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July 12, 2016

Mr. Kendal Frazier  
Chief Executive Officer  
National Cattlemen's Beef Association  
1301 Pennsylvania Avenue NW  
Suite 300  
Washington, D.C. 20004

Dear Mr. Frazier;

On behalf of the United States Cattlemen's Association (USCA), and U.S. cattle producers who pay into the Beef Checkoff, we relay the following concerns regarding the latest lobbying actions taken by the National Cattlemen's Beef Association.

The recent lobbying effort to limit Freedom of Information Act (FOIA) requests to checkoff entities via the Fiscal Year 2017 Appropriations process is both short-sighted and potentially damaging to the overall effectiveness and foundation of the Beef Checkoff. In recent years, the Beef Checkoff Enhancement Working Group (BCEWG) was convened to reach consensus on multiple issues that have been raised within the beef checkoff program. Unfortunately, the effort to address most of these items has not yet been successful. However, a few changes were initiated through consensus within the group and the open discussion on Checkoff issues was invaluable for all Checkoff paying producers.

A random lobbying effort to attach report language in the FY2017 funding bill is not a constructive path forward. This approach does not place Beef Checkoff stakeholders in a positive light, rather, it adds additional and unwarranted scrutiny from groups already in opposition and antagonistic towards the program. As a result, if NCBA insists on continuing to lobby on major policy changes to the Beef Checkoff program, we feel it is in the best interest of the US cattle industry that members of the BCEWG be consulted, specifically in order to address the FOIA issue. The checkoff program is the producer's program. All invested and affected stakeholders and organizations must be at the table to address any significant changes.

The checkoff programs are funded by agricultural producers for the sole use of promoting a product, thus placing it under USDA Agricultural Marketing Service's oversight. The line between promotion of a product and promotion of policy has been blurred since the Checkoff program was implemented in the eighties, necessitating the need for such oversight more than ever. Payment into checkoff programs is required by law, it is not voluntary, and the U.S.

Supreme Court has determined that the programs are a form of government speech. As such, these programs demand scrutiny to ensure producer's dollars are correctly allocated.

As directed by law, FOIA requests are available against any federal program, thus allowing for FOIA requests into checkoff programs. Attempts to block this right can harm producers as transparency and oversight could become compromised.

The negative effects of FOIA requests by special interest groups against checkoff programs is not lost amongst producers. The unnecessary dollars spent on staff to organize requested documents is burdensome and costly. However, the U.S. cattle producer has a right, at any time, to know how producer dollars are being utilized, and FOIA provides that option.

There is opportunity to address and reach consensus on this issue out of the public arena and Appropriations process. USCA asks that you consult with the BCEWG regarding any ongoing lobbying efforts that impact the Beef Checkoff, including changes to the FOIA provision.

Respectively,

A handwritten signature in blue ink that reads "Danni Beer". The signature is written in a cursive, flowing style.

Danni Beer  
President  
United States Cattlemen's Association

Cc: Cattlemen's Beef Board  
USDA-AMS  
Beef Checkoff Enhancement Working Group