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Cattle Call

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CICA Bill to Become Law

Colorado Independent CattleGrowers Association introduced House Bill 11-1111 into the Colorado legislature this year. The purpose of the bill was to keep confidential information confidential, according to CICA President Kimmi Lewis. With the push for governments to create data bases that include names, addresses, financial and medical information, management techniques, locations, and identifications for owners and all classes of livestock, there is tremendous potential for abuse. Environmental groups use these sorts of databases to create propaganda and lawsuits. Identity thieves are always at work and the sort of information included in an Animal Identification and Premise Registration data base would be a gold mine to them.

“This bill will prohibit the Colorado Department of Agriculture from merging or sharing any database they create with any other state, federal, foreign government, industry partner or other database. We became concerned about confidential producer information collected by the department after reading the mission statement in the USDA Information Technology Roadmap. The Roadmap states that it is the USDA’s mission to create one massive database containing hundreds of millions of records that would be shared among all of the databases I mentioned including the existing National Animal Identification Premises Registration Database, which has not been expunged as many may believe,” said Leellen Koroulis, CICA Legislative Committee Chair.

CICA lobbyist, Totsy Rees, and Koroulis worked to create the proper wording and find legislators who were familiar enough with agriculture to understand why producers were concerned about data collection and storage.

The bill was carried by State Representative Jerry Sonnenberg (R) from Sterling. “I was extremely impressed with Rep. Sonnenberg. He knew all the ‘ins and outs’ of HB 1111 and was able to answer all the questions posed to us about the bill. I watched other bills being introduced and realized not all legislators know their bills like Jerry Sonnenberg knew his. I was very impressed with him,” said president Kimmi Lewis.

Eventually others supported the idea including representatives Becker, Brown, Gerou, Pace, Priola, Vigil; and senators Jahn, Grantham, Harvey, King S., Lambert, Lundberg, Roberts, White. Many are from rural districts.

Although there was some discussion among other cattlemen’s groups about unintended consequences to this bill, it became apparent that it was in the best interest of all producers. The resulting document allows for disclosure of an owners’ private information only in the event of a natural or man-made disaster, called an “all-hazard event”. A nuclear or terrorist incident would be one situation that could open the databases in a particular area. A disease outbreak or blizzard could also open the records, but sharing would be limited to the scope of each individual all-hazards event and limited to only those agencies directly involved in the event. Hoof and mouth would be an example.

The bill was signed by Governor Hickenlooper on April 6, 2011 and will go into effect August 10, 2011.

“We are excited to have been instrumental in putting this layer of protection in statute for Colorado cattle producers and will be working hard in the future to protect the property and rights of all Colorado cattle producers,” said Koroulis.

Editorials: Keep it confidential!

Reprinted from Steamboat Today.

Information technology is moving at a much faster pace than is the legislation to protect how that information may be shared or disseminated. The recent release of highly sensitive documents through the WikiLeaks website illustrates the vulnerability of confidential information and the potential damage that security failure can cause. In a sense, the WikiLeaks documents were a wallet lying on the sidewalk. We don't have laws that make clear when picking up the digital wallet is stealing. Neither our government nor our largest corporate institutions can offer much assurance that our confidential information or even our identity is safe from malicious or thoughtless data access.

At the convention in fall, Rocky Mountain Farmers Union adopted a new policy "urging the Colorado Department of Agriculture to take immediate steps to guarantee that information on agricultural operations be treated as confidential information and never be released to private or public entities or be shared with other government entities except as needed in the case of a national emergency."

During that same period, Colorado Independent Cattle-Growers Association was working hard with its lobbyist to find a sponsor to introduce a bill that would protect livestock producer information collected by the Colorado Department of Agriculture so that any database the department created with that data could not be merged or shared with any other state, federal or foreign government, industry partner or other database.

Rocky Mountain Farmers Union and the Colorado Independent CattleGrowers Association want to ensure that the bill would not interfere with the protection of human or animal health. Through its lobbyist, Colorado Independent Cattle-Growers Association negotiated this bill with the department, and as far as we know, the department does not oppose the bill. Rep. Jerry Sonnenberg, chairman of the House Agricultural Committee, saw the merits of the bill and is the bill's House sponsor. HB11-1111 was scheduled to be read in the House Agricultural Committee on Monday.

When asked his opinion of the bill, Dr. John Maulsby, former Colorado State Veterinarian, stated, "On first read, I think it is very well written and covers the important issues for producers. The principle of requiring our state animal health official to have control of a disease investigation is reinforced. That person should be responsible for protecting this information and for controlling who needs to access it in an animal disease investigation."

This bill is important for everyone who owns livestock or operates a farm or ranch as a small business in the state of Colorado.

We still have a long way to go with this bill as it weaves its way through the committees and the chambers at the Capitol. If we are successful, then agricultural producers can be confident that what happens in Colorado stays in Colorado.

— Leellen Koroulis is president of the Northwest Colorado Farmers Union.

Editorials: Kansas Beef Checkoff hijacked

Millions of research and promotion dollars are being used against independent cattlemen. KLA has opposed independent cattlemen on essentially every issue that would have improved their income, including Mandatory Price Reporting (MPR), Country of Origin Labeling (COOL), fair trade, excessive meat packer and retailer concentration, enforcement of the Packers and Stockyards Act, etc. Enabled by the lobbying power of KLA and the National Cattlemen's Beef Association (NCBA), the big meat packers anti-competitive practices have driven over 40% of cattle producers out of business in the last 30 years.

KLA is fighting against the proposed GIPSA rules, a first step in restoring competitive livestock markets: <http://www.kla.org/CMDocs/KansasLA/Library/GIPSA/KLA%20GIPSA%20Comments.pdf>

On their Form 990, KLA states that their primary purpose is "BEEF INDUSTRY PROMOTION & RESEARCH". However, their actions prove they are a "beef industry" lobbyist (in direct opposition to the cattle industry), with over 80% of their income provided by cattlemen from the mandatory beef checkoff.

Over 80% of KLA's income is derived from the Kansas beef checkoff, collected by the Kansas Beef Council (This percentage is very close to the amount of NCBA's overhead covered by the National mandatory beef checkoff): 2009 Revenue from Beef Promotion/Checkoff - \$9,489,567

Total KLA salaries are reported at \$1,653,489 (Form 990). Left with only their dues income of \$1,678,425, KLA would be unable to pay exorbitant salaries to their top executives, let alone cover their other overhead and significant lobbying costs.

On January 31, 2000, Jon Ferguson, past KLA President, member of NCBA Governance Task Force, NCBA Executive Committee and Checkoff Executive Committee, shared his views on "grassroots" cattlemen and the role of NCBA:

Kansas cattle producers should call for a full investigation of KLA and their handling of the Kansas beef checkoff. The Kansas Attorney General should consider joining other State AG's and the Office of Inspector General (OIG) looking into the improper use of this mandatory tax.

—Mike Callicrate, St. Francis, Kansas

Your Checkoff Dollars Padding Other Pockets?

To: All Organizations Representing Checkoff-Paying Cattle Producers

From: Bill Bullard, R-CALF USA

Date: April 14, 2011

Subject: Support Letters Needed from Organization's Representing Checkoff Paying Cattle Producers

Background: There is an intense, lop-sided, but classic power struggle being waged right now within the Beef Checkoff Program. Unfortunately, while USDA is standing passively on the sidelines and refuses to take any enforcement action to redress NCBA's known and considerable misuses of producer checkoff dollars, the Cattlemen's Beef Board (CBB) is the sole entity that checkoff-paying cattle producers must rely on to ensure that past abuses are not continually perpetrated within the Beef Checkoff Program.

To accomplish this monumental task, the CBB Executive Committee recommended major structural changes to the governance and operation of the Beef Checkoff Program. The NCBA and its checkoff-funded allies are fighting vehemently to prevent implementation of the CBB Executive Committee's recommendations.

This is the classic power structure between those who have all the money – the NCBA and its state affiliates (which are currently supported by USDA) – and those who pay all the money – the hundreds of thousands of checkoff-paying cattle producers throughout the United States. Hinging on the outcome is whether the Beef Checkoff Program will be continually fraught with corruption, favoritism, and abuse, or whether the credibility of the program will be restored.

The CBB Executive Committee must persevere and win this classic power struggle. But, it won't unless organizations like yours and mine that represent checkoff-paying U.S. cattle producers lend their support.

Action: R-CALF USA sent the attached letter today to CBB Chairman Tom Jones expressing our organization's strong support for the CBB Executive Committee's recommendation and urging Chairman Jones and his fellow CBB members to aggressively implement those recommendations on behalf of all U.S. cattle producers.

If your local, state, or national organization represents checkoff-paying cattle producers, please consider sending a similar letter as soon as possible to Chairman Tom Jones (feel free to use any of what we've included in our letter). Here is the contact information:

Tom Jones, Chair Cattlemen's Beef Board
9000 E. Nichols Ave., Suite 215
Centennial, CO 80112
e-mail: beefboard@beefboard.org

Responses to Dr. Thornsberry's Checkoff questions.

March 23, 2011

United States Department of Agriculture

Dr. R.M. Thornsberry

President R-CALF United Stock growers of America

Dear Dr. Thornsberry:

Thank you for your January 17, 2011, letter regarding R-CALF USA's concerns that the National Cattlemen's Beef Association (NCBA) has been using the beef checkoff dollars to support non-checkoff activities. I apologize for the delay.

The U.S. Department of Agriculture (USDA) has a direct interest in ensuring that the Beef Checkoff Program is operating as intended and is accountable to producers that pay into the program. As always, USDA takes any complaints about the integrity of the program seriously and will look into your concerns.

The Cattlemen's Beef Board (CBB) routinely reviews the accounting of checkoff funds by its contractors. If any issues are identified, CBB immediately works to resolve them with the contractor. Moreover, USDA's Office of Inspector General (DIG) has initiated its own audit of the Beef Checkoff Program that will be conducted this year. The audit will include field work specifically focused on the accounting of checkoff dollars by CBB and its contractors, including NCBA. As mentioned in your letter, Ola certainly is aware of your concerns and is in receipt of the documents that you included with your letter.

Again, thank you for your interest in the Beef Checkoff Program.

Sincerely,

Thomas J. Vilsack, Secretary

Dear Doctor Thornsberry:

Thank you for your letter of January 17, 2011 to the Attorney General requesting that the Cattlemen's Beef Promotion and Research Board suspend its contract with the National Cattlemen's Beef Association (NCBA) pending an investigation of NCBA's alleged misuse of beef checkoff dollars. Your letter was forwarded to me for response.

We appreciate your concerns, however, the Department of Justice may have a statutory responsibility to represent the United States Department of Agriculture (USDA) if this matter were to enter into litigation. Therefore, it would be inappropriate for the Department of Justice to offer comment. We note from your correspondence that your letter is also addressed to Secretary Vilsack and Inspector General Fong of USDA. We trust that USDA will appropriately respond to your correspondence.

Thank you again for your letter. We regret that the Department of Justice cannot be of assistance to you in this matter.

Sincerely,

Tony West

Assistant Attorney General

From the President's Desk . . .

Welcome spring!

We hope that spring will be showing up at your place and that young calves are springing up everywhere. The Southern and Eastern parts of Colorado sure need some good moisture. I fear that we could have a repeat of the exodus that the cow herds took in 2001 and 2002 if moisture doesn't come. Rain is on its way I'm sure, we just don't know when. We haven't had any measurable moisture since last summer and then it was minimal in most areas. I pray that the good moisture starts coming. I know that the Northwest mountains have sure had their share of snow and I'm

sure they want spring to come faster.

Congratulations are in order for our lobbyist, Totsy Rees and our Legislative Committee Chair, Leellen Koroulis. She and her committee members, Reed Kelley and Lorene Bonds did a super job in getting our bill, HB 11-1111 passed and signed by the governor. State Representative Jerry Sonnenberg carried the bill and did a fabulous job explaining it in committee. This is a huge milestone for CICA. We attempted something similar a few years back and was "shot out of the water" by political shenanigans. The political nonsense happens a lot

up there in Denver, I think. Over 500 bills were introduced this year alone at the Colorado Legislature. I find it mind boggling. Seems to me that our elected officials make and support bills they don't even understand. I was so proud of Rep. Sonnenberg as he understood our bill completely. So, let's stand up and applaud the work of these individuals as they make us proud. HB 11-1111 will help ensure us that our state government isn't going to run away with or sell our information to others. It will ensure that our records from our agriculture operations and the Colorado State Dept. of Agriculture data base won't be tapped into or shared with any

other state, federal government, foreign government, industry partners or other data bases.

This time of year is pretty hectic. I hope you'll take time and enjoy the new beginnings that spring brings. I have attended many funerals of dear friends the last several months. Let us all remember them and pray for their families.

God Bless You,
Kimmi

Save the Date!

The Sixth Annual CICA Convention will be at the Lincoln County Fairgrounds in Hugo, Colorado on July 16, 2011. Ranch tour on the 15th!

In Remembrance Of

Maria Gyrman, wife of CICA member Kennie Gyrman, passed away in January. She fought cancer for several years. The Gyrman's lost a ranch to the creation of the Pinon Canyon Maneuver Range and have been instrumental in fighting the Expansion project.

Margaret Crowder passed away in January after a long battle with Alzheimer's Disease. She is the wife of Jack Crowder, a rancher from the Branson area and a Southern Colorado Livestock Association honored member. Crowders also lost a home and ranch to the creation of the Maneuver Range in the 1980's.

Homer Mundell of Walsh was killed when a big bale of hay crushed him on April 2. He was one of our loyal CICA members and a Director for Southern Colorado Livestock Association. Homer and Sandy's calves always topped the market with Superior Livestock each fall. He was a true gentleman and we'll miss him.

Marvin Davis from Walsenburg passed away on March 31 at his farm. He was a CICA member and long time supporter of Southern Colorado Livestock Association's Stockman's Ball. He raised Limousin bulls and cattle. His was a life well lived.

Janice McKinley, Representative Wes McKinley's wife, passed away April 3 in the family home near Walsh. She had been fighting breast cancer for several years. She was laid to rest at the Walsh Cemetery.

Bobby Hill passed away on April 9th after a short battle with leukemia. Bobby was known for his work in opposition of the first Pinon Canyon Maneuver Site. He headed up the very first Coalition Against Pinon Canyon. His wife Joella is the President of the Arkansas Valley CattleWoman's Association. Bobby was a member of CICA and Southern Colorado Livestock Assn.

CICA extends condolences to the families of these wonderful people. A plant was sent to each family as a remembrance and token of our respect for them.

THANK YOU

I would like to take this opportunity to send out a big THANK YOU to all of you CICA and R-CALF friends and acquaintances who were keeping me and my family in your prayers after my accident, surgery and recuperation.

It is very humbling to have received so many calls, cards, and other encouragement. Rehabilitation is coming along, I am just impatient!

Thank goodness for great neighbors who are calving my heifers and cows this Spring. Kay and I consider ourselves very fortunate to have such good friends and neighbors.

God Bless All of You!

—Gerald and Kay Schreiber