



AMERICAN FARM BUREAU FEDERATION® POLICIES FOR 2009

SECTION 1 - RURAL LIVING / LABOR / TRANSPORTATION

GOVERNMENT

- 101 Civil Rights
- 102 The Constitution
- 103 Elections
- 104 Executive Branch
- 105 Freedom of Information
- 106 Judicial Branch
- 107 Legislative Branch
- 108 Patriotism
- 109 Qualifications and Compensation for Congress and Federal Officials
- 110 Regulatory Review and Reform
- 111 School & Government Food Purchasing Programs
- 112 States' Rights

INFRASTRUCTURE

- 125 Highways
- 126 Maritime Transportation
- 127 Railroads
- 128 Transportation Policy

LABOR

- 135 Farm Labor
- 136 General Labor Issues
- 137 Immigration
- 138 Legal Services Corporation
- 139 Occupational Safety & Health Administration

MISCELLANEOUS

- 145 Agricultural Education
- 146 Career and Technical Education
- 147 Cooperatives
- 148 Definition of Agriculture
- 149 Education
- 150 Farm Machinery
- 151 Family and Moral Responsibility
- 152 Health
- 153 Insurance
- 154 Litigation
- 155 Media

156	Narcotics and Substance Abuse
157	Nutrition
158	Postal Service
159	Religion
160	Rural Communications
161	Safety

SECURITY

175	Biosecurity
176	Firearms
177	Law Enforcement
178	National Security

SECTION 1 - RURAL LIVING / LABOR / TRANSPORTATION

GOVERNMENT

Civil Rights 101

We strongly oppose discrimination against persons on the basis of sex, race, religion, national origin or handicapped status.

We further oppose:

- (1) Minority business funding quotas;
- (2) The use of federal funds by any institution or agency that discriminates on the basis of any of the factors set forth above;
- (3) Expansion of remedies available under present civil rights laws to include compensatory, punitive damages and attorneys' fees;
- (4) Legislation, or regulation, that directly or indirectly results in implementing hiring quotas as a defense against allegations of discriminatory hiring practices; and
- (5) Any program which tends to separate, isolate, segregate, or divide the people of our country under the guise of emphasizing ethnic diversity.

We support amending 42 USC Section 1988 of the United States Code to stop the funding of attorney fees in civil rights cases with taxpayer dollars for special interest groups.

The Constitution 102

Stable and honest government with prescribed and limited powers is essential to freedom and progress.

The U.S. Constitution is well-designed to secure individual liberty by a division of authority among the legislative, executive and judicial branches and the diffusion of government powers through retention by the states and the people of those powers not specifically delegated to the federal government.

The Constitution is the basic law of the land and changes in long-established interpretations should be made only through constitutional amendments.

We reaffirm that the Constitution supersedes any and all treaties with foreign nations.

We fully expect elected and appointed officials to fulfill their promise to uphold and defend the Constitution.

We demand the federal government, as our agent, to cease and desist, effective immediately, mandates that are beyond the scope of its constitutionally delegated powers.

We support:

- (1) Educational activities to teach the history of and the importance of the Constitution;
- (2) A third mechanism to amend the Constitution that allows states to initiate a constitutional amendment. When 34 states have adopted an identical proposed amendment, Congress will adopt the proposed amendment as a congressional proposal, return it to the 50 states, requiring ratification by three-fourths of the states;
- (3) English be established by law as the official language of the United States;
- (4) Our constitutional right as individuals to own and to bear arms;
- (5) Each state(s efforts to claim sovereignty over all powers not otherwise enumerated and granted to the federal government under the 10th Amendment to the Constitution; and
- (6) A constitutional amendment to allow voluntary prayer in all "walks of life," particularly in our schools, sporting events and governing bodies at the local, state and federal levels.

We oppose:

- (1) Amending the Constitution to change the current eligibility requirements to become President of the United States;
- (2) The centralization of power and responsibility in the federal government because it violates the Constitution;
- (3) A constitutional convention;
- (4) Encroachment on the constitutional prerogatives of each branch of the federal government by the other branches;
- (5) Statehood for Washington, D.C.;
- (6) Any proposal to establish a national identification card that would be used for any purpose affecting U.S. citizens; and
- (7) Government censorship of free speech, such as the Fairness Doctrine.

Elections 103

The federal government should not be involved directly in the elective process in any way, but should recommend certain uniform guidelines to the states to assure fair and proper elections.

We support:

- (1) A national effort to require registered voters to show photo identification when reporting to the polling place to receive a ballot;
- (2) Voters being required to register in person a minimum of 30 days prior to the election;
- (3) Proof of citizenship being a prerequisite for voter registration;
- (4) Voter registration being recorded rapidly to reduce duplicate registrations;
- (5) Repeal of laws mandating use of multilingual ballots in public elections because a common language is essential to a unified country;
- (6) Retention of the Electoral College for presidential elections and electors being required to vote for the candidates to which they were pledged;
- (7) The use of leadership PACS under federal election law; and
- (8) Changing the present election laws to limit compulsory union dues or any other compulsory mechanism, from being used in any way to influence federal or state elections.

We oppose:

- (1) Proposals to make the popular vote the sole determinant of presidential elections;

- (2) Changes that restrict or curtail the right of an individual citizen, or any group of citizens, the right to express themselves as guaranteed by the First Amendment;
 - (3) The use of public funds and franking privileges in the financing of political campaigns;
 - (4) Government support, grants or other funding of organizations for political activity;
 - (5) The use of the Internet for voting in any local, state, or federal election; and
- (6) The news media reporting election results and exit poll results prior to the closing of all polling places.

Executive Branch 104

We recommend that the executive branch:

- (1) Exercise restraint in seeking broad, discretionary powers from Congress;
- (2) Avoid interpreting laws beyond the scope affirmatively spelled out by Congress;
- (3) Refrain from issuing executive orders which exceed constitutional and statutory guidelines and withdraw any orders which exceed such guidelines; and
- (4) Be prohibited from binding the United States to future international conventions or treaties that do not undergo the same risk/benefit analysis required of U.S. laws and regulations.

Freedom of Information 105

The Freedom of Information Act (FOIA) is a valuable tool for the collection of information from state and federal agencies. We support continued vigilance in protecting the public's right to access to government and other public records. State and federal agencies should respond within 120 days or less to all requests for information to allow greater public scrutiny of their decisions. The lack of effective response to a FOIA request shall serve to extend other administrative deadlines.

We oppose the disclosure of personal information by an organization about individuals. The release of any information should only be allowed by specific written authorization of the individual, or any private business entity.

Any personal information provided to any government agency should be required to stay within that agency. Any agency responding to a FOIA or interagency request should be required to comply with current law and not release personal, private or confidential business information without the consent of the person who submitted the information.

Judicial Branch 106

We believe in an independent judiciary, impartial administration of law without special privilege and government by law rather than by people.

The judicial function should be performed by the judicial branch and not by executive agencies.

We support:

- (1) Judges interpreting laws as legislative bodies intended and discourage legislating from the bench;
- (2) Appointees to the Supreme Court being selected from those best qualified with a minimum of 10 years experience in a state supreme court or a federal court;
- (3) The rights of the victim being at least equal to those of the accused or convicted;

(4) That the legislative or judicial process stop judges from releasing criminals on technicalities when the substantial facts of the case have caused the jury to render a guilty verdict; and

(5) The division of the 9th Circuit Court of Appeals to add a 12th Circuit Court of Appeals, which includes Arizona, Idaho, Nevada and Utah.

We oppose:

(1) Courts overlooking the rights of the victim in an overzealous effort to protect the accused or convicted;

(2) Any configuration of a court district combining Nevada and California; and

(3) Lifetime appointment of judges.

Legislative Branch 107

Congress must assume the responsibility to preserve our federal system by reversing the trend toward centralization of authority in the executive and judicial branches.

Congress, government agencies and their employees should be subject to the same laws as are the people of the United States.

We call upon Congress to amend existing laws which govern the power and authority of regulatory agencies to provide that in every instance a person accused of a violation shall be deemed innocent until proven guilty and urge that all future laws follow this principle.

We urge Congress to:

(1) Insist that the federal budget be enacted on an annual basis;

(2) Avoid delegation of broad, discretionary powers to the executive branch and its regulatory agencies;

(3) Enact corrective or conforming legislation where the Supreme Court or Appellate Courts have invaded the legislative area;

(4) Place less emphasis on passing new laws that further restrict the freedom of Americans and, instead, give greater emphasis to its oversight responsibility so that the original intent of Congress will be better implemented by the administrative agencies; and

(5) Enforce a code of ethics clearly delineating the conduct and activities that should be expected of its members.

We support:

(1) Each tax increase being voted on by a roll call vote;

(2) Regulations promulgated as a result of congressional action being reviewed by the congressional committee of jurisdiction prior to implementation to ensure that the legislative intent is being followed; and

(3) The Senate confirming or denying, within 90 days, the President's judicial nominations.

We oppose:

(1) Automatic tax increases;

(2) Public officials leaving office from taking employment with those they formerly regulated for a period of two years; and

(3) Open-ended land purchase authorization that would allow federal agencies to purchase additional land without Congressional approval.

Patriotism 108

We support:

(1) Our armed forces defending our freedom;

- (2) Teaching the flag code in the schools and practicing it when displaying the American Flag;
 - (3) Regular recitation and explanation of the Pledge of Allegiance using the English language; and
 - (4) Keeping "The Star-Spangled Banner," in English, as our U.S. national anthem.
- We oppose the desecration of the American flag.

Qualifications and Compensation for Congress and Federal Officials 109

We believe that compensation and benefit packages for federal officials must be commensurate with the high level of competence and dedication required to properly manage the federal government.

We support:

- (1) Pay and pension legislation being voted on as a separate issue and not be tied to unrelated legislation;
- (2) Pension benefits of elected officials or former elected officials who have been convicted of a felony being denied;
- (3) We recommend Congress establishing a limit on government-funded expenses for former presidents and/or their spouses; and
- (4) Termination of tax dollar support for maintenance of presidential libraries and they be maintained by private donation.

Regulatory Review and Reform 110

We believe the purpose of federal regulation should be limited. We support the immediate review and revision of existing federal regulations to limit promulgation only to rules that are essential to the protection of human health and public safety.

We support development of an annual comprehensive report to the American people, which should provide a thorough evaluation of the following:

- (1) The total cost and impacts of regulatory burden on the private sector economy;
- (2) The effectiveness of the reduction in risk/threat demonstrated by regulatory implementation; and
- (3) Non-regulatory options that may be effective alternatives to reduce targeted risk/threat at a lower cost to the private sector.

When a court finds that a federal agency is in violation of the law, the landowner that is in compliance with the agency rules should not be held liable for the agency's error. Landowners should be able to continue under the existing rules until the matter is settled and new rules are properly adopted.

When publishing proposed federal rules, regulatory changes or significant actions, publication of the action in the Federal Register often does not provide adequate notice to all stakeholders. We believe that federal agencies should also provide notice of proposed federal rules, regulatory changes or other significant actions directly to targeted stakeholders, stakeholder communities as well as organizations representing affected parties.

We support immediate simplification, improvement, streamlining of, as well as a comprehensive congressional review of the National Environmental Policy Act (NEPA). Such improvements should include requiring the following of federal agencies:

- (1) Consideration of economic impacts to areas directly affected by regulations;
- (2) Consideration of the cumulative impacts of all regulations proposed; and

(3) Compliance by Native American tribes with NEPA, regardless whether the land is held in trust status by the Bureau of Indian Affairs.

We believe that all federal regulations should be required to follow important policy principles including:

(1) Recognition that property rights are the foundation for resource production and must be protected;

(2) A basis on sound scientific data replicated and peer reviewed;

(3) Risk assessment analysis should be conducted prior to final action;

(4) Estimate the costs and benefits associated with public and private sector compliance action must be conducted prior final action;

(5) Actions must allow for flexibility to suit varying local conditions;

(6) Actions should be subject to independent analysis and public scrutiny;

(7) Alternatives to the action must be thoroughly and publicly considered, especially the market-based incentives;

(8) Actions must properly acknowledge and provide for the reality, practicality and limitations of doing business in the affected sector;

(9) Presumption of innocence as opposed to the current presumption of guilt should be strengthened;

(10) Measuring the cumulative impact of federal actions affecting production agriculture prior to the implementation of any federal actions impacting agriculture;

(11) Limiting the ability to intervene in regulatory actions to only those parties that can demonstrate they are directly affected by the alleged violation; and

(12) Limiting the ability for third parties to utilize federal or state funds for legal assistance to file lawsuits against county, state or federal governments.

Congress should set specific guidelines and restraints on federal agencies charged with implementing and enforcing federal law.

We believe that Congress should provide for strong congressional oversight of regulatory and significant agency actions as well as a willingness to override unacceptable agency actions. Further, we support more vigorous congressional scrutiny of agencies to prohibit regulatory agencies from administering laws, to deter adoption of agency rules and actions that circumvent statutory intent. Specific efforts should be made to oversee and to reform the inspection and rule-making authority of the Occupational Safety and Health Administration (OSHA) and Environmental Protection Agency (EPA).

We support meaningful stakeholder representation by affected sectors on regulatory boards and commissions as well as a willingness to override unacceptable agency actions. We believe that environmental impact statements (EIS) are often extreme and unusually burdensome on the private sector. EIS findings and requirements should be balanced with a cost benefit analysis of proposed regulations or agency actions.

We support application of the Department of Defense ethics and conflict of interest policies to all federal regulatory agencies.

We oppose the establishment and/or operation of any political advocacy group by federal regulatory agencies.

Federal agencies should work with the regulated community to correct problems through improved education and compliance assistance, rather than fines, penalties and prosecution.

We believe that all Congressional or federal actions creating new administrative agencies or giving new responsibilities to existing agencies should include specific termination dates. Further, we believe that all federal regulations should have sunset provisions.

We believe that zero-base budgeting should apply to federal agencies as a method of regulatory reform and fiscal responsibility.

We support the policy that the comment period for federal rules and significant actions be no less than 60 days.

We believe that federal agencies should be required to give advance notice not less than 30 days prior to any field hearing or informational meeting.

For purchases of less than \$2,500, we support federal agencies' ability to purchase "off-the-shelf" supplies.

We support government inspection and enforcement activities being paid for by general revenue funds. Fines imposed by federal agencies should be credited to the general fund and not be used to further fund that agency.

If inspections are warranted, to the extent possible, we believe federal agencies should schedule and conduct inspections of farms and processing facilities in advance of the growing, harvesting and processing seasons.

We believe that agency orders demanding corrective action should allow reasonable time for compliance. At the time of an inspection, the inspector should be required to leave a signed, dated copy of his report with the owner, or operator, of the inspected facility.

We support passage of laws that specifically define and prohibit the harassment of citizens by federal, state, county or municipal employees.

We oppose any consumer agency or council having any federal authority other than advisory powers.

We support revising the Natural Gas Act of 1937 to provide for the Federal Energy Regulatory Commission being supported by general revenue funds rather than pipeline fees.

We support the Surface Transportation Board's role in overseeing pipeline rates.

School and Government Food Purchasing Programs 111

School food programs have helped to establish proper dietary habits among young people. We recommend that the school meals program be improved.

We urge that school meals be balanced to provide no less than one-third of the recommended daily dietary allowances.

We oppose USDA's reduction of the minimum requirement for red meat in the school food program. We oppose the inclusion of carbonated soft drinks in the federally funded school lunch program. We encourage the use of nutritional beverages such as milk, vegetable and fruit juices. We support increased use of dairy products and increasing the selection of food products derived from U.S. agriculture. We support expanded implementation and encourage use of more local products in the school food program. Schools should continue to provide a minimum of eight ounces of milk per each school meal. We commend those school systems which have added fruit and salad bars to their menu choices and encourage other school systems to do so. We oppose any attempt by USDA to substitute yogurt in place of red meat in the school lunch program. We support tried and proven menus for school lunches containing fruits, vegetables, bread, meats and milk.

We urge the Fresh Fruit and Vegetable Pilot Program be expanded to all schools throughout the United States.

We support the donation of agricultural commodities to schools participating in the national school food program and oppose any efforts to change to cash or letters of credit in lieu of U.S.-produced commodities.

We continue to encourage the use of U.S.-produced agricultural commodities and products in school food & nutritional programs and the P.L. 480 export program.

In the interest of promoting worldwide health and welfare, we support full funding for the current pilot program for an international school lunch program using American-produced products.

We support the placement of vending machines that serve domestic agriculture products in schools.

States' Rights 112

We support the protection and defense of state rights, and state sovereignty over all powers not otherwise enumerated and granted to the federal government under the 10th Amendment to the Constitution. The federal government must respect state laws and state agencies.

Public functions should be performed by the qualified unit of government closest to the people without coercion by administrative agencies of higher units of governments.

All lands within the boundaries of a state, excluding land designated as military reserve, shall be subject to the laws and jurisdiction of the state.

We oppose federal legislation which mandates programs unless federal funding for such programs is provided on a continuing basis through existing state and local agencies.

We ask that the county commissioners from each county formally request in writing that the federal government and state agencies direct their employees to consult with the county government prior to implementing any laws, statutes, or U.S. codes which would affect the economy, customs and culture of their county.

INFRASTRUCTURE

Highways 125

The Federal Highway Trust Fund should be maintained as now constituted and no diversion of these highway funds to nonhighway-related purposes should be permitted. We support maintaining the separation of the Federal Highway Trust Fund from the unified federal budget.

We favor elimination of the federal highway use tax on farm trucks. Until such action is taken, we will support legislation raising the exemption for trucks from the federal highway use tax from 7,500 to 15,000 miles.

We urge that harvest-season permits allowing maximum weight limits of 100,000 pounds apply to federal highways except where additional axles are permitted.

We recommend that all farm vehicles be exempt from requirements to use taxable (undyed) diesel fuel. This should include farm trucks exempt from state vehicle registration or registered but operating within a 50-mile radius of the farm or farm business. We recommend that federal and state revenue agents checking for fuel tax compliance be required to obtain owner permission or search warrants to enter private property, and that all surprise inspections be conducted in the public domain.

We support allowing exempt truckers to transport regulated freight (including some farm supply inputs) on return hauls without regulation by the Department of Transportation (DOT). The exempt trucking industry serves agriculture well and must be allowed to save fuel and avoid needless trip-leasing. We oppose special federal legislation to circumvent this process.

We urge the federal DOT to allow axle weight tolerances for the transport of farm products on interstate highways in states where the tolerances are permitted on state roads.

We recommend that farmers and custom harvesters be exempt from obtaining a commercial driver's license when transporting agricultural commodities, production inputs and harvesting equipment between farms and markets. Farm operators who meet the current exempt motor carrier definition found in 49 CFR 390.5 relating to agricultural activity should be exempt from Federal Motor Carrier regulations including mileage limitations when conducting normal agricultural operations even when state boundaries are crossed.

We believe any registered or licensed farm vehicle should be exempt from the daily post trip inspection reports and on-farm inspections.

Load securement regulations should be based on the best available science to safely transport that particular load.

Trucks and drivers from Canada and Mexico operating in the United States should comply with all standards and regulations required of U.S. trucks and drivers.

We support:

(1) The effort to identify the most significant issues now facing local roads and bridges and urge that recommendations be developed to deal with these concerns;

(2) Legislation with continued emphasis on the development of secondary, farm-to-market roads and adequate funding for roads and maintenance of bridges;

(3) Allowing more flexibility in the use of federal highway construction funds at the state level for the purpose of maintaining primary and secondary roads;

(4) Funding for the so-called 4-R Act (resurfacing, rehabilitation, repair and reconstruction) dealing with interstate highways as many have passed their designed life span;

(5) Legislative mandates which specifically require shippers to load and receivers to unload unregulated trucks;

(6) An amendment to the federal highway program to give the preservation of prime farmland the same standing as the preservation of parkland, wildlife preserves and similar lands;

(7) Efforts to bring about greater uniformity and reciprocity among states on truck regulations;

(8) The provisions of the Highway Beautification Act of 1965 that permit, within reasonable guidelines, the leasing of billboard space for advertising purposes and oppose legislation or regulations which would deny this right. We believe the act should be amended to support the Farmer-to-Consumer Direct Marketing Act of 1976 by allowing farmers to use roadside signs to advertise their farm markets or U-Pick operations, which sell direct to consumers;

(9) A comprehensive highway safety program to reduce traffic fatalities, injuries and the destruction of property;

(10) The uniform interpretation and application of the Federal Motor Carrier Safety Regulations by enforcement agencies; and

(11) The relaxation of environmental impact regulations affecting the construction of federal, state and county roads and bridges.

We oppose:

(1) The use of the current dyes used in diesel fuel because of performance problems they create with farm equipment;

- (2) The enactment of state legislation or regulations that are more stringent than federal requirements governing hauling of nonfood items in trucks used to transport food products;
- (3) Toll road construction where federal funds and lands are involved;
- (4) Increasing highway fuel taxes for deficit reduction purposes;
- (5) Action by Congress or the DOT to impose sanctions or to withhold user taxes or any other federal funds from any state in an attempt to force or coerce states to enact particular laws;
- (6) Any national legislation to remove safe, older vehicles from highways as a means to reduce energy use;
- (7) Implementation or enforcement of any regulation further limiting the driver's hours of operation or the hours a truck can be utilized on the nation(s) highways; and
- (8) The diversion of highways and utility lines from public lands.

Maritime Transportation 126

There should be no restrictions as to the quantities or vessels on which a commodity is shipped between U.S. ports, therefore, we urge repeal of the Jones Act. Since cargo preference requirements make U.S. farm exports less competitive in world markets, we oppose legislation or decisions to extend cargo preference to any U.S. farm exports.

Until the Jones Act is repealed, we support exempting bulk agricultural commodities from the Jones Act to make shipping of agricultural commodities within the United States and its territories more competitive.

We believe the subsidy for the U.S. Merchant Marine should come out of the Department of Defense budget, rather than in the form of increased freight rates for grain hauled under P.L. 480.

We support improved infrastructure at U.S. ports to better facilitate the loading of all sizes of ships.

Railroads 127

We encourage the railroads to accommodate country elevators by not requiring overly restrictive minimums for track length, car numbers, and loading times. These practices should not result in restricting farmers' access to markets.

The rail industry should take responsibility for protecting areas impacted by rail traffic, by implementing and maintaining fire guards, maintaining private grade crossings, and building and maintaining sufficient fences for the livestock pertinent to the area, to keep the livestock off the rights of way along rail lines.

We believe that all railroad cars should be equipped with sufficient iridescent material in patterns so that they will reflect the lights of a motor vehicle at grade crossings. This requirement should apply to all new cars when placed in service and to all existing cars when returned to service after maintenance. All railroad locomotives should be equipped with fire and spark arresters and heat warning devices on railroad car wheel bearings operating in the U.S.

We believe that railroad rights of way should be maintained so long as the railroad continues to own the rights of way.

We believe that railroad mergers have resulted in fewer carriers and reduced service for agriculture forcing increased reliance on other less efficient and more costly forms of transportation. We support additional oversight of the railroad industry, including any future plans for consolidation. Before any railroad mergers are approved, an operation

plan must be developed and agreed upon to ensure competitive service for agriculture. In addition, we believe the federal government and Congress should review the current situation and implement reforms that recognize the needs of U.S. agriculture.

We support:

- (1) Expansion and improvement of the railroad system to reduce fuel consumption, to lessen road maintenance and to lower the cost of shipping agricultural products and supplies;
- (2) Promoting competition in the rail industry;
- (3) Open access rules where there is a lack of competition;
- (4) Elimination of monopoly pricing that affects captive shippers, including the removal of "paper" and "steel" barriers;
- (5) Giving greater rate-making flexibility to rail carriers to permit more competitive operations; but sufficient regulatory authority must be retained to protect captive shippers against monopoly pricing;
- (6) Elimination of discriminatory railroad rates between geographic areas of the country. We ask that rates be based on weight, volume and distance on a uniform basis for all regions;
- (7) Carriers not being permitted to easily abandon existing branch lines that serve agricultural producers;
- (8) Decreasing the time between the Surface Transportation Board (STB) declaring a railroad abandoned and a property owner's right to regain ownership of his property;
- (9) Facilitating the sale of branch lines which otherwise might be abandoned;
- (10) Providing that in the case of abandonments or non-railroad use, the current owner of the tract of land from which the railroad right-of-way was obtained be given the right of first refusal, including mineral rights, on the basis of the fair market value of comparable property. If the current owner fails to exercise such option, other owners adjacent to the right-of-way will be offered the next right of first refusal;
- (11) Refinements of the Staggers Rail Act to provide reasonable joint rates and switching rules in order to promote the most efficient movement of commodities among different rail service areas;
- (12) Congress repealing the Federal Employer's Liability Act and require all railroad workers to be covered by worker's compensation;
- (13) Expansion and upgrade of existing shortline and regional railroads to provide better service options for farm shippers;
- (14) We support the rail line improvements and expansions proposed by the Dakota, Minnesota and Eastern (DM&E) railroad on the existing corridor to ensure increased options in the movement of agricultural commodities;
- (15) Legislation requiring full disclosure of the railroad grain transportation bidding process to the individuals who participate in the process after all bids have been made and rail cars have been allocated;
- (16) A provision that will allow the Surface Transportation Board, on petition of a state, to declare all or part of a state to be an area of inadequate rail competition, with special rail customer remedies that would apply in such areas; and
- (17) Legislation to exempt private, farm railroad crossings, used for the purposes of agricultural production, from user fees, maintenance charges and liability insurance requirements.

We oppose:

- (1) The concept of nationalization as the answer to the railroad problem;
- (2) The diversion of railroad earnings to holding companies or non-railroad businesses at the expense of a viable railroad;

(3) Parallel mergers of rail systems and the granting of railroad abandonments which tend to lessen potential transportation competition; and

(4) The merger of railroad companies with barge companies.

We support high-speed rail projects in the United States only if:

(1) Due consideration has been given to all developing rail technologies and industries;

(2) The proposed rail system is capable of using or locating on existing highway or railroad rights of way;

(3) The proposed rail system will serve both rural and metropolitan counties along its route;

(4) Access across such routes is maintained for vehicular traffic; High-speed rail must be self-supporting with no federal, state or local funds of any kind or tax incentives; and

(5) If the criteria are not met, we oppose high-speed rail.

Transportation Policy 128

We support the development of a sound, long-range national transportation policy encompassing all modes of transportation to guide the development of the most economical and energy-efficient methods of meeting the transportation needs of the future and to provide greater equity between modes in regulation, competition and government assistance. We favor encouragement of intermodal transportation.

We support the maintenance and improvement of our transportation infrastructure, including:

(1) The lock and dam system and waterways;

(2) Rural highways;

(3) Railroad systems;

(4) Farm-to-market roads; and

(5) Pipelines.

We should work with other interested groups to aggressively pursue actions in Congress and appropriate federal and state agencies to ensure that we have an efficient and competitive transportation system through which we can effectively move agricultural products.

We strongly urge the Department of Transportation (DOT) to subject all foreign truck drivers and their trucks to the same safety rules and regulations as domestic drivers and their trucks.

We support the exemption held by states for transportation of hazardous materials by farmers and ranchers.

The federal government should stop making policy on the assessment and taxation of transportation property or any other property. This is a state and local matter and should remain at that level. We urge repeal of that portion of the so-called 4-R Act pertaining to assessment and taxation of rail properties.

The role of USDA in transportation and food distribution should be redefined and strengthened to monitor the agricultural transportation situation and provide educational assistance to independent, owner-operator truckers.

Agricultural transportation should be considered intrastate commerce when the following criteria are present:

(1) The vehicle is not-for-hire;

(2) Transportation is from field to market or to an on-farm storage facility with subsequent transport to market; and

(3) Transportation is provided by a producer or custom harvester.

We support modifying regulations concerning farm-licensed trucks to facilitate the transportation of farm produce and supplies across state lines, including the DOT and Interstate Fuel Tax Agreement required regulations. Where technical differences exist between federal and state laws and regulations, we support legislation making state laws the governing authority, where state standards are less stringent than federal.

We support making federal regulations for obtaining a medical card uniform with those for obtaining a commercial driver's license (CDL).

We oppose mandatory CDL for producers and their employees to transport fuel, chemicals, fertilizer and farm commodities.

We support removing the restrictions on the distance a vehicle can travel under existing farm tag exemptions without a CDL.

We support limiting the need for bi-annual DOT driver physicals to only those drivers required to have a CDL.

We oppose lowering of federal weight and length limits.

We oppose action by Congress or the DOT to impose sanctions or to withhold user taxes or any other federal funds from any state in an attempt to force or coerce states to enact particular laws. Ten percent of all federal highway use funds are spent for off-road enhancement. We support the repeal of Title 23, Section 133(d) (2) of the U.S. Code.

We favor flexibility for states to determine the distribution of federal highway monies among highway projects.

We oppose legislation that would mandate excessive increases in Corporate Average Fuel Economy Standards (CAFE) for new cars, pickup trucks and vans.

We oppose the adoption of vehicle emission standards or the regulation of the carbon intensity of transportation fuels if they have a long-term, negative impact on the production and use of renewable fuels or an adverse economic impact on agriculture.

We oppose any changes in the CAFE standards that reduce the availability and increase the cost of trucks. We are opposed to using the metric system in our public highway mileage signs.

We oppose further action to change fuel standards or tax provisions on fuel at the expense of equipment performance; however, we support the improvement and enforcement of expanded fuel quality and performance standards.

We oppose any mandate by the Environmental Protection Agency (EPA) that restricts fuel economy standards for small trucks to the same level as automobiles.

We oppose emission controls on farm vehicles that are used primarily on the farm.

We recommend that the manufacturers of diesel engines list their requirements of lubricity for low sulfur diesel fuels and that manufacturers of low sulfur diesel add a lubricity package that exceeds these requirements.

We support states' retention of authority to regulate the intrastate hauling of hazardous material and oppose federal preemption of the same. The regulations should account for the special needs of agriculture and their potential cost to farmers.

We support federal legislation to exempt low mileage trucks (15,000 miles per year for agricultural purposes and 5,000 miles per year for all others) from mandatory post-trip inspection reports and to change the applicability of the post-trip inspection to only those carriers operating six or more commercial motor vehicles.

We support allowing farm trucks that are mandated to have annual inspections to be allowed bi-annual inspections if driven less than 7,500 miles per year.

We oppose DOT implementing regulations placing restrictions on any food product being distributed on common carriers such as airlines without solid scientific evidence that such restrictions are necessary to prevent a significant risk to the public at large.

The English language certification for a foreign pilot operating a commercial aircraft in the United States should be improved and strengthened.

We support actions by the Department of Homeland Security that ensure agriculture's ability to produce food and fiber.

We support regulatory changes to allow "Farm Vehicle Drivers," as defined in the Federal Motor Carrier Safety Regulations, to be exempt from the driver qualifications when transporting materials that require marking and placarding, and from the hours-of-service requirements. We will support legislation to exempt part-time employees (500 hours or less annually) from the requirement to obtain a commercial driver's license (CDL).

We support an exemption for agriculture from federal motor carrier safety regulations regarding displaying of DOT numbers, registered owners' or farm name, limiting mileage, requiring a medical card for the driver, maintaining hours of service, and requiring bumpers on end dump farm vehicles.

We support:

(1) Legislation that raises the federal commercial trucking weight threshold to be over 26,000 pounds; and

(2) Increasing the interstate weight load limit to a minimum of 88,000 pounds.

We oppose the inclusion of agricultural producers in the Unified Carrier Registration (UCR) program. We support restoring an agricultural exemption from the program.

We support an exemption for production agriculture from the Federal Motor Carrier Safety Regulation.

LABOR

Farm Labor 135

We should work with agricultural employers in the various states and regions to:

(1) Improve farm labor-management relations; and

(2) Increase productivity of farm labor.

We uphold the right of farm workers to join or not to join a union by their own convictions.

We support the standardization of the definition of agriculture and farm work for all state/federal labor-related legislation to include the work activity described by the North American Industrial Classification System (NAICS), code 11. The NAICS code reflects modern agriculture practices and is now used by the agricultural census and the National Institute of Occupational Safety and Health because the description more accurately reflects current agricultural organizational structures.

Each state should have the right to decide whether agricultural employment should be brought under the National Labor Relations Act and we favor legislation to provide such an option.

We oppose a national agricultural labor board.

We support retention of the present family farm exemption from the child labor provisions of the Fair Labor Standards Act (FLSA).

We support enforcement of federal child labor laws designed to prevent underage children from working in all industries. We support existing FLSA provisions, which specify and provide opportunities for young people of the proper age to perform certain agriculture jobs.

Where federal regulations require new or remodeled housing for migrant farm workers, low-interest financing should be made available. To encourage the construction of affordable farm worker housing, provisions of the Americans with Disabilities Act should be modified so that only a reasonable percentage of such a housing project must be made accessible to the mobility impaired. The federal, state and county agencies which enforce employee housing laws should designate among themselves the one agency to be the lead and exclusive agency to enforce those laws in each county; preferably, that agency should be the most local one.

We favor legislation to amend the Farmers Home Administration Act to permit H-2A workers to be housed in Farm Service Agency-assisted migrant housing.

We support amending the Federal Migrant Seasonal Labor Act and the H-2A Act to require that court jurisdiction fall within the state and/or county where the alleged violation occurred.

Under the H-2A program the minimum contract guarantee should be no more than 35 percent of the original contract in the case of a significant event.

In a closely held corporation, partnership or sole proprietorship, members of the family should be exempt from the FLSA, Migrant and Seasonal Agricultural Worker Protection Act (MSPA), unemployment compensation laws and Occupational Safety and Health Administration (OSHA).

When a farmer is engaged in the processing, handling, packing or storing of perishable products grown on his own farm and the perishable products of other farmers, the operation should be classified as "agriculture," provided that a minimum of 50 percent of the total output of such processing plant is grown on his own farm.

We ask the Department of Labor (DOL) to change its interpretations so as to clarify that persons employed on farms year-round by the same employer are not considered to be seasonal employees under MSPA.

We recommend that, when a complaint has been registered with the Federal Wage and Hour Division, the investigators be required to list the complaint with the farmer along with the name of the persons registering the complaint; and that the investigation be limited to the area of the complaint.

One of our top priorities should be the revision of the MSPA to eliminate the unreasonable requirements of the act. We support legislation or a rule change to take the language "or causes to be used" out of the vehicle safety obligations section of MSPA (Section 500.100a)

We support the family farm exemption in MSPA and oppose any efforts to restrict its application.

We call for repeal or major revision of the private right of action under Section 504 of the MSPA. However, we will continue to assist in the defense of the term "intentional" in that section to mean a conscious or deliberate act.

We encourage agencies that perform labor housing inspections, including the DOL wage and hour division, to work with growers in providing safe housing, or camps, and to allow them to correct problem areas in a timely manner before imposing fines.

We oppose requiring employers to pay employee travel and related expenses from the employee's permanent residence to the employer's place of business, except as may be required under a temporary foreign worker program in which the farmer is voluntarily participating. With respect to a temporary foreign worker program, we oppose any requirement to pay such costs until at least half of the contract period is complete and unless the costs primarily benefit the employer.

We oppose any regulations requiring farmers to pay wages to farm workers during travel time from their residence to place of work.

We support changes in the Worker Protection Standard so posting of field entrances does not unduly alarm consumers about the use of crop protection products. We request significant research and data can be provided resolving serious flaws with the present regulation.

We support the freedom to use farm labor contractors in the recruitment and management of migrant seasonal and day haul farm labor. The labor contractor should be recognized as the sole employer of said labor force.

We urge that federal requirements for employer reporting of newly hired employees be changed to exclude temporary, day-by-day employees from reporting requirements.

We support the reform of existing migrant labor laws to be more farmer-friendly.

The use of legal foreign workers needs to be simplified and cost-competitive to make their employment more feasible for perishable crops.

We should work with the appropriate agencies to negotiate a more common-sense approach to worker protection.

We support increased funding to continue and expand the Migrant and Seasonal Head Start Program.

We support improved training for employers to understand and better use the H-2A program, and provide better information for new users to the program.

The DOL should provide appropriate oversight for state labor departments to ensure that H-2a applications are processed at the state level in a timely and impartial manner.

General Labor Issues 136

We support enactment of laws that would mandate specific penalties for unions, union members and public employees who engage in illegal strikes, and prohibit the use of amnesty in such situations.

A high standard of living is possible only through high productivity. We oppose work slowdowns, make-work, featherbedding and impediments to the use of new technology that increases labor productivity.

We believe service organizations should be exempt from federal laws requiring that employees involved in any of their rehabilitation programs be paid standard minimum wage.

We support:

(1) Retention of Section 14(b) of the National Labor Relations Act (NLRA) and extension of the right-to-work in additional states as a part of the goal to abolish compulsory membership in labor unions;

(2) Amendments to the NLRA to extend and protect the rights of individual workers against abuses by both management and labor; (3) The guarantee of the right of a secret ballot for all union votes; (4) Repeal of the Davis-Bacon Act. Until repeal is achieved, we support an amendment to the Davis-Bacon Act which would allow rural municipalities to bid public works projects without adherence to the prevailing wage rate clause;

(5) Efforts to reform the unemployment compensation laws so as to reduce fraud and bring the cost of this program under better control. We favor employees contributing a percentage of their wages to the unemployment insurance fund. We favor increased incentives for unemployment compensation recipients to take available jobs and that the job search requirement be initiated at the beginning of benefits. We recommend that unemployment insurance benefits be unavailable to any claimant who cannot be verified able to work and actively seeking work. Claims made under the Interstate Agreement for the Combining of Wage Credit should not be charged to the involved employer until

basis for the claim is verified. We recommend all workers (including H-2A workers) ineligible to receive unemployment benefits should not be included in the federal unemployment tax base. We will work to exempt wages of part-time farm laborers who are 16 years old and under, senior citizens, family members and full-time students from the requirements of the Federal Unemployment Compensation Tax Act. Employers should be liable only in the calendar year in which they exceed the threshold level in any calendar quarter in that year. We oppose further extension of the unemployment compensation program to agricultural employees. We favor increasing the threshold level of agricultural coverage from the present level of \$20,000 of wages paid in any calendar quarter to \$50,000 to reflect wage inflation that has occurred since the enactment of agricultural coverage and that it be indexed in the future to adjust for inflation. We also favor increasing the agricultural threshold coverage for multiple employees from the current level of 10 or more persons during any portion of 20 or more weeks of the year to a level of 15 or more persons for any portion of 30 weeks of the year. We recommend a one-week waiting period before qualifying for benefits;

(6) Legislation to amend appropriate antitrust laws to further limit the antitrust immunity of labor unions;

(7) Federal legislation that encourages states to provide basic systems of minimum workers' compensation benefits following the wage-loss concept for work-connected disabilities. Such federal legislation should also encourage states to improve state statutes without infringing on their rights to enact and administer their own systems of workers' compensation benefits;

(8) Clear definitions of workers' compensation coverage for temporary agricultural workers;

(9) Legislation to permit class action suits against unions to recover financial losses incurred by third parties because of a strike;

(10) Amendments to the Equal Employment Opportunity Act and modifications of enforcement procedures to increase exemptions for small businesses and privately held family concerns;

(11) Legislation and or legal remedy that would decree that state and local government employees are not subject to Fair Labor Standards Act (FLSA) wage and overtime provisions;

(12) A minimum wage differential for youth;

(13) Legislation to outlaw strikes of vital public services including transportation and food processing and provide instead for mediation and compulsory arbitration. We favor stronger federal laws that would prevent labor unions from refusing to load farm commodities;

(14) Invocation of the Taft-Hartley Act when a strike has a regional economic impact;

(15) Legislation to outlaw the use of any union dues exacted from union shop contracts or agency shop contracts in any form including in-kind services, for political campaigns;

(16) Action to prohibit strikers from receiving unemployment compensation or welfare benefits;

(17) Greater use of legal approaches in reducing the abuse of power by labor unions;

(18) Repeal of provisions of the 1974 Trade Readjustment Act which authorizes cash and other aid for workers who lose their jobs or have work hours shortened due to imports;

(19) Amending the Hobbs Anti-Extortion Act to include jurisdiction over violence and other coercive actions by labor unions and/or their agents;

(20) Retention of the 500-man/day exemption in the FLSA for agricultural employers;

(21) Retention of the agricultural exemption from the overtime requirements of the FLSA;

(22) Amending the FLSA to provide compensatory time (in lieu of overtime pay) for employees in the private sector; and

(23) Increasing the minimum base level to \$2,000 per employee before FICA payroll tax withholding is required.

We oppose:

(1) Repeal of the public employment exemption in NLRA and vigorously oppose any law at the state or national level that would force any public employee to join, or pay dues to, a union in order to work for the taxpayers;

(2) The "Employee Free Choice Act;"

(3) Any major changes in the NLRA that would increase the size of the National Labor Relations Board (NLRB) or in any way tilt this Act in favor of unions and against management;

(4) The taxation for unemployment insurance of corporate officers of a family corporation who are unable to collect unemployment compensation;

(5) Efforts to provide full employment at taxpayers' expense. Such programs impair the free enterprise system and would be a burdensome expense;

(6) The use of public funds for grants to labor organizations or their affiliates to bolster the financial position of such unions or aid their organizing efforts in any way. We should continue efforts to halt such grants, to initiate investigation of existing grants, to take every feasible action to nullify any grants made or used illegally, and to take every feasible action to prevent additional grants;

(7) Efforts to move to a nationally standardized shorter work week;

(8) Legislation that would mandate health insurance to be provided by employers;

(9) Efforts to extend the Family and Medical Leave Act to employers not covered under the current law;

(10) An increase in the minimum wage and indexing of the minimum wage when believed to be inflationary;

(11) Any legislation that would ban the permanent replacement of striking workers;

(12) Congressional efforts to void states' right-to-work laws;

(13) An overtime premium hourly rate to be guaranteed through a federal mandate; and

(14) Boycotts in any form, including common situs picketing.

Immigration 137

Immigration issues should be handled on the federal and not state level.

U.S. immigration policy must first recognize that agricultural jobs are arduous, and often seasonal and migratory. Without workers from abroad, and even embracing technological advancements, America's fields would go un-harvested; its livestock, unattended. We must confront the problem of illegal migration directly and comprehensively, but traditional law enforcement and migration measures alone will not suffice. Immigration policy must include a more efficient temporary worker program for agriculture. While many agricultural workers will not seek U.S. citizenship, there has to be an incentive for some to come forward. We do not support amnesty, but we can no longer afford, in a post-September 11th world where resources are scarce, to continue focusing on those who would pose no risk to our nation's security. At the same time, we must more effectively enforce our immigration laws to deter the employment of unauthorized workers. Immigration policy should conform to the following principles:

(1) We support a worker program that:

- (a) Addresses agriculture's unique needs, which may change suddenly with weather, global market realities, contract enforceability or other variables beyond the grower's control;
 - (b) Provides workers, including commercial fishing and fish dock workers, with a visa that lasts at least three years and is renewable multiple times;
 - (c) Offers an opportunity, and provides a waiver from inadmissibility, to interested agricultural workers who were unlawfully present and working in agriculture prior to introduction of legislation but are otherwise admissible under the Immigration and Nationality Act (INA);
 - (d) Requires workers with a visa to return permanently to their home country when their visa expires, but employers should be allowed to recruit eligible workers indefinitely;
 - (e) Eliminates excessive or duplicative bureaucracy and unnecessary red tape;
 - (f) Includes appropriate provisions for foreign commuter workers who return to a residence in their home country nightly or weekly;
 - (g) Establishes an ombudsman to resolve disputes among immigration service, employers and workers;
 - (h) Expands certification determination with the Department of Labor to a minimum of 60 calendar days to ensure employers adequate time to bring workers to a job site; and
 - (i) Includes the broadest possible definition of agriculture.
- (2) We support the program described above only if its requirements and fees are no more stringent for one sector than another. We oppose:
- (a) Requiring agricultural employers to pay more than an average wage rate prevailing in a particular agricultural occupation and region, if required to pay above the Fair Labor Standards Act (FLSA) minimum;
 - (b) Requiring housing or transportation, or the hiring of domestic workers after the contract period has begun; housing or transportation may be encouraged with tax credits;
- (c) Limiting the number of temporary worker visas, or guaranteeing payment of any fraction of a worker's pay for work that has not been performed;
- (d) Expanding the Migrant and Seasonal Agricultural Worker Protection Act (MSPA) to employers of agricultural temporary workers or otherwise providing those workers with a private right of action, whether expressed or implied, in state or federal court; and
 - (e) Applying any labor law that does not currently apply to H-2A visa workers.
- (3) We could support reasonable but serious increases in enforcement of the INA only if accompanied by a worker program, which may include but not be limited to:
- (a) Random post-employment audits of agricultural employers as long as agricultural employers are not targeted;
 - (b) Enhanced employment eligibility verification system if it is simple, conclusive, timely and provides at least an affirmative defense for employers acting in good faith; and
 - (c) Replacement of work authorization documents with tamper-resistant, machine-readable documents that include biometric identifiers.
- (4) We support a reasonable increase in the annual limit on the number of permanent resident visas, provided the process for applying for such a visa:
- (a) Offers an opportunity, and provides a waiver from inadmissibility, to interested agricultural workers who were unlawfully present and working in agriculture prior to bill introduction but are otherwise admissible under the INA;
 - (b) Offers these workers sufficient incentives to come forward but does not provide them with an unfair advantage over other applicants;
 - (c) Does not penalize the employer when a worker comes forward;

- (d) Enables agricultural employers to retain their experienced workforce while transitioning into a worker program; and
- (e) Deters future illegal immigration and otherwise improves homeland security.
- (5) We will not support immigration reform legislation unless it:
 - (a) Requires agricultural employers to pay no more than an average wage rate prevailing in a particular agricultural occupation and region; and
 - (b) Provides a legitimate and fair opportunity for certain -- but not an unlimited number of -- agricultural workers (described above) to apply for a permanent resident visa.
- (6) We will oppose any efforts to repeal the open agricultural field search warrant provision of the 1986 Immigration Reform and Control Act (IRCA);
- (7) We recommend that resident aliens with work permits be allowed to work on as many different farms as needed each year, i.e., they should not be restricted to one farm or one employer, but some may be limited to the agricultural sector for a temporary period of time;
- (8) We recommend that the Department of Homeland Security (DHS) give farming the appropriate credit for being a significant economic activity for immigration purposes;
- (9) We urge DHS to conduct its enforcement activities in a humane manner and with minimal disruption to agricultural business;
- (10) We support just compensation to owners for any damage done to property or business during DHS enforcement activities;
- (11) We support legislation to prevent workers found to be illegal from continuing to occupy grower's housing unless provided with immediate work authorization;
- (12) We will support action to provide for the unification of immediate families under IRCA, so that the act or the regulations do not require the breakup of immediate families;
- (13) We will support an amendment to IRCA to exempt the immediate family including children of an employer from the documentation requirement;
- (14) We oppose the counting of illegal aliens in the U.S. Census relative to redistricting. We oppose the use of statistical formulas or estimates in census taking;
- (15) We favor legislation to strengthen the present immigration and naturalization laws of the United States and to especially address the following subjects:
 - (a) Political asylum rules should be more narrowly defined to exclude frivolous requests and to provide for a more expedient determination as to the legitimacy of the request;
 - (b) Illegal aliens should not be eligible for any of our social welfare programs, including education and health benefits except emergency medical care;
 - (c) Any foreign national testing positive for a communicable disease should not be admitted into the United States; and
 - (d) Noncitizens convicted of a felony should be deported immediately after serving any prison time imposed on them.
- (16) We insist that the Department of Justice and the DHS respect the civil rights and civil liberties of farmers and farm workers in the course of enforcement of immigration law;
- (17) The state employment agency be required to verify employment eligibility before making any referral to an employer;
- (18) Repeal of the employer sanctions clause. Employers should not be held liable for determining the legal or illegal status of employees; and
- (19) Federal agencies should be liable for any and all costs incurred by county and municipal governments in detaining an illegal immigrant while awaiting processing and/or deportation.

We encourage DHS to develop clear, legal guidelines for Immigration and Customs Enforcement (ICE) and for U.S. Border Patrol when entering private property and advising employers of such guidelines.

ICE should be required to contact employers immediately following farm enforcement measures when employees are taken from businesses so that employers and families are informed.

We urge the U.S. State Department to increase funding and personnel to handle the peak period for visa demand thus reducing worker delays.

We support the development of a special visa, green card or citizenship for farmers immigrating, or those who have immigrated to the U.S. Specifically, we recommend changes to existing laws and E2 visa requirements to better reflect and support farm family businesses.

Legal Services Corporation 138

We call for major reform of the Legal Services Act of 1974. We are not opposed to a reasonable program to provide legal assistance for persons with incomes at or below the poverty level. To achieve major reform of the program, we will work with other groups, both inside and outside agriculture, to mount a multi-year legislative effort for that purpose.

We will:

(1) Continue to support efforts to defund the special programs that have been funded by Congress and transfer those funds to direct delivery of services to poor people;

(2) Support efforts to bring about other reforms on an interim basis, including but not limited to:

(a) an amendment to the Legal Services Act to permit individual citizens or groups to file suit against the LSC and its grantees or contractors and to seek damages where Legal Services lawyers or LSC groups have operated in violation of the law;

(b) an amendment to require LSC groups and their staff attorneys to make a good faith effort to get the employer and the complaining employee or employees in a face-to-face meeting for the purpose of resolving problems before a lawsuit is threatened or filed;

(c) an amendment to either prohibit LSC attorneys and groups from filing for or receiving court and legal costs from defendants;

(d) an amendment to say: "Legal Services Corporation, its attorney(s) or group(s), shall have to pay court costs for any suits that they initiate and lose;" and

(e) an amendment to prohibit lobbying by subgrantees of LSC grantees;

(3) Develop organized ways, such as mediation, of settling problems between agricultural employers and their employees to avoid costly lawsuits;

(4) Continue to develop and promote a training program among agricultural employers to:

(a) make them more aware of the labor laws and regulations affecting agricultural employment; and

(b) assist them in developing an effective labor-management relations program on their farms and ranches; and

(5) Assist farmers in becoming better informed about the LSC program and to become more involved in the operation of local LSC groups.

We support:

(1) Making Legal Services Corporation (LSC) and its grantees accountable to the executive branch;

(2) The U.S. government ceasing to provide federal funding to Farm Workers Legal Services; and

(3) Any action brought by the LSC against farmers be considered in the court of jurisdiction where the farm is located.

We oppose:

(1) Funding LSC grantees with interest on Lawyers Trust Accounts; and

(2) Giving LSC grantees the right to represent agricultural workers who are not legally or physically present in the United States.

Occupational Safety and Health Administration 139

We continue to support an exemption for farms with 10 or fewer employees from Occupational Safety and Health Act (OSH Act) regulations.

Employers who violate the law should be given a warning for the first violation and be given due process of law as allowed under the Constitution instead of instant fines.

We call upon OSHA to repeal its farm labor housing regulations, since such housing is not a workplace. The Department of Labor (DOL) should not have two different regulators regulating the same housing.

OSHA should not issue any regulation unless there is an actual threat to the health and safety of employees.

We support the use of voluntary programs to reduce injuries in the workplace.

We will continue to work with federal agencies and with various safety groups in the development of reasonable safety regulations affecting farmers.

We will provide leadership in the development of reasonable and responsible safety regulations at the national level.

We believe that OSHA's standard for grain elevators is unworkable for existing small country elevators and favor a more workable standard or exemption for such elevators.

We call upon the secretary of labor to revise the Hazardous Materials Communication Standard to eliminate duplicate and overlapping regulations with the Environmental Protection Agency's (EPA) farm worker pesticide protection regulations.

We urge EPA and OSHA to employ persons with agricultural expertise.

We oppose giving OSHA jurisdiction over criminal penalties for any OSH Act or other labor regulation violation.

We oppose the imposition of ergonomic standards on the agricultural industry, including farm processing and packing operations.

MISCELLANEOUS

Agricultural Education 145

High school career and technical education programs for agriculture and the National FFA Organization are vital programs for development of the talent and leadership needed in farming and agricultural service industries.

We support "10x15: The Long Range Goal for Agricultural Education" to help create new programs in communities not yet served by agricultural education and FFA and ensure the quality and high performance of current programs providing personal, academic and career education in agriculture. We support an increase in federal funding and necessary personnel to advance the initiative.

We support opportunities for children from home schools, private schools, and charter schools to form local FFA chapters.

We encourage school districts to revise their agricultural curriculum to a level where credits in agricultural courses can be utilized as science credits. We encourage universities to accept these agricultural course credits as science credits.

Career and Technical Education 146

We support career and technical education and post high school job training and retraining.

State and local groups should retain primary responsibility for career programs and technical education programs.

We support the eligibility of farmers and ranchers to participate in existing government-funded retraining programs.

We strongly support continued federal funding at current or higher levels for career and technical education.

Cooperatives 147

Agricultural cooperatives should be farmer owned and controlled and should be based upon the principles of our private competitive enterprise system.

We oppose any attempt to repeal or weaken the Capper-Volstead Act. Antitrust suits should not be used to dilute the bargaining power of farmer cooperatives.

Perishable Agricultural Commodities Act requirements should apply to cooperatives that do business on cash basis with nonmembers.

We support legal, regulatory and tax codes to encourage the proliferation of farmer-owned closed cooperatives that produce value-added products.

We support allowing cooperatives to keep dividends from deceased members after trying to locate heirs for five years.

Definition of Agriculture 148

We support having a uniform definition of agriculture which includes use of natural resources in the production of all plants (agronomic and horticultural), aquatic species (aquaculture), forestry (silviculture), animal (including equine), fungi, beekeeping (apiculture) and all related production activities.

Education 149

We believe that educational policy is primarily a local and state issue. Reforms to improve educational quality can best be formulated at these levels of government. We support less federal control and more local control of our schools.

We oppose unfunded mandates. We oppose national mandates on local curricula and school boards. The No Child Left Behind program should be reviewed due to the vast implications of the program on children, family and school systems.

Ag in the Classroom

Agriculture in the classroom programs are key to improving the agricultural literacy of the public and should be a part of all elementary and secondary education.

We support:

- (1) Agriculture in the Classroom credit courses for all college students pursuing a degree in elementary or secondary education;
- (2) The National Agriculture in the Classroom Consortium;
- (3) USDA's current involvement as coordinator of the Agriculture in the Classroom program and the continuation of a matching grants program to provide assistance to state programs; and
- (4) An increase in the annual appropriation for the program.

Primary and Secondary Education

We support:

- (1) Teaching foreign languages as individual subjects;
- (2) Programs for students who do not speak English to upgrade their ability to communicate and understand English;
- (3) Obtaining proficiency in the basics of reading, writing and mathematics by all students in our educational system;
- (4) The use of English as the teaching language in grades K-12;
- (5) The appropriate use of discipline of students in our public schools;
- (6) Programs that provide greater educational opportunities and incentives for exceptional students;
- (7) The needs of all students in a classroom when determining whether a special needs student will be included in the regular program;
- (8) The option of home-based education and oppose any laws or movements to abolish this liberty and freedom;
- (9) Environmental education for all students based on sound science and factual information;
- (10) Preserving neighborhood schools and maintaining the right of parents or legal guardians to participate in public and private schools affairs;
- (11) Federal impact aid to localities adversely affected by federal government installations and/or refugee relocations; and
- (12) Educational programs that provide training in citizenship, traditional family values, parenting, ethics, social behavior and interpersonal relations increased emphasis.

Higher Education and Student Loans

We support:

- (1) Eligibility for college loans should be based on net operational income;
- (2) Government and lending institutions making every effort to collect delinquent student loans with interest;
- (3) Colleges and universities should not be penalized for non-repayment of student loans;
- (4) In order to promote this responsibility without seriously jeopardizing the availability of student loans, government guarantee should be reduced from 100 percent to 95 percent;
- (5) Resident instruction programs in our colleges of agriculture. The development of students' expertise is critical to the future of the agricultural industry; and
- (6) The original intent of teacher tenure to protect teachers against political abuse. However, tenure should be reformed so that it cannot be used to unduly protect incompetent teachers.

Private schools have an important place in a free society and should meet or exceed state standards for accreditation. Government should recognize the right of private groups

to organize and operate educational institutions. The Internal Revenue Service should be prohibited from interfering with the enrollment practices of private schools.

Individual prisoners should not qualify for any welfare or federal or state grants, such as college or school grants.

We oppose access to Internet pornography in publicly supported facilities, (i.e., libraries and schools).

The Environmental Protection Agency(s) environmental education should be based on sound science and factual information.

Farm Machinery 150

We encourage farm equipment manufacturers to continue to work toward standardization of hydraulic couplings and a universal shutoff system, with proper labeling, for tractors and all farm equipment.

We urge manufacturers to designate the year of manufacture in the serial number of the tractor or implement.

We support:

- (1) Prohibiting tampering with hour meters on motorized farm equipment;
- (2) Using standardized 10-character machinery identification system, which includes components of the National Crime Information Center number; and
- (3) A national tractor performance testing program.

We oppose:

- (1) Any attempt to restrict or regulate exhaust emissions on new or used farm equipment, heavy equipment or trucks; and
- (2) The titling, registration and licensing of farm machinery at the federal level.

Family and Moral Responsibility 151

The strength of every civilized society is the family. We support and encourage the promotion of the fundamental principles and family values on which our nation was founded.

A family should be defined as persons who are related by blood, marriage between male and female or legal adoption.

We oppose granting special privileges to those that participate in alternative lifestyles.

Parents have the legal right and responsibility for the religious and moral training of their children. Child care services, protection from exploitation and education can best be addressed at the local level with parental involvement and guidance.

We oppose human cloning.

Health 152

We believe that health care is primarily the responsibility of the individual. We support efforts to improve health care delivery and foster health care competition.

We support federal tax policies that encourage individuals to prepare for future health care needs. We support expansion of health savings accounts eligible for a tax credit. We support allowing non-penalty and tax-free transfers from IRA's to health savings accounts.

We oppose any tax on any agricultural commodity being used to fund a health care program.

All rural areas should have access to modern and reliable 911 and E911 communication service.

We encourage vaccination programs for potentially deadly diseases and more domestic production of critical health vaccines as a policy of national security.

We support Small Business Health Plans and voluntary regional insurance purchasing cooperatives, subject to state regulation, to permit individuals and small companies to receive the same price advantages that corporations receive.

The Health Insurance Portability and Accountability Act (HIPAA) should be reviewed and revised.

We oppose compulsory national health insurance and a national health plan in any form.

We oppose funding for abortion, euthanasia and RU-486.

We urge more restraint and supervision by the medical community concerning fetal tissue research.

Health care policy should embrace the following principles:

- (1) Promote personal wellness, fitness and preventive care as basic health goals;
- (2) Ensure that doctors, not insurance companies, determine patient treatments;
- (3) Provide direct government financial assistance for those who are unable to pay for health care; and
- (4) Protect the right of patients to choose physicians and methods of treatment.

We support elimination of the 7.5 percent level for adjusted gross income so that all medical expenses are deductible.

Access To Health Care

We support:

- (1) Greater use of nonphysician providers;
- (2) Efforts to train additional family physicians who intend to practice in rural areas;
- (3) Government incentives for medical and mental health services in rural areas;
- (4) Expansion to all states of Essential Access Community Hospital (EACH) and Rural Primary Care Hospital (RPCH) programs;
- (5) The expansion of migrant health services to ensure a healthy work force for agricultural employers;
- (6) Expansion of home health care community-based services such as farmer employee health clinics, surgical centers and other outpatient facilities; and
- (7) Importation of prescription drugs when the safety of the source can be proven.

We oppose:

- (1) Legislation or regulations that would jeopardize present volunteer emergency medical technician (EMT) systems;
- (2) Federal guidelines that would close the obstetric wards in hospitals that do not meet annual requirements for number of births;
- (3) Prohibiting the over-the-counter sale of vitamins, amino acids, probiotics, minerals and herbs;
- (4) Insurance companies being able to over-ride a doctor's prescription;

(5) Health Maintenance Organizations requiring patients referred to specialists to obtain periodic approval from the their primary care physician to continue treatment;

(6) The early discharge of patients by health care plans, hospitals and/or physicians; and

(7) Legislation which calls for employers to provide employees with health insurance throughout the calendar year of their employment.

Cost Containment

We support:

- (1) Exemptions from mandates for group health insurance programs of associations;

- (2) A reduction in mandated benefits;
- (3) Efforts to reduce medical malpractice insurance costs, including limitations on certain punitive and non-economic damage awards;
- (4) Allowing veterans to receive medical care at local hospitals, as a way to lessen costs to veterans and increase local hospital funds;
- (5) A wage index equal to 1.0 for reimbursement purposes; and
- (6) Exemption of Essential Service Hospitals from Outpatient Prospective Payments Systems.

Medicare/Medicaid

We support:

- (1) Allowing Medicare recipients to opt out of Medicare and purchase private insurance actuarially equivalent to Medicare with Medicare paying the premium;
- (2) Incentives to Medicare recipients to allow them to participate in private or alternative plans;
- (3) The active prosecution of Medicare and Medicaid fraud;
- (4) Patients receiving billings from physicians or health care services before Medicare pays to help eliminate account balance discrepancies;
- (5) Block grants to the states to administer the Medicaid program as they see best;
- (6) Efforts to eliminate cost shifting from Medicaid and Medicare to individuals and third-party payers;
- (7) Eliminating the waiting period for those who transfer or sell property to relatives in order to qualify for Medicaid;
- (8) Medicaid assuming nursing home expenses for a person whose net worth has been reduced to \$20,000;
- (9) Allowing a spouse to retain up to \$96,000 in countable assets (not including home, burial trust, life insurance and one vehicle) with the remainder eligible for spousal support of nursing home costs;
- (10) Equitable Medicare payments to rural hospitals and physicians;
- (11) Adequate funding under Medicare to continue home health services for the home-bound and elderly;
- (12) Medical industry acceptance of Medicare assignments;
- (13) Medicare and Medicaid coverage for prescription drug and medical costs with a deductible or co-pay;
- (14) Government programs like Medicare and Medicaid properly compensating providers in a timely manner;
- (15) Full deductibility of Medicare co-pays and deductibles instead of treating them as hospital bad debt; and
- (16) Medicare coverage for preventative examinations.

We oppose:

- (1) Any expansion of Medicare;
- (2) Medicare tax increases;
- (3) Any reduction of Medicare provider reimbursement;
- (4) A mandatory medical identification system;
- (5) Efforts to restrict the ability to privately contract with a physician for medical service beyond Medicare-approved treatment; and
- (6) Medicare being able to limit a medical doctor's ability to treat a patient.

Prospective borrowers should be protected from undue pressure to purchase insurance from institutions lending them money. Companies or agents who violate lending rules should have their license suspended immediately.

We oppose repeal or amendment of the McCarran-Ferguson Act. We favor state regulation of insurance companies.

We oppose increased federal income taxes on insurance companies.

We support the following actions to bring down costs and return stability to liability and medical malpractice insurance:

- (1) Strengthen the legal definition of fault as a basis to determine damages;
- (2) Limit expert testimony;
- (3) Eliminate joint and several liability;
- (4) Limit non-economic, including punitive, damages;
- (5) Allow large awards for future damages to be paid in installments;
- (6) Eliminate double recovery;
- (7) Limit attorney's contingency fees;
- (8) Encourage alternatives to lawsuits; and
- (9) Protect volunteers, officers and directors of non-profit and charitable organizations from personal liability suits when acting in good faith to perform their assigned duty.

A federal natural disaster insurance program should be established with the private insurance industry.

Agricultural custom harvesters should be exempt from having to obtain a Department of Transportation Form E.

Litigation 154

We support:

(1) Legislation that entitles a prevailing party in civil or administrative proceedings by a state or federal agency, to legal fees and out-of-pocket expenses if the position of the agency is not substantially justified;

(2) Legislation to require parties seeking an injunction to reimburse the defendants for all court costs, legal fees, losses and other expenses if the injunction is shown to be unfounded or otherwise overturned;

(3) Tort reform to include, but not limited to, a cap on the amount of damages, that can be awarded for non-economic loss, a flat compensation based on type of injury and reasonable limitations on attorney's fees from class action lawsuits;

(4) Plaintiffs whose lawsuits are determined to be frivolous should be responsible for court costs and economic and social damages incurred; and

(5) Anti-disparagement legislation, which provides a cause of action against entities making false and disparaging statements against agricultural products and/or production without scientific justification.

We oppose:

(1) The use of government funds to sue the U.S. government;

(2) Persons serving a prison sentence being allowed to sue and recover, at taxpayer expense, any monetary award;

(3) The right of a plaintiff to sue for injuries while committing a crime or trespassing on another person's land; and

(4) Government agencies being allowed to assess penalties, confiscate property or withhold benefits without due process.

Media 155

We urge the U.S. media to be unbiased and accurate in its reporting on food safety issues. All reporting should be balanced, maintaining a risk relation factor between agricultural/consumer benefits and possible health risks. When the media corrects an error in reporting, that correction should be printed or broadcast with the same prominence as it was incorrectly reported initially.

We urge USDA to promptly investigate false information regarding the agricultural community reported by the media and assist us in aggressively challenging individuals and organizations who misrepresent scientific evidence and cause financial damage to agricultural producers.

We propose that any media and/or any organization responsible for distributing accusations of health risk not based on credible scientific data be held liable for triple the losses to producers, processors and subsequent retailers.

We oppose "anti-agriculture" propaganda in all forms of media. We support pro-agriculture information in all media available to the public.

We urge the media to take immediate steps to exercise discretion in the depiction of sex, violence and low morality on TV and radio.

We recommend that the rating system used for movies be used for the commercial music industry.

To make vital decisions, farmers and ranchers need detailed and timely weather information, local news, up-to-the-minute market reports and news affecting production agriculture. We encourage all radio and television stations to maintain and improve their agricultural services.

We support local stations being included in programming on cable and satellite television.

Narcotics and Substance Abuse 156

We encourage vigorous educational efforts to inform youth, parents and others concerning the harmful effects of substance abuse.

We support:

(1) Effective enforcement of present laws and enactment of new legislation to prevent the illegal production, importation, manufacture or distribution of illegal drugs, and related paraphernalia;

(2) Efforts to prevent prescription drug abuse;

(3) Stiffer penalties for drug pushers, money launderers and repeat users, with no plea bargaining;

(4) Mandatory drug testing when necessary for public health and safety reasons; and

(5) All proceeds from property collected from confiscation and impoundment procedures being used for drug programs and cleanup costs and not be deposited into the general fund.

An innocent landowner should not be held liable or penalized when illegal drugs are found on their property.

Nutrition 157

We support:

(1) Teaching balanced diet guidelines following the recommendations of USDA's food nutrition program research;

(2) Efforts by state Farm Bureaus to seek state legislation to certify nutritionists;

(3) Recognition by USDA and the Food and Drug Administration of studies and research in nutrition which are based on published standard research criteria whether funded by producer groups or other recognized research groups;

(4) Funding of nutrition research on relationships between agricultural products and coronary heart disease and cancer; and

(5) Teachers and health professionals being educated about sound nutritional principles.

We oppose anyone dictating which foods should and should not be eaten. We deplore the use of taxpayers' money for the purpose of legislating or controlling the diets of American people.

Postal Service 158

We support programs to provide efficient essential mail service to rural America. Rural mail delivery should be made available to every reasonably accessible farmstead. Private enterprise should be permitted to compete with the U.S. Postal Service (USPS) for all types of service.

The USPS should take immediate steps to improve service. Where possible, rural routes should be consolidated, extended or relocated for economy of operation. We oppose closing rural post offices without a public hearing.

Rural addresses should reflect the locality of the postal patron. If the USPS changes an address, it should continue to deliver mail for 90 days to allow ample time for notification.

The USPS should be prohibited from selling name lists.

We support:

(1) Continuation of six-day postal service;

(2) Postal inspection of first class mail which is suspected of containing quarantined products;

(3) Using fines to deter the mailing of quarantined products;

(4) Requiring the USPS and airlines to ship live poultry raptures, beneficial insects (including honeybees), live plant material and canines;

(5) Allowing rural mail carriers to provide their own vehicles. Vehicles should be properly marked for safety;

(6) Making a U.S. postage stamp to honor agriculture;

(7) A review of USPS bulk mailing regulations for nonprofit organizations for easier compliance; and

(8) Setting rates for all classes of mail at levels sufficient to support the cost of the service provided.

Religion 159

Our national life is founded on spiritual faith and belief in God.

We support:

(1) The individual's right to free exercise of religion, whether in public or private, be it verbal or visual;

(2) The legal right and responsibility of parents to direct the religious and moral training of their children;

(3) Leaving "In God We Trust" on coins and currency and "Under God" in the Pledge of Allegiance;

(4) The right of U.S. citizens to conduct religious services, offer prayers and read the Bible as God's word on public lands; and

(5) The denial of preferential tax treatment to churches or church organizations for activities that are involved in political action programs.

We oppose efforts to remove references to Christmas and other religious holidays from our country's heritage.

Rural Communications 160

Communication services should be available at a reasonable cost to all people. High speed internet access in rural areas should be increased through any source, including wireless, by using a combination of tax incentives, grants and/or regulations. We encourage local competition for retail access to telecommunication services.

We support continuation of the Universal Service Fund (USF) to maintain affordable communication services in rural America.

We oppose shifting the funding burden for the USF to the states.

We support the complete unbundling of telephone bills so that all components of the charges are accurately reflected.

We believe that a properly designed federal revolving fund should be a source of financing for rural telephone cooperatives so that they can maintain and strengthen their systems. An adequate rate of interest should be charged to keep the fund solvent and the fund should be used in conjunction with private capital to finance the system.

We support the "Do Not Call List."

Safety 161

We support:

(1) A farm safety program focused on educating children and families about safe and age-appropriate tasks on the farm;

(2) The concept that safety begins with each individual employer and that employees have a responsibility to observe safe working rules and conditions;

(3) Continued efforts for uniform state vehicle codes, traffic guides and the furtherance of safety practices on highways and farms;

(4) The proper and lawful use of the slow moving vehicle (SMV) sign;

(5) The strict enforcement of drinking and driving and habitual offender laws;

(6) The use of additional automobile safety devices;

(7) Establishment of uniform release mechanisms on all seat belts on newly manufactured vehicles;

(8) Vehicle and child safety seat manufacturers working together to develop universal child safety seats that are compatible with all vehicles;

(9) Clarification of statistical categories used by the National Safety Council and federal governmental agencies in determining rate of accidents, hazardous exposures and fatalities in production agricultural occupations;

(10) Efforts to reduce farm accidents, injuries and fatalities on the farm with an emphasis on education and voluntary programs;

(11) Regular inspection of all railroad crossings and signals, especially multi-track crossings and the addition of lighting and rumble strips;

- (12) Marking the sides of railroad cars to increase night visibility;
 - (13) The use of fire racks and guards on fire trucks as an appropriate and effective method of rangeland fire fighting; and
 - (14) Funding of the AgrAbility Project.
- We encourage the Farm Bureau Safety and Health Network and others in their efforts to promote agricultural safety programs and encourage farmers and ranchers to install and maintain safety equipment.

SECURITY

Biosecurity 175

Protecting our nation's food, fiber, water supply and critical industrial agricultural materials should be a top priority.

We condemn acts of terrorism by both foreign and domestic perpetrators and support the protection of our people, resources and industry.

We pledge wholehearted support to our national leaders in efforts to punish those who carry out acts of terrorism, including those who train, support and harbor terrorists.

We encourage federal and state governments to strengthen existing capabilities to prevent and respond to acts of bioterrorism. We support emergency spending for food and agricultural security to protect and promote domestically produced food, fiber and critical industrial agricultural materials. Steps should be taken to ensure that traditional protection measures against pest and diseases are maintained at the highest level with appropriate penalties. A permanent sub-cabinet position should be established within the Department of Homeland Security to deal with plant and animal protection measures. In addition, the department should have agricultural representation on departmental advisory boards and committees.

We support import protocols that prevent the introduction of foreign animal and plant diseases.

We support USDA as the lead agency in managing any plant or animal disease outbreak.

USDA should be designated as the federal agency for food inspection and food safety if all food inspection and food safety functions are combined into one agency.

We will seek safe harbor provisions for producers and animal health professionals who may inadvertently spread biological agents while using acceptable management practices.

We support preemptive planning and development of strategies to contain and control potential outbreaks of foreign animal and plant diseases. This includes assurance by a third party that adequate supplies of crop protection products or animal vaccines are available or production capabilities are in place in case of an outbreak.

We support stringent enforcement of laws pertaining to bioterrorism.

We support:

- (1) State and federal legislation to strengthen civil and criminal penalties to a felony charge for persons or organizations that engage in acts of biological terrorism, including but not limited to the introduction or spreading of biological agents or contaminants harmful to agricultural products. Foreign or domestic terrorist organizations who commit such acts and those who willfully finance these acts should be held financially responsible for damages;

(2) Federal legislation to establish an indemnity program and contract relief when acts of terrorism result in damage to agricultural facilities or equipment, production losses or the loss of marketability of agricultural products;

(3) Federal funding for the construction of new, state-of-the-art, biocontainment plant disease research facilities. Such facilities will be for federal research studies on non-endemic plant diseases of major agronomic crops, including soybean rust. We also support increased federal funding for such research and the operation of the new facilities; and

(4) Legislation that would allow farmers and ranchers to seek compensation through U.S. courts from seized foreign assets, as a result of agricultural terrorism by foreign states designated as state sponsors of terrorism.

We support the exclusion of hay for animal feed in the FDA's bioterrorism regulations.

We recommend necessary USDA funding to focus on the protection of our food, fiber, water supply and critical industrial agricultural materials.

We recommend that all farmers and public agencies recognize the importance of adopting biosecurity measures.

We urge public agencies to recognize that laws allowing public access to private agricultural operations or laws that inhibit agricultural production are a risk to our nation's security.

Firearms 176

We support:

(1) Firearm safety programs;

(2) Legislation that would prohibit lawsuits against any firearm manufacturer for the illegal or accidental use of firearms by a third party; and

(3) Mandatory imprisonment of persons convicted of a felony involving use of firearms.

We oppose:

(1) Limiting the rights of U.S. citizens to purchase, possess or sell firearms (except fully automatic firearms) through registration and licensing;

(2) Any additional expansion of taxes or new taxation of firearms, ammunition or reloading equipment and supplies; and

(3) More stringent gun control laws. Any new commitment in gun control should be made by the strict enforcement of current laws.

Law Enforcement 177

We support:

(1) Efforts to make sure that those who commit terrorist acts, as well as those who train, support, or harbor terrorists, are properly punished;

(2) The unlimited exchange of criminal records among law enforcement agencies;

(3) Protection of law enforcement officers from liability for reasonable actions taken in the course of their duties;

(4) Citizens offering pertinent information and assistance to law enforcement officers;

(5) Strict and prompt enforcement of laws protecting persons and property;

(6) Training law enforcement in the most effective crime fighting techniques;

(7) Judges sentencing offenders in relation to the crime with stiff penalties for those using children in the commission of crimes;

(8) Punishment of criminals, regardless of age, with criminal records following them to any other court proceeding;

(9) Adequate prison facilities with an emphasis on rehabilitation to afford them a better opportunity to assume a constructive role in society. Prisoners in minimum security prisons should be required to work on highways, prison farms or other public projects to defray costs of their incarceration;

(10) Reducing the fiscal impact and increasing the flexibility to local governments in relation to increasing federal prison standards;

(11) Parole boards being less lenient in paroling offenders;

(12) Monitoring and supervision of convicted and released offenders and notification of their release to the victims and their families;

(13) Mandatory prison sentences for first-time sex offenders;

(14) Disqualification of elected or appointed public officials convicted of felonies from holding office and forfeiture of pension or other benefits;

(15) Capital punishment, including a mandatory death penalty, for anyone convicted of assassination or attempted assassination of the president, or vice president or any candidate running for such office;

(16) Limits on the number of appeals criminals can receive;

(17) The same penalty for taking a hostage as for kidnapping;

(18) Higher bail for repeat offenders and persons charged with violent crimes, and legislation providing for revocation of bail for anyone arrested as a suspect in a felony case who is out on bail awaiting trial for another felony case;

(19) Restitution to victims by criminals;

(20) Publicizing the amount of funds spent prosecuting and defending felony cases;

(21) Legislation to provide for a "guilty but mentally ill" plea to replace the "not guilty by reason of insanity" plea. Defendants later found to be sane must serve out the remainder of the term;

(22) The death penalty for people convicted of treason or espionage even in peacetime;

(23) Local control of local law enforcement officers by local government, except for federal interdiction activities. Federal land or resource agencies should not exercise police powers in a state and should not have their own law enforcement agents;

(24) Converting closed military bases to medium and minimum security prisons and for housing young drug offenders;

(25) Prisoners repaying costs of a college education earned during their incarceration;

(26) Payment of the cost of room and board in prison for prisoners if they are financially able;

(27) Restitution to insurers, and others, incurring financial loss by parties found guilty of livestock, machinery or crop theft, fraud, vandalism, arson or bioterrorism; and

(28) The right of people involved in or servicing production agriculture who have been submitted for review by a regulatory agency to know the identity of their accuser.

National Security 178

The president and Congress should maintain a foreign policy of peace through strength. We support:

(1) A strong national defense policy, encouraging efficient use and accountability of tax dollars while eliminating waste;

(2) A national security policy that prioritizes protecting the Nation's food, fiber, water supply, critical agricultural materials and fuel;

(3) U.S. military personnel always being under the direct command of U.S. military commanders;

- (4) The provision of easily accessible medical care and compensation for health complications resulting from active duty for all veterans of foreign wars or conflicts or after actions required of those wars and conflicts;
- (5) The continuation of Reserve Officer's Training Corps programs (ROTC) at high school, college and university levels;
- (6) Coordination between USDA and Department of Homeland Security (DHS) on issues affecting agriculture;
- (7) Action that would bring about a global ban on land mines;
- (8) Proof of enrollment and attendance in class for every foreign national, in the U.S. on a student visa, while in the United States;
- (9) Reconsideration of the rules and regulations by DHS concerning national incident management systems as they apply to rural communities of 10,000 people or less;
- (10) The Foreign Agents Registration Act being revamped to place more stringent regulations on lobbyists representing foreign interests; and
- (11) A national comprehensive energy policy that will reduce the nation's dependence on foreign sources of energy.

We oppose:

- (1) Massive land expansion proposals at several U.S. military bases. If acquisition is approved, provisions must be provided to assure the preservation or replacement by the federal government of the tax revenues in those taxing districts affected by such acquisitions;
- (2) U.S. military personnel being used as a United Nations police force or in areas where we have no vital interest;
- (3) Any legislative or regulatory action, by DHS that will result in undue restrictions on agriculture; and
- (4) Assessing registration fees on farmers who are required to register with the DHS for propane or other agricultural inputs stored on farm.