 to 1990 timeframe for making wetland determinations.
- B-168. ASA recommends any land that has been planted one of the past four years should not be defined as a wetland. (2015)
- B-169. ASA supports the decision held by the U.S. District Court for the Eastern District of California in the case *Koshman v. Vilsack*, 865 F. Supp. 2d 1083 (2012) which rejected the USDA's interpretation that participant has converted a "farmed wetland" by improving yield or reducing crop stress through water management where the production of a commodity was viable prior to the drainage manipulation of the "farmed wetland." (2017)
- B-170. ASA recommends that wetland non-compliance determinations be limited to a three (3) year look back.

## EDUCATION FUNDING

- B-171. ASA believes that a comprehensive K-12 agricultural education curriculum, delivered with the help and expansion of 4-H, FFA national ag-in-the-classroom, and similar programs are an important foundation for the future of America's agriculture. ASA encourages involvement by all groups representing agriculture, particularly the companies that are both our suppliers and

our customers, who have an interest in a favorable public perception of agriculture. (2017)

- B-172. ASA encourages its members to provide active local, state, and national support for agricultural research and education projects and activities. (2017)
- B-173. ASA supports government, corporate and privately-sponsored education that increases public awareness of not only the stewardship and sustainability of our natural resources, but also the economics and risks involved in agricultural production. (2017)
- B-174. 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.
- B-175. 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.
- B-176. ASA supports the original statutes creating land grant institutions intended to expand and enhance agriculture research and education. These include the Morrill Act and the Hatch Act (creating the experimental research stations) and the Smith-Lever Act (creating the Cooperative Extension Service). (2017)
- B-177. 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)

## FARMER-FOCUSED POLICIES

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### Contract Production

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- B-178. ASA recommends that farmers work together in cooperative ventures to gain increased access in a vertically integrated market environment.

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### Equity Protection of Grain

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- B-179. 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.
- B-180. ASA opposes any Federal warehouse dealer regulation that would supersede State licensing and warehouse regulations when it offers less protection for farmers.

# ASA POLICY RESOLUTIONS

- B-181. 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.

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## Farm Continuation and Tax Policy

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- B-182. ASA supports the 1031 provision for like-kind exchanges of personal property. (2018)
- B-183. 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%.
- B-184. 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.
- B-185. ASA supports the elimination of estate taxes while retaining the opportunity to step-up basis at the time property is inherited. (2017)
- B-186. ASA favors implementation of \$500,000 in lifetime tax credits for sale of used farm equipment.
- B-187. ASA supports maintaining the current three-year income averaging programs for agricultural producers, including family farm corporations.
- B-188. ASA supports an increase in the maximum gift tax exemption and is opposed to the application of the Alternative Minimum Tax on Schedule F.
- B-189. 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.
- B-190. 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.
- B-191. ASA opposes double taxation when dissolving corporations.
- B-192. 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.
- B-193. 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.



- B-194. ASA supports extending the time period allowed for reinvestment of capital gains from 45 days to 12 months.
- B-195. ASA supports the full deductibility of health insurance premiums and contributions to Health Savings Accounts (HSAs) by the self-employed and supports equitable treatment for self-employed people under any new health care legislation. ASA supports affordable health care policies that provide continuous coverage without the threat of annual cancellation. (2017)
- B-196. 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.
- B-197. ASA supports 100% tax deductibility of health insurance premiums for all farm business. (2019)
- B-198. ASA supports legislation that would codify rulemakings from the Department of Labor that allow for self-employed, geographic, and similar industry inclusion for eligibility to form or join a multi-state Association Health Plan. (2019)
- B-199. ASA supports tax incentives available to agricultural producers that would provide a refundable tax credit equal to one half of the producer's annual healthcare premium cost. (2019)
- B-200. 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.
- B-201. ASA supports making permanent 100% bonus depreciation. (2018)
- B-202. ASA opposes any proposal to require farmers to use accrual rather than cash accounting. (2014)
- B-203. ASA favors continued rebate of Federal and State fuel taxes on fuels used in non-highway uses.
- B-204. ASA opposes the 3.8% tax on passive income recently instated by the Federal government to help fund national health care.
- B-205. ASA supports a 15% tax rate on the first \$50,000 of corporate taxable income. (2018)
- B-206. ASA opposes S-Corporation net income being subject to self-employment tax at the shareholder level. (2016)
- B-207. ASA supports basis step-ups on gifts and bequests and not treating transfers of appreciated property as a sale. (2016)

# ASA POLICY RESOLUTIONS

- B-208. 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)
- B-209. ASA supports the use of valuation discounts of farm assets on the transfer of closely held farm entities. (2017)
- B-210. ASA supports the establishment of a farmer tax deferred account where higher than normal profits would be deposited and then withdrawn in lower profit years. (2017)

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## Property Rights

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- B-211. 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.
- B-212. Government agencies developing flood control projects must ensure that for any damages caused by the project to surrounding property, owners be fairly compensated.
- B-213. 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)
- B-214. 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)
- B-215. 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.

- B-216. ASA supports voluntary and practical programs for buying land development rights in order to preserve the land as green space or for farming.
- B-217. ASA supports not holding landowners responsible for costs associated with unlawful acts committed by others on a landowner's property.
- B-218. ASA opposes the use of Eminent Domain for transferring ownership of private property to other private entities. (2017)
- B-219. 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.
- B-220. 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.
- B-221. ASA opposes federal executive orders that could deprive farmers of private property rights.
- B-222. ASA supports legislation allowing a farmer to protect crops and livestock from wildlife destroying or attempting to destroy or injure crops or livestock. (2016)
- B-223. ASA supports keeping all crop nutrients from being over-regulated so that it may remain an affordable option to producers and suppliers. (2016)

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## Financing

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- B-224. 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.
- B-225. ASA will support the Farm Credit Service (FCS) as a farmer-owned and controlled financial cooperative to meet the needs of agriculture.
- B-226. ASA opposes any restructuring of FCS that replaces farmer-elected members of FCS Boards with commercial bankers or expands bank access to FCS funding.
- B-227. 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.

# ASA POLICY RESOLUTIONS

- B-228. ASA supports adequate funding for FSA credit programs including:
- a. Increase of guaranteed loan limits
  - b. Increase of the subsidy rate on guaranteed loans
  - c. Interest assistance for guaranteed farm ownership loans
  - d. To fully fund the direct Farm Ownership Loan Program
  - e. Extended lifetime loan eligibility for FSA credit programs
  - f. Waiver of the 1.5% fee for guaranteed loans
  - g. Interest assistance on loans for building farmer-owned grain facilities
  - h. Returning the FSA Interest Assistance Program for bank loans
- B-229. 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.
- B-230. ASA supports strengthening the FSA appeals process at all levels. (2016)

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## Farm Labor

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- B-231. ASA recognizes that child safety is important. However, ASA opposes the Department of Labor proposing changes that limit the types of work minors could perform in agriculture.
- B-232. ASA supports the process of streamlining the H2A work visa program.
- B-233. 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)
- B-234. ASA supports a guest worker program that meets the needs of livestock and row crop farmers. (2019)
- B-235. ASA opposes mandatory overtime pay and regulation of hours of work for farm employees. (2019)

# ASA POLICY RESOLUTIONS

## TITLE C – TRADE POLICY, FOREIGN MARKET DEVELOPMENT AND FOOD SECURITY

### 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.

### TRADE POLICY

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#### General

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- C-1. 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.
- C-2. ASA supports Trade Promotion Authority (TPA). (2016)
- C-3. 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.
- C-4. 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.
- C-5. ASA favors the immediate removal of agricultural trade, financial and travel restrictions for Cuba and urges Cuban eligibility for federally authorized checkoff 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)

# ASA POLICY RESOLUTIONS

- C-6. 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.
- C-7. 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.
- C-8. ASA encourages the U.S. Government to focus on policies that grow U.S. agricultural trade/exports as the primary means of improving the U.S. balance of trade rather than focusing on policies or actions that limit imports into the U.S. (2018)
- C-9. ASA opposes efforts by individual states to use information from international non-governmental entities to require unjustified, false or misleading warning labels on products. (2018)

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## WTO Policies

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- C-10. 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.
- C-11. 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.

- C-12. 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.
- C-13. 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).
- C-14. 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.
- C-15. 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.
- C-16. ASA supports maintaining the “de minimus” exemption of product and non-product specific support from reductions required in trade-distorting domestic programs.
- C-17. ASA opposes any caps on “green box” domestic support policies. (2019)
- C-18. ASA supports establishing a rules-based system for disciplining the use of export credits and similar government supported export financing programs.
- C-19. ASA supports defining Differential Export taxes as export subsidies that would be subject to discipline and elimination in a Doha Round agreement.
- C-20. ASA opposes including disciplines on food assistance programs in the WTO negotiations.
- C-21. 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.
- C-22. ASA opposes exempting government supported domestic transportation and marketing subsidy programs in developing countries from disciplines under the WTO.

# ASA POLICY RESOLUTIONS

- C-23. 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.
- C-24. ASA supports “WTO-plus” sanitary and phytosanitary provisions that underscore the importance of harmonized, science-based regulations that are trade facilitative and fully enforceable.

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## Regional and Bilateral Agreements

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- C-25. ASA encourages the Administration to increase efforts to negotiate trade agreements that improve market access opportunities for U.S. soybeans, soybean products, livestock products and new soybean-based products (2017)
- C-26. ASA supports negotiation of a comprehensive Free Trade 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 FTA 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. (2019)
- C-27. 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.
- C-28. ASA supports maintaining or enhancing trade relationships with North American partners including Mexico and Canada either through maintaining the current North American Free Trade Agreement (NAFTA) or through the ratification of the enhanced U.S., Mexico, Canada Agreement (USMCA). (2019)
- C-29. ASA supports aggressively seeking Free Trade Agreements with basic and expansion markets defined in the soy family export strategy. (2019)

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## Government Responsibilities

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- C-30. 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.



- C-31. 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.
- C-32. ASA opposes any proposal to move responsibility for food inspection and livestock product safety from USDA. (2017)

## FOREIGN MARKET PROMOTION AND EXPORT CREDIT PROGRAMS

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### Foreign Market Development Programs

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- C-33. ASA supports the Foreign Market Development (FMD) and Market Access Program (MAP). FMD and MAP are successful public/private partnerships which are cooperative, cost-share programs between private industry groups that represent farmers and ranchers and the U.S. Government. ASA supports the doubling of annual funding from \$34.5 to \$69 million for FMD and from \$200 million to \$400 million for MAP. (2019)

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### Export Credit Guarantee Programs

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- C-34. 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.

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## Government Responsibilities: Marketing and Export

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- C-35. 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.
- C-36. ASA encourages that USB and QSSBs appropriate funds for international marketing to qualify and fully maximize USDA/FAS matching funds.
- C-37. 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.
- C-38. ASA encourages the development of common national and international standards for maximum residual levels of animal health products in livestock trade internationally.
- C-39. 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).

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## INTERNATIONAL BIOTECHNOLOGY POLICIES

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### Foreign Regulatory Approvals

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- C-40. 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.
- C-41. ASA supports an expedited process for approval and acceptance of biotechnology products in international markets. (2015)
- C-42. 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.

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### International Commercialization of New Biotech Traits

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- C-43. 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.”

- C-44. 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.
- C-45. 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.
- C-46. 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.

# ASA POLICY RESOLUTIONS

- C-47. Before technology companies commercialize a soybean biotechnology event in a country in addition to the United States, ASA urges technology companies to ensure that:
- a. Intellectual property protection and value capture systems are in place to ensure that growers are paying appropriate royalties similar to U.S. growers; and
  - b. 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
- C-48. 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.

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## Low Level Presence

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- C-49. 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 Plan Protection Convention. The value chain must cooperate to steward new technologies when unique functional characteristics impact commodity markets below 5%. (2016)

## ASSISTANCE TO DEVELOPING COUNTRIES

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### Foreign Food Assistance

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- C-50. 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.
- C-51. 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.

## International Agricultural Development

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- C-52. 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.
- C-53. 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.
- C-54. The U.S. soybean farmers recognize that agricultural development in Least Developed Countries (LDCs) 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).
- C-55. 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)
- C-56. 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)
- C-57. 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)

# ASA POLICY RESOLUTIONS

- C-58. ASA supports efforts that would reduce the burden of monetization within the USDA's Food for Progress program. (2018)

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## Quality, Grading and Sustainability Standards

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- C-59. ASA supports the following principles as long-term objectives in any revisions or updating of present standards to:
- a. Define uniform and accepted descriptive terms to facilitate trade.
  - b. Provide the information for the market to create incentives to improve the overall quality of soybeans.
  - c. Provide information for the end user to help determine end product yield and quality.
  - d. Provide information for the farmer to help select varieties of greatest value.
  - e. Require that grading factors have a definable economic value.
  - f. 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.  
*(C-60 continues on next page.)*
  - g. 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.
  - h. Soybeans should be purchased on a 13% moisture standard. (2017)
- C-60. 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.
- C-61. 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.
- C-62. 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.

- C-63. 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.
- C-64. 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)
- C-65. 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. ASA urges the U.S. 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)
- C-66. 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)

# ASA POLICY RESOLUTIONS

## TITLE D – ORGANIZATIONAL AFFAIRS

### PREAMBLE

ASA is a national, not-for-profit, grassroots membership organization that develops and advocates policies to increase the profitability and trade of U.S. soybean farmers, and the entire soybean industry. (2017)

### MEMBERSHIP

- D-1. ASA is made up of affiliated state soybean associations and their members, who provide the leadership, and guidance to help make ASA successful. Investments by state affiliates in ASA programs provide key funding to support ASA's policy, trade and advocacy work. Membership is a state-operated program, whereby members of affiliated state soybean associations receive complimentary membership in ASA. (2017)
- D-2. ASA believes that its state affiliates and farmer members must continue to maintain support and governance of ASA. State affiliates and their members generate farmer involvement and investment in ASA, strengthen ASA's policy influence and provide future leadership for the organization. (2017)
- D-3. To meet the needs of state affiliates and their members the Association should seek their input and should communicate directly with them. (2017)

### CHECKOFF AND PROMOTION

- D-4. 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.
- D-5. ASA supports the original intent of the Soybean Promotion and Research Checkoff (SPARC).
- D-6. 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.
- D-7. 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.



- D-8. ASA believes it should maintain a shared leadership role with USB in implementing international market development efforts through USSEC. (2017)
- D-9. ASA supports ASA and state soybean associations in contracting with USB and QSSB's and earning a reasonable management fee.
- D-10. ASA supports policy that would ensure that USB, USSEC, QUALISOY & QSSB'S use ASA and state associations as primary contractors and coordinators for policy development for any non-restricted dollars they may generate. (2017)
- D-11. 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 complements their checkoff-funded successful marketing, research and education efforts for U.S. soybean farmer profitability. (2016)
- D-12. ASA recommends that the appointees to all federal commodity checkoff boards be active producers of their commodity.
- D-13. ASA encourages USDA to select the first nominees from QSSB's to serve on USB.
- D-14. 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.
- D-15. ASA encourages USB to continue to support research to advance soy biodiesel and soy bio-based products (2014)

## **INDUSTRY AND COMMUNITY**

- D-16. 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.
- D-17. 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.

# ASA POLICY RESOLUTIONS

- D-18. ASA supports USB's efforts to educate the general public about the positive aspects of production agriculture inclusive of biotechnology, conventional and organic systems with particular emphasis on soybeans and allied commodities. (2017)
- D-19. ASA supports efforts by commodity and rural interest groups to reach out to non-ag groups to build positive relationships and improve communication.
- D-20. ASA supports the United States Farmers and Ranchers Alliance and Common Ground programs at the national level.
- D-21. 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.

## PUBLIC AFFAIRS

- D-22. One of the primary services provided by ASA to its state affiliates and their members should be to operate 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. (2017)
- D-23. ASA supports the continuation of a Political Action Committee (PAC) to support issues and individual candidates supportive of ASA policies.
- D-24. 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.

## FINANCE AND VIABILITY

- D-25. 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.

- D-26. 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.
- D-27. Continued support and work should be maintained to ensure the viability and strength of ASA as the national soybean policy organization for state affiliates, their members, and the soybean industry. (2017)
- D-28. 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).



# **BYLAWS OF THE AMERICAN SOYBEAN ASSOCIATION**

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**As amended  
January 24, 2017**

## **Amended and Restated Bylaws (“Bylaws”) of American Soybean Association (the “Association”)** *As amended January 24, 2017*

### **ARTICLE I. MEMBERSHIP**

#### **Section 1. AFFILIATE MEMBERSHIP**

Affiliate Membership shall exist for any duly organized and operating state soybean association or multi- state soybean association that: (a) satisfies the requirements set forth in Article X of these Bylaws and/or any other requirements contained in the then-existing American Soybean Association Affiliation Agreement (“Affiliation Agreement”); (b) has executed such Affiliation Agreement; and (c) has invested in the Association as outlined in Article IV, Section 2 of these Bylaws.

#### **Section 2. GENERAL MEMBERSHIP**

Any person who is a member of an affiliated state or multi-state soybean association that has Affiliate Membership status in the Association shall be granted general membership in the Association at no charge, provided the affiliated state or multi-state soybean association submits the person’s membership information to the Association. Individuals who pay membership dues to the affiliate, have a significant financial attachment to the affiliate, or have a significant organizational attachment to the affiliate may be considered “members,” even if other or multiple terms may be used by affiliates.

Any person residing in a state without Affiliate Membership status or residing outside the United States may become members of the Association by paying individual dues as established by the Association.

#### **Section 3. ASSOCIATE MEMBERSHIP.**

Any person, without regard to his or her state of residence and whether ASA has an affiliate in that state, may become an associate member of the Association by paying the associate member dues as established by the Association. Such associate members shall not be eligible to vote at Meetings of Members as contained in Article III of these bylaws, shall not be eligible for election to the Association’s Board of Directors, and shall not be eligible for all benefits otherwise provided to general members, as determined by the Association.

#### **Section 4. COOPERATING MEMBERSHIP.**

Individuals, organizations or companies investing One Thousand Dollars (\$1000) or more in the Association’s programs/functions shall be offered a one-year Cooperating Membership. Such cooperating members shall not be eligible to vote at Meetings of Members as contained in Article III of these bylaws, shall not be eligible for election to the Association’s Board of Directors, and shall not be eligible for all benefits otherwise provided to general members, as determined by the Association.

#### **Section 5. FOREIGN CONTRIBUTING MEMBERS.**

Any foreign business organizations, corporations, partnerships and other agencies and persons interested in the welfare of the soybean industry shall be extended the privilege of holding foreign contributing memberships in the Association by payment of the dues fixed by the Association. Such foreign contributing members will carry all membership privileges in the Association except the right to vote. Foreign includes all members outside the continental United States and Canada.

## **Section 6. HONORARY MEMBERS.**

Any person who has rendered or may render distinctive service to the Association or the development of the soybean industry may, on recommendation of the Board of Directors, be elected an honorary member of the Association and shall not be required to pay dues, but shall have all rights and privileges of general membership.

## **Section 7. CANCELLATION OR REFUSAL OF MEMBERSHIP.**

The Board of Directors may, at any time, by majority vote, cancel the membership of any affiliated state or multi-state soybean association, or refuse membership to any state or multi-state soybean association, when the welfare of the Association, in their judgment, justifies such action.

The Board of Directors may, at any time, by majority vote, cancel the membership of any general, associate, cooperating, foreign contributing, or honorary member, or refuse membership to any person, company or other organization, when the welfare of the Association, in their judgment, justifies such action.

No membership shall be cancelled except pursuant to a procedure that complies with the minimum requirements of applicable law.

## **ARTICLE II. MEETINGS OF THE MEMBERS**

### **Section 1. TIME AND PLACE.**

The time and place of the annual meeting of the members shall be as specified in the Articles of Incorporation.

### **Section 2. SPECIAL MEETINGS.**

The President may call special meetings of the members at any time or place, on the President's own motion or at the request of twenty-five percent (25%) of the Directors. The President shall notify the Secretary of the time and place thereof and direct the giving of notice as provided herein.

### **Section 3. NOTICE OF MEETINGS.**

The Secretary shall deliver via mail, email, or facsimile to each member a notice of the time and place of each annual and special meeting of the members at least ten (10) days before the date of the meeting, which notice shall state the matters to be considered at any special meeting.

### **Section 4. QUORUM.**

A majority of the member voting delegates (or their alternates), in person or by proxy, shall constitute a quorum at any meeting of the members, but any lesser number may adjourn the meeting to any other time.

## **ARTICLE III. VOTING AT MEETINGS OF THE MEMBERS**

### **Section 1. VOTING LIMITED TO MEMBER VOTING DELEGATES.**

Voting at meetings of the members of the Association shall be limited to member voting delegates (or their alternates) from duly affiliated state or multi-state soybean associations.

### **Section 2. NUMBER OF MEMBER VOTING DELEGATES AUTHORIZED.**

Each affiliated state or multi-state soybean association may select voting delegate(s) and an alternate delegate for each such voting delegate in such numbers as determined according to the following:

- (a) Each director of an affiliated state or multi-state soybean association shall be a member voting delegate of the Association. This group shall equal one-third of total member voting delegates.
- (b) A number of individuals equal to the number of directors of each affiliated state or multi-state soybean association shall be member voting delegates of the Association. This group shall equal one-third of total voting delegates.

- (c) A number of individuals equal to one-third of the total number of member voting delegates shall be allocated to the affiliated state or multi-state soybean associations in accordance with each affiliated state or multi-state soybean association's percentage of total members in the Association's database as of September 30, 2015, applied for five consecutive fiscal years (2017-2021). After fiscal year 2021, this one-third is a number equal to the directors each state has on the board.

### **Section 3. CREDENTIALS OF THE MEMBER VOTING DELEGATES.**

At least thirty (30) days prior to the annual meeting of the members of each affiliated state or multi-state soybean association, the Association shall notify each such affiliated state or multi-state soybean association of the number of the Association's member voting delegates it may elect, together with an alternate delegate for each such member voting delegate. Prior to January 1 of each year, each affiliated state or multi-state soybean association shall notify the Association of the names and addresses of the member voting delegates and their respective alternate, which shall be furnished to the Governing Committee of the Association for use at subsequent meetings of the Association's members. A person may be listed as an alternate for more than one member voting delegate; provided, however, no person may actually serve as an alternate for more than one member voting delegate at a meeting of the Association's members.

To serve as a member voting delegate or alternate at a meeting of the Association's members the following credential requirements must be satisfied:

- (a) The individual must have a current membership in the affiliated state or multi-state soybean association and the Association.
- (b) The individual must be duly selected by the affiliated state or multi-state soybean association.
- (c) The individual may not be an officer, director or employee of any other national soybean policy organization (as defined in Article X, Section 1 of these Bylaws).

### **Section 4. MEMBER VOTING DELEGATE TERMS.**

Each member voting delegate and alternate shall serve in such capacity for a one-year term commencing with February 1 after their election and shall attend all meetings of the Association's members held during such term.

### **Section 5. VOTING.**

Each member voting delegate or such member voting delegate's alternate in the event the alternate is exercising the vote of the member voting delegate shall be entitled to one vote on matters at meetings of the Association's members. Such votes shall not be controlled by any other member voting delegate, or by the majority of the voter's delegation, or by any "unit rule," or by any other means, direct or indirect. Votes may not be cast by proxy or by any means other than in person. In the absence of a member voting delegate, the alternate may vote in the member voting delegate's stead. If a member voting delegate and the alternate are both absent from a meeting of the Association's members, the chairman of the applicable affiliated state or multi-state soybean association, with the approval of the Governing Committee of the Association, may appoint a temporary alternate to vote at such meeting of the Association's members. Voting shall be by voice vote unless there is a request for a division of the house, in which event there will be a standing vote. Any member voting delegate or acting alternate may request a vote be taken by written ballot.

## **Section 6. FILLING VACANCIES.**

Any vacancy of a member voting delegate or alternate position due to death, incapacity, resignation or non-membership may be filled by the applicable affiliated state or multi-state soybean association, and the replacement's name and address shall be furnished to the Association. Such replacement, after receiving approval by the Governing Committee of the Association, shall fill the unexpired term of the member voting delegate or alternate so replaced and may vote at any meeting of the Association's members with the same rights and duties as the person replaced.

## **Section 7. MEMBERS' PRIVILEGE**

At any meeting of the Association's members, any member may be granted the floor at the pleasure of the presiding officer to speak on any matter, but only a member voting delegate or acting alternate may make any motion or vote on any matter at any such meeting.

## **ARTICLE IV. AFFILIATED ASSOCIATION INVESTMENT AND BOARD OF DIRECTORS**

### **Section 1. QUALIFICATIONS.**

A candidate for a director position on the Association's Board of Directors must satisfy the credential requirements of a member voting delegate as specified in Article III, Section 3 of these Bylaws. In addition, only persons who are actual producers of soybeans, either as farm operators, managers or producer-landlords, shall be eligible for election to the Association's Board of Directors by any affiliated state or multi-state soybean association. Employees of state or national soybean organizations shall not be eligible to serve on the Board of Directors.

### **Section 2. LEVEL OF INVESTMENT AND NUMBER OF DIRECTORS.**

Representation on the Association's Board of Directors shall be based on affiliated state or multi-state soybean association investment levels. Each duly affiliated state or multi-state soybean association may elect directors to serve on the Association's Board of Directors.

- (a) Director positions on the Association's Board of Directors shall be earned based on affiliated state or multi-state soybean association investment levels as follows, with ten (10) director positions on the Association's Board of Directors being the maximum number any affiliated state or multi-state soybean association can earn.



Investment amounts are cumulative by levels.

Level	Investment Amount	Total Positions on the Association's Board of Directors
<b>Level 1</b>		
Affiliate with Less than 1% of soybean acres	\$1,000	1
Affiliate with 1% to 1.99% of soybean acres	\$4,500	
Affiliate with 2% to 2.99% of soybean acres	\$10,000	
Affiliate with 3% or more of soybean acres	\$15,000	
<b>Level 2</b>	+ \$30,000	2
<b>Level 3</b>	+ \$35,000	3
<b>Level 4</b>	+ \$35,000	4
<b>Level 5</b>	+ \$35,000	5
<b>Level 6</b>	+ \$40,000	6
<b>Level 7</b>	+ \$40,000	7
<b>Level 8</b>	+ \$40,000	8
<b>Level 9</b>	+ \$40,000	9
<b>Level 10</b>	+ \$40,000	10

Investment Level 1 is based on “harvested” soybean acres from United States Department of Agriculture (USDA) data, using a three-year average. The initial three-year average will use 2013, 2014 and 2015 USDA data.

Investment rates and percentages for Levels 1 through 10, as outlined in this Article IV, Section 2, are to be static for five years, which are fiscal years 2017, 2018, 2019, 2020 and 2021. Thereafter, any investment level and percentages may only be amended by a vote of the Board of Directors, in which Directors representing at least two-thirds of the affiliated state or multi-state soybean associations are in the majority.

After the five-year static period, USDA data on harvested soybean acres for 2018, 2019 and 2020 will be used to determine a new three-year average for Level 1 investment to become effective in fiscal year 2022, which will commence on October 1, 2021. Thereafter, each year the three-year average soybean acres harvested will be refigured by adding the next consecutive year to the calculation and dropping the oldest year.

(b) Duly affiliated state or multi-state soybean associations shall make a “minimum” annual unrestricted investment commitment to the Association beginning in fiscal year 2017, which shall be stated in an executed Affiliation Agreement and shall apply for five years, which are fiscal years 2017, 2018, 2019, 2020 and 2021.

An affiliated state or multi-state soybean association may increase its total investment at any time and earn additional positions on the Association's Board of Directors based on investment levels outlined in this Article IV, Section 2. However, credit will be given for additional positions on the Association's Board of Directors earned through mid-fiscal year investments, and the positions on the Association's Board of Directors awarded in the next fiscal year.

- (c) The number of Directors for each affiliated state or multi-state soybean association shall be based on such associations' investment level with the Association. Prior to September 1 of each year, affiliated state or multi-state soybean associations must notify the Association in writing of the number of directors they intend to have serve on the Association's Board of Directors for the coming fiscal year.

Each affiliated state or multi-state soybean association's annual minimum unrestricted investment will be divided into four installments due to the Association quarterly, on or before October 1, January 1, April 1 and July 1.

Affiliated state or multi-state soybean associations past due in payment of any quarterly payment by more than forty-five (45) days shall automatically lose a percentage of such association's positions on the Association's Board of Directors and member voting delegates that corresponds to the percentage of payment shortfall, but shall not equal less than one position on the Association's Board of Directors or member voting delegate and any non-evenly divisible, fractional amount of shortfall shall be rounded up in a manner that results in the loss of a whole position, with such positions on the Association's Board of Directors and member voting delegates automatically reinstated when such past due payment is made. For example, if affiliated state X's annual total investment due to be paid for four directors is \$115,000 with quarterly payments due of \$28,750 but it makes a quarterly payment of only \$20,000 and is more than 45 days in arrears on the remaining quarterly payment sum, state affiliate X automatically would lose two director positions until the past due amount is paid (\$28,750 divided by four positions = \$7,187.5 quarterly payment due per position with full quarterly payments made by affiliate X for only two positions). The Association's calculation and determinations under this paragraph shall be final and incontestable.

### **Section 3. NONVOTING DIRECTORS.**

The following soybean organizations may each elect one non-voting director to the Association's Board of Directors:

- (a) Any soybean organization from a country other than the United States that has at least one hundred (100) dues paying members and is approved by the Association's Board of Directors; or
- (b) The Grain Farmers of Ontario provided that the organization maintains at least one hundred (100) dues paying members.

### **Section 4. TERMS OF DIRECTORS.**

- (a) Each director shall be elected for a three-year term.
- (b) No director may serve on the Association's Board of Directors for more than three consecutive three- year terms; however, after any former director has been off the Association's Board of Directors for one full year, such former director may be reelected as a director for no more than three further consecutive three-year terms. For directors seated on the ASA Board of Directors prior to December, 2015, no partial term or service in filling the unexpired term of a previous director shall be counted in determining the consecutive period a director may serve. For directors elected to begin service on the ASA Board of Directors on or after December, 2015, their term will commence with the first annual meeting following their election.
- (c) All directors' terms shall commence with the first annual meeting following their election.
- (d) At least thirty (30) days prior to the commencement of a director's term, the affiliated state or multi-state soybean association they represent shall certify their names and addresses to the Secretary of the Association, and the Secretary shall furnish the same to the Governing Committee of the Association.

## **Section 5. DISPUTES AS TO NUMBERS, TERMS OR QUALIFICATIONS.**

If any dispute arises as to the numbers, terms or qualifications of any director elected by any affiliated state or multi-state soybean association, such disputes shall be resolved by the Governing Committee of the Association. The Governing Committee shall furnish a report to the President of the Association prior to the annual meeting of the Association's Board of Directors regarding the names of each director duly elected by the affiliated state or multi-state soybean associations, and the President shall report the names of such directors at said annual meeting.

## **Section 6. PAYMENT OF EXPENSES.**

The Board of Directors may authorize payment of actual expenses of any officer or director of the Association incurred in attending meetings of the members, the Board of Directors and committees of the Association, or while engaged in performing their assigned functions and in carrying out the purposes of the Association. Payment of such actual expenses shall be made from Association funds.

## **ARTICLE V. MEETINGS OF THE BOARD OF DIRECTORS**

### **Section 1. TIME AND PLACE OF ANNUAL MEETING.**

The time and place of the annual meeting of the Board of Directors shall be held at a time and place fixed by the Board of Directors.

### **Section 2. SPECIAL MEETINGS.**

Special meetings of the Board of Directors may be called by the President at any time or place, on the President's own motion or at the request of at least twenty-five percent (25%) of the directors. The President shall notify the Secretary of the time and place thereof and direct the giving of notice as provided herein.

### **Section 3. NOTICE OF SPECIAL MEETINGS.**

The Secretary shall give each director written notice of the time and place of each such special meeting of the Board of Directors, at least five (5) days before the date of the meeting. Such notice shall be deemed sufficient if emailed or mailed to the last known address of a director.

### **Section 4. WAIVER OF NOTICE.**

The attendance of any director at any special meeting shall constitute a waiver of such notice. A written waiver of notice from any director, either before or after such meeting, shall eliminate the necessity for such notice. Any director who shall execute a written consent to any action taken at any meeting of the Board of Directors, within thirty (30) days following the date of such meeting, shall be deemed to have waived any objection to the legality of such meeting on any ground.

### **Section 5. QUORUM.**

A majority of the members of the Board of Directors shall constitute a quorum at any meeting of the Board of Directors. However, less than a quorum may adjourn a meeting to any other time.

### **Section 6. PROXY VOTING AND ALTERNATES.**

No proxy voting shall be allowed at any meeting of the Board of Directors. However, in the absence of a director, the affiliated state or multi-state soybean association that such absent director represents may name a temporary alternate by written notification to the Association. Any alternate must satisfy all credential requirements of a director.

### **Section 7. TELEPHONIC PARTICIPATION.**

Attendance at a meeting of the Board of Directors may be either in person or by any means by which all directors are able to simultaneously hear one another.

## **Section 8. ACTION WITHOUT MEETING BY UNANIMOUS WRITTEN CONSENT.**

Unless otherwise provided by law, any action which may be taken at a meeting of the Board of Directors may be taken without a meeting if consent in writing setting forth the action so taken is signed by all the directors and delivered to the President. The written consent shall specify the time at which the action taken is to be effective. The written consent can be delivered to the President via U.S. mail, email, or facsimile. A written consent shall not be revoked once all written consents signed by all of the directors have been delivered.

## **Section 9. VOTING.**

The act of the majority of the Directors present at a meeting at which a quorum is present shall be the act of the Board of Directors.

## **ARTICLE VI. OFFICERS AND GOVERNANCE**

### **Section 1. GOVERNANCE.**

The business and affairs of the Association shall be governed by a nine-member Governing Committee consisting of the President, Chairman, Vice President, Secretary, Treasurer and four at-large members elected by the Association's Board of Directors. The Governing Committee may do or perform any act related to daily governance of the Association, except that such committee shall have no power to amend these Bylaws, adopt a strategic plan for the Association, or approve or disapprove affiliate state or multi-state soybean association membership in the Association; which acts are expressly reserved as actions that may only be taken by the Board of Directors. The Governing Committee shall be responsible for fiscal and administrative affairs, monitoring available funding and budget approval. The Governing Committee shall act as the Personnel Committee and shall be responsible for reviewing salary policies and guidelines, group employee benefits and other matters generally related to the Association's personnel policies. The Governing Committee is responsible for the oversight of the Association's Chief Executive Officer (CEO), who in turn oversees the association's other employees and contractors.

### **Section 2. ELECTION OF OFFICERS.**

At each annual meeting of the Board of Directors, the Board of Directors shall elect officers and at-large members of the Governing Committee. Individuals elected to the Governing Committee must be voting members of the Board of Directors. Individuals elected to the Governing Committee shall serve one-year terms to commence immediately following the election.

### **Section 3. PRESIDENT.**

The President is the principal elected officer of the Association. The President shall preside at all meetings of the Governing Committee and at all meetings of the Association's members, shall serve as an ex officio member of all standing and special committees, and shall carry out all other duties that are commonly associated with office of President. The President may serve no more than one one-year term, but a partial term shall not be counted in applying this limitation. Unless otherwise provided in these Bylaws, the President is responsible for making appointments to committees and advocacy teams.

### **Section 4. VICE PRESIDENT.**

The Vice President shall be president-elect and shall serve as chairman of the Resolutions process. The Vice President shall perform other duties as may be assigned by the President or the Board of Directors. In addition, the Vice President shall fulfill the functions of the President in the event of the President's death, resignation, absence or inability to serve as such, and the Vice President shall succeed to the office of the President upon the conclusion of the President's term of office.

## **Section 5. CHAIRMAN OF THE BOARD.**

The immediate past president of the Association shall serve as chairman of the Board of Directors, shall preside at all meetings of the Board of Directors and shall perform such other duties as may be assigned by the President or the Board of Directors. The chairman of the Board of Directors shall serve as chairman of the Association's Nominating Committee and Bylaws Committees.

The Chairman may serve past a nine-year term limit provided the Chairman is duly elected to the Association's Board of Directors by the affiliated state or multi-state soybean association the Chairman represents. In the event the Chairman serves an additional year beyond the nine-year term limit, the additional year will be considered the first year of the succeeding director's initial three-year term.

## **Section 6. AT-LARGE MEMBERS.**

There shall be four at-large members of the Governing Committee.

## **Section 7. SECRETARY.**

The Secretary shall supervise the keeping of the books and records of the Association, keep a record of the proceedings of the meetings of the Association's members, the Board of Directors and the Governing Committee, and the making of annual reports and such other reports as the Board of Directors may request or as may be required by law. The Secretary may perform all of the duties of the position by the delegation thereof to the Chief Executive Officer or such other person designated by the Board of Directors. The Secretary may serve as the Assistant Treasurer.

## **Section 8. TREASURER.**

The Treasurer shall supervise the keeping of the financial records of the Association, the receipt and deposit and disbursement of the monies of the Association under the direction of the Board of Directors, and such other duties normally associated with the office of Treasurer. The Treasurer may perform all of the duties of the position by the delegation thereof to the Chief Executive Officer or such other person designated by the Board of Directors.

## **Section 9. ASSISTANT TREASURER.**

In the absence, death, inability or refusal of the Treasurer to act, the Assistant Treasurer shall be appointed by the President to perform the duties of the Treasurer and when so acting, shall have all the powers and be subject to the same provisions as herein prescribed for the Treasurer. The Assistant Treasurer position may be filled by the Secretary.

## **Section 10. ADMINISTRATION OF POLICIES.**

The policies and programs of the Board of Directors and officers of the Association, including the duties and responsibilities of the Secretary and Treasurer, may be carried out, affected, managed and administered by such person as may be selected and employed from time to time by the Board of Directors. Such employee may be designated as Chief Executive Officer or by any other title deemed appropriate by the Board of Directors. The powers, duties and salary of such employee shall be fixed by the Board of Directors. Subject to review by the Board of Directors, the President shall supervise or direct this Chief Executive Officer in the performance of his duties. Other positions may be created and filled by the Board of Directors from time to time with appropriate powers, duties, title and salaries, to carry out the expanded program of the Association.

## **Section 11. BONDING OF TREASURER.**

So long as the functions of the Treasurer are handled by a person selected by the Board of Directors under the provisions of Article 6, Section 8 of these Bylaws, the Treasurer shall have no personal liability for monies or property of the Association and need not be bonded.

## **ARTICLE VII. COMMITTEES AND TEAMS OF THE BOARD OF DIRECTORS**

Except as otherwise provided in these Bylaws and with the exception of the Governing Committee of the Association, the President shall appoint the members of the following committees of the Board of Directors. Each such committee or team shall consist of no fewer than three (3) directors and shall fulfill the functions and responsibilities as directed by the Board of Directors. Other members of the Association may also be appointed to such committees or team. All committees or teams of the Board of Directors shall be chaired or co-chaired by a voting director of the Association unless otherwise provided in these Bylaws. All committees or teams shall serve at the pleasure of the President.

### **Section 1. GOVERNING COMMITTEE.**

The Board of Directors shall elect a nine-member Governing Committee as set forth in Article VI, Section 1 of these Bylaws.

### **Section 2. ADVOCACY TEAMS.**

The President shall appoint the members of one or more Advocacy Teams as the President or Board of Directors may deem necessary from time to time to carry out the advocacy work of the Association. The Advocacy Teams shall be involved in monitoring policy actions, analyzing policy, developing advocacy action plans, providing advocacy leadership and participating in various advocacy efforts, as related to their specific area.

### **Section 3. TRADE POLICY & INTERNATIONAL AFFAIRS COMMITTEE.**

The Trade Policy & International Affairs (TPIA) Committee is responsible for determining export promotion priorities, strategies, and funding levels for the investment of USDA/Foreign Agricultural Service (FAS) funding received by the Association as the “cooperator” with FAS. The TPIA Committee also may serve as the Trade Advocacy Team in establishing trade policy and market access advocacy objectives and plans.

### **Section 4. WISHH COMMITTEE.**

The World Initiative for Soy in Human Health (WISHH) Committee will operate under the Association’s WISHH Committee Operating Guidelines. On an annual basis, the WISHH Committee will nominate new members to the committee and the chair will present a list of nominees to the Association’s President for appointment.

### **Section 5. STRATEGIC PLANNING COMMITTEE.**

The Strategic Planning Committee is responsible for reviewing and evaluating the mission and vision of the Association. It is responsible for recommending strategies to the Board of Directors relative to long-term issues and opportunities.

### **Section 6. AUDIT COMMITTEE.**

The Audit Committee shall be composed of two members from the Governing Committee, four members from the Board of Directors plus the Association’s Treasurer in an ex-officio, non-voting position. Such committee shall recommend to the Board of Directors the selection or confirmation of the auditor, receive the auditor’s reports, monitor progress or improvements recommended by the auditor, and report annually to the Board of Directors.

### **Section 7. NOMINATING COMMITTEE.**

Each year, prior to the annual meeting of the Board of Directors, the Nominating Committee, consisting of no fewer than three members from the Board of Directors, shall present nominations for the officers to be elected at such annual meeting. Additional nominations may be made by any Director at such meeting.

## **Section 8. BYLAWS COMMITTEE.**

The Bylaws Committee shall annually review the Association's Bylaws to ensure they are current, relevant and meet the needs of the Association to function as a viable, legal organization. The Committee shall propose amendments to the Board of Directors for consideration and approval, if appropriate.

## **Section 9. COUNCIL OF PAST PRESIDENTS.**

All past presidents of the Association shall be members of a group to be known as the Council of Past Presidents, with the Chairman of the Board of Directors as its chairman. Such council shall serve only as an advisory group at the request of the Board of Directors. Any member of such council who is not a current member of the Board of Directors shall serve on such council at such member's own expense.

## **Section 10. OTHER COMMITTEES.**

The President shall appoint the members of such other or additional committees, advocacy teams, task forces, or working groups as the President or Board of Directors may deem necessary from time to time to carry out the work of the Association.

## **ARTICLE VIII. APPOINTMENT TO USSEC**

On an annual basis, the President shall consult with the Governing Committee and appoint representatives from the Association's Board of Directors to serve as the Association's representatives on the Board of the U.S. Soybean Export Council (USSEC). The Association's Board of Directors may remove any such representative serving on the USSEC Board at any time by majority vote, with or without cause.

## **ARTICLE IX. AFFILIATED STATE OR MULTI-STATE SOYBEAN ASSOCIATIONS**

### **Section 1. AFFILIATION.**

At any annual, regular or special meeting, the Board of Directors of the Association may, upon written request, recognize any duly organized state or multi-state soybean association as an affiliate of the Association and grant Affiliate Membership so long as it meets all five of the following requirements:

- (a) It is a bona fide state or multi-state organization duly incorporated as such.
- (b) It is not itself a member of nor is it affiliated with any other national soybean policy organization. "Soybean policy organization" means a nonprofit organization primarily dedicated to improving the condition of American soybean producers or some segment thereof substantially through policy and legislative advocacy work at the national level.
- (c) No conflicts exist between its Articles of Incorporation or bylaws and those of the Association.
- (d) It agrees to sign an Affiliation Agreement and invest in the Association as outlined in Article IV, Section 2 of these Bylaws.
- (e) No state shall be entitled to more than one such affiliate soybean association.

### **Section 2. DISAFFILIATION.**

If at any time the Board of Directors determines that any affiliated state or multi-state soybean association has failed to meet any of the foregoing requirements for affiliation or has breached its duties regarding applicable investment levels in the Association as outlined in Article IV, Section 2 of these Bylaws or the coordination of policies or has taken actions contrary to the best interests of the Association, such affiliated state or multi-state  
*(continued on next page)*

soybean association shall be notified of its opportunity to cure the deficiency or breach within one hundred eighty (180) days of receipt of notice. During this one hundred eighty (180) day period, the Association and such affiliated state or multi-state soybean association shall meet in good faith to attempt to reach resolution. Upon failure to timely cure the specified deficiency or breach and reach resolution, the Association's Board of Directors may proceed with disaffiliation pursuant to the procedure required by law.

### **Section 3. COORDINATION OF POLICIES.**

The public policy of the Association and affiliated state or multi-state soybean association members should be coordinated and consistent. An affiliated state or multi-state soybean association shall not actively oppose the Association's national or international public policy as adopted by either the Association's member voting delegates or the Association's Board of Directors.

If an affiliated state or multi-state soybean association votes to adopt policy contrary to that of the Association, it shall notify the Association's President at its earliest opportunity. An affiliated state or multi-state soybean association agrees not to oppose the announced policy of the Association except at the next annual meeting of the Association's members or any meeting of the Association's Board of Directors. Conversely, the Association will not knowingly, actively oppose any affiliated state or multi-state soybean association's policy. If the Association adopts or seriously considers the adoption of any state level policy contrary to any affiliated state or multi-state soybean association's policy, it will bring this fact to the attention of such affiliated state or multi-state soybean association's President at its earliest opportunity.

## **ARTICLE X. REMOVAL OF OFFICERS AND DIRECTORS**

### **Section 1. REMOVAL OF OFFICER.**

Any officer of the Association who is absent from more than two (2) Governing Committee meetings or two (2) Board of Directors meetings during a calendar year may be removed without further cause at any regular or special meeting by the Board of Directors. For purpose this Article XI, Section 1, missing more than half of a meeting shall be deemed an absence.

### **Section 2. REMOVAL OF DIRECTOR.**

Any member of the Board of Directors who was elected to such position by an affiliated state or multi-state soybean association may be removed by such affiliated state or multi-state soybean association, provided the authority for such removal is contained in the Articles of Incorporation or bylaws of such affiliated state or multi-state soybean association and upon condition that the prescribed procedure therefore has been followed. Such removal shall be effective upon receipt by the Secretary of the Association of a formal notice from such affiliated state or multi-state soybean association that it has removed such director.

## **ARTICLE XI. FILLING DIRECTOR OR OFFICER VACANCIES**

### **Section 1. FILLING VACANT OFFICE.**

In the event of any vacancy of an officer position, whether from death, resignation or removal, the Board of Directors may fill such vacancy by an election held for that purpose at the next regular or special meeting of the Board of Directors. Any person elected to fill a vacant officer position shall fill the unexpired term of the predecessor in office.

### **Section 2. FILLING VACANT DIRECTORSHIP.**

In the event of any vacancy on the Board of Directors, whether from death, resignation or removal, the affiliated state or multi-state soybean association that elected such director to the Board of Directors may fill such vacancy; provided, however, such affiliated state or multi-state soybean association must remain entitled to such number of directors under Article IV, Section 2 of these Bylaws.



## **ARTICLE XII. AFFILIATE INVESTMENT AND DUES**

### **Section 1. MEMBERSHIP.**

The Board of Directors shall establish affiliated state or multi-state soybean association investment levels and dues rates for general membership, associate membership, cooperating membership and foreign contributing membership. Each affiliated state or multi-state soybean association's annual minimum unrestricted investment shall be divided into four installments due to the Association quarterly, on or before October 1, January 1, April 1 and July 1 of each fiscal year.

### **Section 2. USE OF AFFILIATED STATE OR MULTI-STATE SOYBEAN ASSOCIATION INVESTMENTS.**

The Association, being a nonprofit corporation, shall use affiliated state or multi-state soybean association investment funds for promotional work and to further the objectives set out in the Association's Articles of Incorporation. The affiliated state or multi-state soybean association investments and any other monies derived from other sources, if any, not used by the Association for current operations, shall be available for educational work, promotion of objectives, research and market development.

### **Section 3. DELINQUENCY AND EXPIRATIONS.**

Any affiliated state or multi-state soybean association that shall be delinquent in its quarterly payments for a period of forty-five (45) days or more from the time payment was due shall be considered past due. In the event such delinquency in payment continues for more than ninety (90) days, the Board of Directors, in its sole discretion, may deem all rights and privileges of such affiliated state or multi-state soybean association forfeited.

## **ARTICLE XIII. FISCAL YEAR**

The fiscal year of the Association shall commence on October 1 of each year and shall end on September 30 of the following year.

## **ARTICLE XIV. LIABILITY**

### **Section 1. LIABILITY OF CORPORATION.**

The Association shall not be liable for the acts of its employees, members, officers or directors who have acted beyond their authority.

### **Section 2. LIABILITY OF OFFICERS AND DIRECTORS, AND MEMBERS.**

Except as otherwise provided by law, an employee, member, officer or director of the Association is not liable for the Association's debts or obligations. Further, an employee, member, officer or director is not personally liable in that capacity to any person for any action taken or failure to take any action in the discharge of that person's duties except for any of the following:

- (a) The amount of any financial benefit to which the person is not entitled.
- (b) An intentional infliction of harm on the Association or its members.
- (c) Voting for or assenting to any distribution of corporate assets in violation of Section 504.835 of the Iowa Code, as amended.
- (d) An intentional violation of criminal law.

### **Section 3. INDEMNIFICATION OF OFFICERS AND DIRECTORS.**

The Association will indemnify its directors and officers to the fullest extent permitted by law.

## **ARTICLE XV. RULES OF ORDER**

Robert's Rules of Order shall be the authority on all points not covered by the Association's Articles of Incorporation or these Bylaws.

## **ARTICLE XVI. CORPORATE RECORDS**

The Association will keep correct and completed books and records, minutes of Board of Directors meetings and meetings of the Association's members, records of all actions taken by its members or directors without a meeting, minutes of all meetings of committees of the Board of Directors, a membership list, all appropriate accounting records, and such other records as required by law. It shall retain those records for the time period required by law. The Association shall keep all records, books, and annual reports of the financial activity of the Association at its principal office. The Association shall make available to members for a valid purpose, asserted in good faith, and directly related to the member's interest as a member, those corporate records as required by law, to the extent and in the manner required by applicable law.

## **ARTICLE XVII. AMENDMENTS**

These Bylaws may be amended at any time by the Board of Directors with two-thirds majority of members present voting in the affirmative or a simple majority if ten (10) days prior notice is given for the proposed amendments. Notwithstanding the foregoing, the Investment Levels 1 through 10, as outlined in Article IV, Section 2 of these Bylaws, may be amended only by a vote in which directors representing at least two-thirds of affiliated state or multi-state soybean associations are in the majority.

## **ARTICLE XVIII. DOING BUSINESS IN OTHER STATES**

### **Section 1. DOING BUSINESS IN OTHER STATES.**

The Board of Directors shall be authorized to do business and to carry out the purposes of the Association in any state or territory of the United States of America and in any other country.

### **Section 2. QUALIFYING TO DO BUSINESS IN OTHER STATES AND COUNTRIES.**

The Board of Directors shall authorize the execution and filing of such applications and documents as may be necessary to qualify the Association to do business in any state or territory of the United States or in any other country, and shall designate such agent or agents as required for conducting business in such state, territory or country.



## **2019-2020 ASA Board Meetings**

December 10-11, 2019  
Board Meeting  
Hyatt Regency at the Arch  
St. Louis, MO

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March 17-18, 2020  
Board Meeting  
Ritz-Carlton Pentagon City  
Arlington, VA

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July 14-15, 2020  
Board Meeting  
The Madison Hotel  
Washington, DC


## **2020 Commodity Classic**


February 27-29, 2020  
Commodity Classic  
San Antonio, Texas







## **ASA Social Media:**

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**ASA Website:** [SoyGrowers.com](http://SoyGrowers.com)