

WESTERN ORGANIZING REVIEW

Volume VIII, No. 3

May 2002

Farm Bill Calls for Food Labeling

No Ban on Packer Ownership

Consumers will be able to choose meat and produce raised in the USA under the terms of a compromise farm bill passed by Congress and signed by the President in May. But the bill does not ban ownership of livestock by meat packers, and organizations representing family farmers and ranchers say the bill fails to take significant steps to restore fair prices or competition in agricultural markets.

“Ranchers, farmers and consumers will all benefit from country of origin labeling,” said Shane Kolb, a rancher from Meadow, South Dakota, who chairs WORC’s Agriculture and Food Issue Team. “A strong grassroots effort overcame the well-financed, corporate agribusiness lobby to win the right to know and choose the origin of our meat, fish, fruits and vegetables.” More than 200 other farm, ranch and consumer groups supported labeling. Meatpackers, supermarket chains, the National Cattlemen’s Beef Association (NCBA), the National Pork Producers’ Council (NPPC), and the Bush Administration opposed the labeling provision.

WORC and other groups across the country worked for labeling, the ban on packer ownership, and other reforms to restore competition in agricultural markets. WORC supports the Food From Family Farms Act, a comprehensive farm bill

proposal to raise farm prices in the market place, restore competitive markets, and make other reforms to address the farm and food crisis.

“Warped Policy”

Family farmers and ranchers charged that grain trading corporations, meat packers and giant retail chains will benefit at the expense of family farmers, ranchers and consumers under the farm bill. “We need a farm bill that ensures a stable domestic food production system,” said Helen Waller, a Circle, Montana farmer who chairs WORC’s Farm Policy Campaign Team. “Instead, this farm bill continues a warped policy which requires taxpayers to pay farmers, a cost that should be borne by the corporations that buy our grain at far below our cost of production. Under this bill, taxpayers will shell out billions of dollars, market prices for farm products will remain low, while corporate giants laugh all the way to the bank,” said Waller.

“The Conference Committee knuckled under to meat packer monopolies when it rejected the ban on packer ownership,” said Mabel Dobbs, a rancher from Weiser, Idaho. “Banning packer

More on Farm Bill , page 9

WORC Opposes Senate Energy Bill

The Senate energy bill passed in the Senate and is currently in Conference Committee. WORC has chosen to oppose the energy bill. “We’ve got to stop living as if there’s no tomorrow,” said Terrence Kardong, chair of the WORC Energy Campaign Team. “Everyone knows that fossil fuels are running out, and we need to get serious about renewable energy before it is too late. Do we really want to be known as the generation that mortgaged the future?”

No surface owner protections

The bill also fails to protect landowners who are impacted by energy development, especially those who have federal minerals under their land. There are millions of acres of private land in the West where the federal government owns the underlying oil and gas estate, and surface owners are largely powerless to stop irresponsible oil and gas drilling on their land once the minerals are leased.



PHOTO BY PETER AENGST

Coal bed methane drill pads in Green River Basin, Wyoming

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WESTERN ORGANIZING REVIEW

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The *Western Organizing Review* is published quarterly by the Western Organization of Resource Councils Education Project, a private, nonprofit corporation which supports the charitable and education activities of the Western Organization of Resource Councils (WORC).

WORC is a regional network of seven grassroots community organizations that include 7,000 members and 44 local chapters. WORC helps its member groups succeed by providing training and coordinating regional issue campaigns.

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Of Battles Fought and Won

Skip Waters

In the course of the issues that we work on, we occasionally find ourselves battling what is obviously corruption. While the word corruption usually brings to mind money changing hands in smoke filled back rooms, or political favoritism in exchange for monetary contributions. I believe a more prevalent form of corruption exists that we should recognize and plan for in dealing with these issues.

The corruption that I am referring to involves *indifference, indecision, insecurity, and indolence*. Notice if you will, that each word begins with “I,” as in reference to the

Whether you as an individual realize it or not, every time that you make that phone call, write that letter; send that fax or e-mail, stand up in public and speak your mind, or persuade other individuals to join you in the fight; you have won that battle! While you may think your individual effort is small and insignificant, remember that when it is added to the collective effort of the whole it becomes the force that wins the overall battle and ultimately the war.

individual. For an individual to care is a powerful force. An even more powerful force is for a caring individual to take action to try to change what she or he perceives to be wrong.

Some time ago I was given a little wall plaque inscribed with a message that I believe illustrates this point. It reads as follows:

“This is a story about four people named Everybody, Somebody, Anybody, and Nobody. A job had to be done, and Everybody was sure Somebody would do it. Anybody could’ve done it, but Nobody did it. Somebody got mad about that, because it was Everybody’s job. Everybody thought Anybody could do it and that Somebody would do it. Nobody realized that Everybody thought Somebody would do it. It ended up that Everybody blamed Somebody when Nobody did what Anybody could have done.”

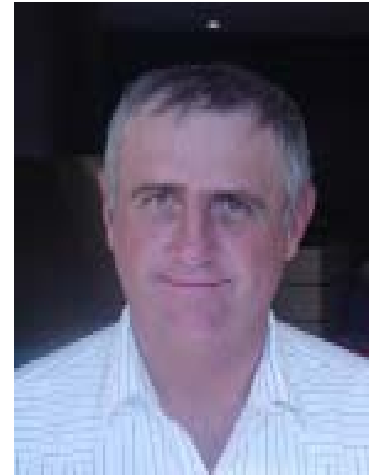
It has been said that, “wars are not won, only the individual battles that comprise the war are won.” And the indi-

vidual battles are not won by the legions of soldiers in the battle, but by the often times heroic efforts and initiative on the part of the individual soldiers involved in that battle.

Whether you as an individual realize it or not, every time that you make that phone call, write that letter, send that fax or e-mail, stand up in public and speak your mind, or persuade other individuals to join you in the fight, you have won that battle! While you may think your individual effort is small and insignificant, remember that when it is added to the collective effort of the whole, it becomes the force that wins the overall battle and ultimately the war.

I for one am extremely proud of the members and staff of our organizations for their abilities and willingness to individually stand up and contribute what they can for what they believe in. It is those efforts on the part of these individuals that enable our organizations to achieve the successes that we have had. Keep up the good work, and remember to tell yourself, “I am winning the battle.” And in the future when someone asks you what you did in the war, you can proudly say, “I won that battle!”

Skip Waters is the chair of WORC. He and his wife, Vanna, along with their family operate a ranch north of Moorcroft, Wyoming.



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Bits and Pieces

The **Dakota Rural Action** recently added a new local chapter and selected a new staff director. The Western Plains Action Group formed on March 1, 2002, at a meeting in Bison, South Dakota. Linda Rauser, WORC's past Chair, gave a rousing welcoming speech to the newest members of the WORC network. Officers are Kathy Kolb, Chair; Crane Erickson, Vice Chair; Lyn Frey, Secretary; Darwin Oliver, Treasurer; Sara Seim, Historian; Jeri Lynn Bakken, Reporter; and Karen Englehart and Holly Waddell, DRA Board Representatives. Congratulations to DRA organizer, Robin Bagley, and DRA.

Also in March, Catherine Hoss became the Staff Director for DRA. She has worked as DRA's part-time internal fundraiser since October 2000. Cathy said her challenge is to increase DRA membership, develop new leaders, and take DRA to a new level.

The WORC network welcomed a second new Staff Director. Susan Baker joined the staff of the **Western Colorado Congress** on April 15, 2002. Prior to becoming Staff Director Susan worked as a city attorney in Hailey, Idaho. A native of Colorado, Baker has worked with Spanish-speaking farm workers in the San Luis Valley and at-risk children in a Denver housing project. In addition to a law degree, she earned a bachelor's degree in political science and Spanish and a master's degree in teaching.

Managing Methane Madness

In a victory for the **Powder River Basin Resource Council** and the Wyoming Outdoor Council, a federal panel has overturned a U.S. Bureau of Land Management decision to grant three coalbed methane (CBM) mining leases in Wyoming's Powder River Basin. The Interior Department's Board of Land Appeals found that the BLM approved the leases based on a 1985 resource management plan that addressed the potential impacts of conventional oil and gas drilling but not of CBM.

The panel stopped the leases and ordered the BLM to study the environmental impact of CBM development. While the decision immediately affects only about 2,500 acres in the basin, its consequences may influence CBM development throughout the West. The BLM has used the same outdated environmental studies to support CBM leasing and development in Montana, Wyoming, Colorado, Utah, and New Mexico.

In other CBM news, nearly 1,000 people attended six public hearings in Montana on an environmental impact statement on CBM development in early April. More than three-

quarters of those who spoke supported the "Doing It Right" proposal advocated by the **Northern Plains Resource Council** and criticized the EIS's failure to address key issues such as impacts to water, land, wildlife, and landowner rights. "This draft environmental impact statement is NOT doing it right," said Mark Fix, Chair of Northern Plains' Coal Bed Methane Task Force. "In order for this EIS be good enough, the agencies must go back to the drawing board, take the time to fully analyze the impacts, collect original data, examine a wider range of alternatives, and provide the public with more choices that will protect our agricultural industry and the water of southeastern Montana."

During a hearing on March 12, 2002, members of the **Dakota Resource Council** urged the North Dakota Legislature's interim Agriculture Committee to place a moratorium on introduction of genetically-modified (GM) wheat until segregation and marketing problems are resolved. The U.S. exports more than 50% of its wheat, and many foreign customers do not want GM products. "Wheat is the biggest part of our economy," said Donald Nelson, DRC member and former Chair. "We export most of it. If we lose those markets, we have the most to lose as a state."

High Country News (HCN) featured members of the **Idaho Rural Council** in an in-depth look at the growth of factory style dairies in Idaho's Magic Valley. According to the article, the number of dairies doubled to 500 and number of cows grew to 250,000 in the seven-county area over the last ten years. The article describes the impacts of this influx on neighbors, water and air quality, local communities, and politics. The article appeared in the April 15, 2002 edition and is available on HCN's website, www.hcn.org.

Oregon Rural Action followed up two late-January workshops on wind energy (attended by nearly 300 people) with a two-day wind workshop in La Grande. Sixteen participants learned about the nuts and bolts of installing small-scale wind generators on April 5-6. Robert Preus conducted the workshop. He is a mechanical engineer with 17 years of experience in installing and consulting on renewable energy systems in the Northwest. The workshop put more wind in the sails of ORA's ongoing effort to establish a cooperative of local renewable-energy producers.

—Kevin Dowling

Alabama Jury Holds Monsanto Liable

Negligence, suppression of truth, nuisance, trespass and outrage

Monsanto released tons of PCB's (or polychlorinated biphenyls) into the environment in Anniston, Alabama, and then spent decades covering it up, an Alabama jury decided in March. The jury found Monsanto and its successor corporation, **Solutia, Inc.**, liable on all six counts it considered, including the rare claim of "outrage."

To be liable for outrage in Alabama courts, a defendant must have engaged in conduct "so outrageous in character and extreme in degree as to go beyond all possible bounds of decency so as to be regarded as atrocious and utterly intolerable in civilized society," the *Washington Post* reported.

The *Washington Post* ran an article on January 1 based on documents filed in the case, describing Monsanto's chronic dumping of PCB's in Anniston – and repeated cover-

the PCB contamination until thirty years later. Monsanto is no longer in the PCB business; today the company (part of Pharmacia) focuses on pharmaceuticals, chemicals and seed, mainly genetically modified seed.

The *Post* said other documents "suggested a company-wide preoccupation with maintaining its \$22-million-a-year PCB monopoly regardless of health or environmental risks. 'We can't afford to lose one dollar of business,' one internal memo declared. A committee the company formed to address controversies about PCBs had only two formal objectives: 'Permit continued sales and profits' and 'protect image of . . . the corporation.'"

Attorneys for Anniston's 3,500 residents believe they can get a lot out of Monsanto as the trial moves into the damages phase. Monsanto spun off its PCB and related operations to Solutia, Inc, but Monsanto must cover any damages awarded in the case that Solutia cannot afford.

—John D. Smillie

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ups – over a forty-year period. The jury's finding came after a six-week trial in Gadsden, Alabama, 20 miles from Anniston.

After the trial on liability, the case now proceeds to a damages phase. Solutia Inc., the corporation formed when Monsanto spun off its chemical division in 1997, has already spent \$83 million to settle two other PCB cases in Anniston as well as \$40 million on cleanup costs. Shares in Solutia, the lead defendant in the case, plunged 34 percent, to \$5.80, after the verdict. Overall, Solutia share prices have plummeted 59 percent from \$14.02 since the *Washington Post* article.

PCBs were used as coolants in electrical equipment until they were banned in the United States in 1979. The *Post* cited one Monsanto document from 1966 reporting that "fish dunked in a local creek turned belly-up within 10 seconds, spurting blood and shedding skin as if dropped into boiling water." Anniston residents did not know about

Margin Monitor

Company	Latest quarterly profits (% change from prior year)
Tyson/IBP*	+ \$71* million
ConAgra	+48%
Cargill	+63%
Smithfield	+46%
Monsanto	+56%

* Tyson lost \$6 million in its year-ago quarter. Tyson now reports combined Tyson/IBP revenue.

Welcome Western Plains Action Group

Linda Rauser

Linda Rauser presented this speech to the Western Plains Action Group, a new chapter of Dakota Rural Action, in Bison, South Dakota.

It took my breath away when I was asked to speak at your kick-off. Such an honor! I've never been to Bison but it feels like coming home to old friends. My whole family is here with me today. We take any opportunity we can to go south together during the Winter, before calving season.

By the way, are you fooling anyone with this name, "South Dakota"? It's not that warm here. Jim Fuglie, past North Dakota director of tourism (now works for some ad

You know what I'm talking about. You hear yourself saying next year will be better and realize that you don't believe it. Your neighbors are leaving and your town is shrinking. You love what you're doing and don't want to quit. If you do quit, you give up what your dad and grandpa worked so hard to pass on to you, you let the memory of them down.

firm), says that if North Dakota were to change its name to Dakota, "A generation from now we'll be identified as the genuine Dakota and South Dakota will seem like the pretender." I apologize for him.

Our parents died in the '80's, leaving us a part of our grandfather's farm, a wonderful way of life and a big debt. We were young and dumb, some of us younger and dumber than others, and we took that place on. We bought up those shares as they came up for sale. We got efficient. We got off farm jobs. We paid off our debts. We were determined!

I don't recall just when it occurred to us that hard work wasn't enough. Yes, I do. It was about the time the USDA admitted the durum protein testers were mis-calibrated, costing me thousands of dollars, and they said, "Oops!" About the time I joined the Dakota Resource Council.

We operate what, only 30 years ago, supported up to seven families and two bachelors, and we, without children, still need off-farm income. You know what I'm talking about. You hear yourself saying next year will be better and realize that you don't believe it. Your neighbors are leaving and

your town is shrinking. You love what you're doing and don't want to quit. If you do quit, you give up what your dad and grandpa worked so hard to pass on to you, you let the memory of them down. It's a hard place to be.

On the brighter side we're not alone, yet. And if this was a matter of survival of the fittest, and it is, we are in damn good company. More good news, you and I are not failures. We are victims of a plan put forth before some of you were born.

The year was 1962. Our government, and I'm guessing the line between corporate America and government was vague even then, put together their very best thinkers to come up with a plan to save some dollars and up the efficiency of our food system. The plan was called the Adaptive Program for Agriculture.

The 1974 update was put out by the Committee for Economic Development and is called the US Farm Policy for Changing World Food Needs. Let me know if you want a copy. I won't go into them except to say that the solution these boneheads came up with was to eliminate the human element by reducing the number of farmers. They've been doing a good job of it!

This plan is not our only problem by any means. We've got multi-national corporations in control. Through captive supply, they can manipulate the market. The price is kept high enough to keep producers trying, whether here or in third world countries. But low enough to maximize company profits. Now, what're we gonna do about it?

I had the same upbringing I'm sure you did. Be respectful, don't make waves, don't cause trouble and don't embarrass the family by asking anyone for money! Kind of a conflicting message, seems to me, as a kid, I was constantly selling something for some fundraiser. I think we can all agree that rural communities are in trouble. What's left is effectiveness. Tough to measure that. But if you do nothing, nothing will get done. No one is going to do it for you!

Membership recruitment must at all times be foremost in your mind! Unlike other organizations, you don't have pa-



trons or sell insurance. That's good. You are more credible that way. You can't really have a credible membership base without a membership fee, but it is not really the money that counts. You will never be able to fight your opponents on a financial level. But go to the legislature on behalf of a 'number' of voters and you'll get attention.

Membership recruitment educates. Each new member is one more person reading your newsletter. Or in the case of a business member, it's one more newsletter in a public area. You never know what diamond in the rough you are going to find. I was an organizer for Dakota Resource Council for nine days. Well, more like a lab rat. It was an experiment to see if contracting a member to do membership recruitment would work. Out of my wealth of experience, I have a few tips.

Ask your banker, insurance man, crop adjuster, implement dealers, etc...for membership. Their livelihood depends on your success. I was told by them, that donations are actually included in their budgets. They are not likely to be active members, but there will be that newsletter in their waiting room. And they can give you names of good prospects.

Ask your banker, insurance man, crop adjuster, implement dealers, etc...for membership. Their livelihood depends on your success. I was told by them, that donations are actually included in their budgets. They are not likely to be active members, but there will be that newsletter in their waiting room. And they can give you names of good prospects.

Do not overlook social gatherings as opportunities, and yes, even bars. Maybe your neighbor is in there crying over a beer because he doesn't know what else to do. Do not overlook young and/or female prospects. Do not overlook lapsed members. Who is more likely to donate or join than someone who has done so in the past? If a lapsed member does not re-up, that is not a failure. If your organization does not know why, that is a failure.

Some people enjoy visiting, or are lonely, and just need to be asked face to face. I'll go one step further here. If each and every member is not contacted, at least once per year, if only to hear their concerns, your organization has failed the grassroots test.

Family, friends, and other loved ones are fair game. You are doing them a favor, they just don't know it yet. Just think of the dynamics here. If each of you were to go out and get just one member, your membership would double. It's hard, it comes back to the old asking for money thing, but I know you can think of at least one prospect.

If you leave here and never look back, and I'll only say this once, get involved in the other farm organization of your choice and regain producer control. If you leave here a dues paying member and choose not to become further involved, know this: I have taken this ride as far as it goes, to Chair of WORC and back.

Many top-heavy groups describe themselves as grassroots. Maybe their intentions are good and their participation is light, I don't know. I do know that, through DRA, WORC awaits direction from you. At the state level, representatives are selected to represent South Dakota on the WORC board and suddenly you are a voice of over 7,000 members.

If you leave here thinking you can do a little more than pay dues. Maybe attend a meeting now and then. Even become an affiliate board member! And this is the most important thing I have to say. Select your affiliate representatives to your board of directors with great care. You need responsible people who will actually attend and convey your message. Otherwise, you are whistling in the dark. Sounds good but not nearly as effective as you could be.

Whatever you do when you leave here, do something. You have right on your side. It's funny. You can take almost anything dealt to you. But when you get off the night shift in town just in time to get the report from your little sister that she managed to pull every calf through the blizzard, alive, and a couple of hours of sleep later you watch her drive off to town in a ten year old car to flip burgers and the cow watch is yours and you're tired and tomorrow will be the same, and you're tired, and she deserves a Cadillac and you're doing your best and you're tired. Something is wrong, very, very wrong.

Western Plains Action Group, thank you for taking a stand and fighting the good fight. Thank you for inviting me and thank you for listening to me. Welcome to the WORC family! You are going to rock the world!

Linda Rauser is the Chair of the Dakota Resource Council (DRC) and the former Chair of WORC. She farms and ranches in Keene, North Dakota.

Court Hears Beef Over Checkoff

Ranchers Say Forced Payments Violate Free Speech

Arguments in a legal challenge to the controversial beef checkoff program drew ranchers from as far away as Kansas and California to a U.S. District Court in Billings in April. At the hearing for *Charter v. USDA*, Montana ranchers Steve and Jeanne Charter and 119 other independent cattle producers asked U.S. District Court Judge Richard Cebull to strike down the mandatory fee as a violation of their First Amendment rights to free speech and association. A ruling on the case is expected this summer.

"It's unconstitutional to force independent ranchers to fund a program that works against our interests," said Montana rancher Steve Charter. "As Americans, we're lucky to have our Constitution. But it's not worth the paper it's printed on if we don't defend it."

The beef checkoff is a mandatory one-dollar fee all cattle producers pay for each head of cattle they sell. Over 90% of checkoff dollars are funneled through the National Cattlemen's Beef Association (NCBA), a private industry group. Plaintiffs in *Charter v. USDA* argue that NCBA directs checkoff dollars to promote programs that benefit multinational agribusinesses at the expense of independent ranchers.

Last spring, the U.S. Supreme Court struck down a similar checkoff program for mushroom growers as unconstitutional. In *USA v. United Foods*, the court ruled that mushroom growers could not be forced to fund generic advertising for mushrooms when such advertising competes with their own brand label advertising.

According to the ruling, such compelled advertising in a competitive industry is forced speech and a violation of every mushroom producer's First Amendment right to free speech and association. Plaintiffs in *Charter v. USDA* argue that the beef checkoff is similarly unconstitutional.

The Western Organization of Resource Councils (WORC) and the Livestock Marketing Association are co-plaintiffs in a separate case in South Dakota challenging the constitutionality of the beef checkoff. A decision in the South Dakota case could come at any time.

Producer Self-Help, or "Government Speech?"

In the hearing on the Charters' case, Caroline A. McKee, attorney for the United States Department of Agriculture (USDA), argued that the beef checkoff is government speech and that the government "can say what it wants." Erik Jaffe, attorney for the Charters, countered that beef checkoff programs have long been advertised as being funded and controlled by producers, for the benefit of producers.



NPRC photo

Steve and Jeanne Charter at their ranch in Montana.

"The beef checkoff has always been sold to cattle producers as a self-help, producer-controlled mechanism for increasing market demand for beef," said Charter. "Now the government is telling the Court that checkoff programs and promotions are tightly controlled by the federal government, and are therefore exempt from First Amendment protections.

I can tell you right now that cattlemen would never have supported the checkoff if they knew they were voting to pay extra taxes for a mandatory program directed 'from behind the scenes' by USDA bureaucrats."

The attorney for USDA also argued that the beef industry, unlike the mushroom industry, is not an open and free market, and that the Supreme Court's determination that the mushroom checkoff is unconstitutional therefore does not apply. "It's the government's position that the beef industry is so heavily regulated that the free market no longer exists," said McKee.

Plaintiffs countered that laws regulating the beef industry are designed to improve competition and protect the rights of independent cattle producers. "Congress has made it clear that it wants the beef market open and competitive," said Charter. "It's USDA's job to carry out Congress's orders. Claiming there's no competition in the beef industry just highlights USDA's failure to do its job, and underscores the unconstitutionality of using beef checkoff dollars to promote a corporate takeover of our industry."

Judge Cebull's decision is expected to be appealed and both sides anticipate that the U.S. Supreme Court will ultimately decide the question. "We're confident that we'll ultimately win this case," said Charter. "As we like to say, independent ranchers have friends in high places: the U.S. Supreme Court and the U.S. Constitution."

—Amy Frykman

ownership would have been a critical first step at taking away the packers' power to manipulate markets for cattle, hogs and sheep. Dropping the provision will perpetuate monopoly and manipulation, and that's inexcusable," Dobbs said.

The ban on packer ownership had survived two show-down votes in the Senate, despite a multimillion dollar lobbying campaign by meat packers, including the NCBA, and the NPPC.

Ham-handed Lobbying

Joseph Luter III, Chairman and CEO of Smithfield Foods, the country's largest pork producer and pork packer, threatened to close his packing plant in Sioux Falls, South Dakota, if the amendment passed the Senate. Luter's attempt to intimidate Senator Tim Johnson (D-South Dakota), the lead sponsor of the packer ban, backfired – South Dakota agricultural organizations refused to be intimidated, and Johnson's Senate colleagues rallied to his support by voting to keep the ban in the Senate bill.

The House farm bill did not have a similar provision, however, which threw the issue into the conference committee. Family farmers and ranchers who favored the ban – including many members and state chapters of the NCBA and NPPC – pitched a grassroots campaign against the packer lobby effort, but were stymied by the opposition of the House conferees, led by Agriculture Committee Chairman Larry Combest (R-Texas) and ranking member Charlie Stenholm (D-Texas).

Senate Agriculture Committee Chairman Tom Harkin (D-Iowa) and Senate Majority Leader Tom Daschle (D-South Dakota), who tried and failed to get the ban included in the final agreement, said the Senate would hold hearings on packer ownership of livestock and dwindling competition in livestock markets. Those hearings might consider the Captive Supply Reform Act (S. 2021), introduced by Senator Mike Enzi (R-Wyoming) in March. Livestock that packers own outright or control through marketing contracts are known as "captive supplies." Enzi's bill would prevent packers from using cattle, hog and lamb marketing contracts to manipulate prices or discriminate against small or independent producers.

"We're disappointed that this bill fails to restore fair prices and competition, but our work doesn't end with this bill," said Skip Waters, a Moorcroft, Wyoming rancher and chair of WORC. "Adoption of country of origin labeling shows that grassroots efforts can prevail over special interests. The fight for anti-monopoly reforms and fair prices in the marketplace isn't over – it's just begun," said Waters.

Conferees Reject Pro-Checkoff Amendment


House and Senate Farm Bill conferees rejected an effort to end-run judicial review of the constitutionality of commodity checkoff programs by the National Cattleman's Beef Association and several other commodity organizations. The groups

that sought the change are funded in large part through mandatory checkoff programs.

The proposed language would have declared the checkoff programs to be "government speech," and therefore not subject to challenge as unconstitutional infringements of the free speech rights of farmers and ranchers under the First Amendment. The move came in response to pending litigation over the constitutionality of several checkoff programs arising from the United States Supreme Court decision in *United States v. United Foods* in June, 2001.

"The beef checkoff program and similar programs have been promoted to the producers who must pay the mandatory fees as producer-run, industry self-help programs since their inception, which makes this [government speech] argument very unpopular among farmers and ranchers," WORC chair Skip Waters wrote in a letter to the Farm Bill Conference Committee. "Now, rather than defend this novel characterization of producer assessments in the courts, they ask you to retroactively declare the mandatory checkoff programs to be government speech, through an amendment neither considered nor approved by any Congressional committee, the House of Representatives, or the Senate."

—John D. Smillie



Wal-Mart Watch

Who's richer than Bill Gates?
S. Robson Walton, the world's wealthiest person, He's worth \$65 billion.

A few other Wal-Mart facts:

- Five of the ten richest people in the world are Walton's.
- Wal-Mart makes \$7 billion per year in profits of \$220 billion per year in sales.
- Wal-Mart employees who work 40 hours a week earn an average of \$15,000 per year.
- Wal-Mart considers a full-time job to be 28 hours per week – those employees average \$11,000 per year.
- Up until 1998, Wal-Mart continued to advertise its "Buy America" program, but it is the largest importer of Chinese goods in the world (\$10 billion per year).
- Wal-Mart's purchasing headquarters are in China
- Wal-Mart is now the leading U.S. grocery retailer

Source: The Hightower Lowdown. www.jimhightower.com

Accident Creates Safety Concerns

Peg Christie

Twenty tons of silica dust catalyst and associated heavy metals spewed out of a stack at the Newcastle Refinery, on March 27. The catalyst spill at the Newcastle Refinery raises some serious questions about whether any agency in Wyoming is prepared to protect the health and safety of our citizens.

The time frame covered 12 hours from 7 pm, Sunday, March 24 to 7am, March 25, 2002. The public as a whole was notified three days later when the *Casper Star Tribune* and the *Rapid City Journal* ran stories after being contacted by Newcastle Action Group (NAG) members.

The refining industry is not new to Wyoming. The current Newcastle refinery has been around since at least 1949. While

Will this material be reintroduced in homes and schools for months to come because it's tracked in or blown in? Will people find themselves with skin irritations or respiratory problems six months from now because they have developed sensitivity to the metals that were not in their environment until last month? Will the lawns grow? Will food from gardens be contaminated? That's a lot of unanswered questions for any community to face.

refinery accidents are not an everyday occurrence, they do happen around the country in ever increasing numbers. Yet, when this spill occurred, the only immediate notification was to Wyoming's Department of Environmental Quality/Air Quality Division. Apparently, DEQ didn't notify any other agency or department. Those who called either Wyoming Refining Company or DEQ were told not to worry, it's only sand.

Then a few people were told the catalyst dust might contain nickel and other heavy metals but that would only bother a few people. Then vanadium and antimony were added to the information. One young woman went to her doctor to get a blood test for these metals. She was told that the doctor wasn't sure if they could test for the metals, and that the doctor had no idea how to treat exposure to them.

Two people called the Environmental Protection Agency (EPA) on Monday morning. They were told that EPA had to wait for notification from the Wyoming DEQ. Since DEQ didn't notify the EPA, immediate testing was not done. Next, the refinery did an analysis of the material and found that powdered catalyst lying on the ground downwind of the refinery showed levels of arsenic at 100 times the EPA's regional residential standard for arsenic in the soil.

Bob Neufeld, WRC's Vice President of Environmental Affairs, told a citizens' meeting that the soil around Newcastle already ranges from 10-30 times the regional standard. Mr. Neufeld also told the citizens meeting that only 6% of the material spewed out of the stack was smaller than the particulate size health officials consider a health threat. That's still 1.2 tons of extra fine dust spread over that neighborhood. Meanwhile, a family has moved out of their home because their child has had serious reactions to the material.

Other residents have experienced hives, skin irritations and respiratory problems. Refinery workers say they've been exposed to the catalyst over the years and never had problems, most likely because the workers have been trained in following safety standards. But citizens who don't work at the refinery and live nearby don't know the safety standards.

Meanwhile the citizens of Newcastle are left with a lot of questions. Why doesn't Wyoming have a notification system for all types of chemical accident? Why don't our doctors know how to treat exposure to these chemicals? Why does a local industry have to be forced to tell the people in a community what they've been exposed to? Is there a local and state Emergency Response Plan? If not, why not?

People can deal with most anything if they are informed. As of this writing, we still don't know what the long-term effects of this spill will be. We're not even sure of the short-term effects. Repeated exposure to some chemicals in some individuals leads to illnesses.

Will this material be reintroduced in homes and schools for months to come because it's tracked in or blown in? Will people find themselves with skin irritations or respiratory problems six months from now because they have developed sensitivity to the metals that were not in their environment until last month? Will the lawns grow? Will food from gardens be contaminated? That's a lot of unanswered questions for any community to face.

Peg Christie is the co-chair of the Newcastle Action Group. She grew up in Newcastle and now lives in Four Corners, 20 miles north of Newcastle.

Fast Track Trade Comes to Senate

The U.S. House of Representatives passed a fast track trade authority bill with a one-vote margin in December of 2001, and the Senate began debating the bill the week of April 29th and will finish the bill before Memorial Day recess (May 23). Fast track gives the President the authority to negotiate trade deals, and limits Congress's role to ratifying those deals after they're signed. Fast track severely restricts Congress's power and the members' ability to hold un-elected trade negotiators accountable. The passage of fast track would have serious consequences for farmers, ranchers, environmental and working people.

The Bush Administration wants fast track to smooth the way for pass the Free Trade Area of the Americas (FTAA), which would extend the North American Free Trade Agreement (NAFTA) throughout all of South America. NAFTA critics say it has been disastrous for the profitability of agriculture, workers and consumers in the U.S., Mexico and Canada.

Although the Senate is expected to approve fast track, numerous controversial amendments have been offered. Two amendments that will impact issues WORC and its groups are concerned about are the following:

Protection of trade remedy laws amendment (the Dayton-Craig amendment): Sponsored by Senators Mark Dayton (D-Minnesota) and Larry Craig (R-Idaho), this amendment states that if trade negotiators in any way alter U.S. anti-dumping laws in trade agreements, those changes will not be considered under fast track but will be subject to full debate and can be amended. This amendment was passed by the Senate on May 14, by a 61-38 margin, and was opposed by the Bush administration. The administration has threatened to veto the fast track bill if this amendment survives the conference committee.

Chapter 11 amendment (the Kerry Amendment): Chapter 11 is a provision in NAFTA that allows foreign corporations to sue governments of NAFTA countries if they feel that any domestic law has devalued their property or their business. The most famous example of a Chapter 11 case is the Canadian company Methanex's case against the U.S. government. Methanex is claiming losses because of a California law that bans a gasoline additive it produces, MTBE, because it pollutes drinking water. Senator John Kerry's (D-Massachu-

setts) amendment instructs U.S. trade negotiators to: grant foreign corporations no greater rights than US citizens; protect health, safety, environmental, consumer and employment opportunity laws and regulations from Chapter 11 suits; and open Chapter 11 cases to the public. Currently, the cases are heard in secret tribunals.

Fast track opponents will continue to send a strong message that they oppose the overall fast track bill, but that the amendments are important safeguards nonetheless. The Kerry amendment will probably be voted on the week of May 20.

"Fast track legislation is the fast track to ruin for the U.S. producer," warned Reed Kelley, a Meeker, Colorado, rancher and WORC board member. "So many corporate trade promoters try to paint exports as our economic salvation, while ignoring the fact that exports are a very small portion of our total sales opportunities. If we continue to lose our domestic market to imports, we will eventually lose our domestic industries. Shielding domestic industries, especially our food supply in this time of security concerns, should be foremost in Congress' considerations." The next step will be to encourage House members to vote against the bill when it comes back to them.

—Ariane Kissam,

CALL YOUR REPRESENTATIVE
TELL THEM TO OPPOSE FAST TRACK



CALL TOLL FREE: 1- 877-611-0063

Principals of Community Organizing

From Walthill, Nebraska to Red Lodge, Montana, activists came to the Grand Junction Country Inn for four jam-packed days of learning the Principles of Community Organizing (POCO), a training provided by the Western Organization of Resource Councils (WORC). A large contingency from Paonia and the Western Slope Environmental Resource Council (WSERC), along with several members of Western Colorado Action Network (WeCAN) packed the training registry and made for a lively group.

The energy of the youth and the wisdom of the experienced provided a good balance of perspective for brainstorming and discussion. The trainers Kevin Williams and Theresa Erickson, and facilitator Pat Sweeney shared over thirty years of experience on to this next wave of community leaders and organizers.

Highlights of the training included a dramatic, impromptu county commissioners meeting about a damaged bridge, as an exercise in creating an issue campaign. Trainees portrayed a bus crash victim, a truck driver, concerned parents, and a scientist (asphaltologist) in their attempts to sway the corrupt, conservative, “good ol’ boy” council into preserving their children’s safety by closing the bridge.

They also created a pseudo-sculpture out of fake car parts to illustrate the potential horror that could happen if there was not action taken to remedy the problem. Good thing this is all make believe! Other activities included mock radio interviews and major donor calls, as well as small group work on fundraising and leadership development.

Some of the locals put their action planning session to the test, when they decided to attend a reception for Governor Bill Owens, who was announcing his reelection campaign on the Western Slope. Amongst the sea of supporters, the group managed to float the boats of discontent, seeking support on issues such as country of origin labeling, resource advisory committee appointments, and enforceable master plans.

The conference provided a great opportunity to broaden our network of dedicated social and environmental activists, and provided them with proven techniques for successful organizing in any community. It was also a forum for people to share their organizing experiences so that they could learn from and inspire each other. Repeatedly, the WeCANers were commended for their involvement, and instilled hope for the future with many of those who worked with them. Above all, the relationships and alliances that were formed solidified the ideals of community organizing.

—Christi Ruppe



Stewart Orzach of the Community Alliance of the Yampa Valley and WCC organizer Christi Ruppe share some ideas during Principals of Community Organizing.

Principles of Community Organizing Training Session

*Become an effective leader in your community with tested organizing and fundraising skills. Training is **free** to members of WORC member groups!*

*Request your application and brochure **TODAY** for this unique training in community organizing from WORC, 2401 Montana Avenue, #301 Billings, Montana 59101.*

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October 12-15, 2002

At the Shilo Inn

Twin Falls, Idaho

Dakota Rural Action Protects Family Farms

In 1998, the voters of South Dakota said loud and clear that they wanted to protect and preserve family farming and ranching. They passed Amendment E by a margin of 59-41 percent, and it passed in 60 of 64 counties. Amendment E has successfully kept factory hog farms out of the state.

Amendment E has discouraged corporate farming by requiring at least 51 percent of the ownership of a corporation that engages in farming to be retained by members of a family. Plus, one of those family members must reside on the farm/ranch and participate in the day-to-day operations of the farm/ranch. Furthermore, Amendment E does not allow limited liability corporations to engage in farming; thus discouraging factory farm operations because whomever sets up a confined animal feeding operation (CAFO) will have to be responsible for it.

Now, South Dakota voters must once again decide the type of agriculture allowed in South Dakota. The 2002 South Dakota Legislature passed a provision proposing changes to South Dakota's protections for family farmers embodied in Amendment E. The legislature's proposal will appear on the June 4th primary ballot and will be designated Amendment A. South Dakota voters must approve these changes since the legislature can not unilaterally amend the states constitution.

Dakota Rural Action opposes the proposed changes. The legislature's changes completely remove Amendment E and replace it with much weaker language. "The legislatures proposal opens large holes that will allow corporations to farm and raise livestock in South Dakota," said Charlie Johnson, a DRA member and a farmer from Madison.

Proponents of the new changes, including the South Dakota Farmers Union, have been working to convince voters that the changes are needed. However, recent developments in Iowa raises questions about the type of investment this proposal will encourage.

A district judicial court in Iowa ruled that Smithfield Foods can own livestock in Iowa even though the state of Iowa has a ban on packer ownership of livestock. Stoecker Farms, Inc. was created in a shadowy business deal involving a previous Murphy Farms manager, Randall Stoecker, and William Prestage, a member of Smithfield Food Board of Directors. They used \$10,000 in stock to leverage a \$79 million promissory note from Murphy Farms to purchase Murphy Farms assets in Iowa.

Johnson said, "Since it appears the principal owners of Stoecker Farms, Inc. would qualify as an exempt entity under Amendment A. What would prevent a similar kind of arrangement (from) happening in South Dakota?"
Frank James and Robin Bagley



PHOTO NEWS & OBSERVER

**For more information on Amendment A
 contact Dakota Rural Action at
 (605) 697-5204**

ODE TO JOE*

From Sioux Falls you've made threats to be leaving.
 If you can't keep your piglets and sows.
 And you say we should all be your wage slaves
 And take care of your sheep and your cows.

CHORUS

So good riddance to you, Joseph Luter
 We won't miss you even for one day
 We don't need Smithfield in South Dakota,
 (Don't let the) door hit your butt on the way.

"Won't you think of the damage you're causing,"
 ranchers, farmers, consumers all wail,
 We want U-S pork-and-beef competition
 Go back home with your lies and blackmail.

CHORUS

As you slink back to North Carolina
 And you're feeling so sad, and so blue,
 Won't you think of Dakota Rural Action (or "of us here in
 South Dakota")
 And the cowboys who stuck it to you.

* This song was written and performed by John Smillie at DRA's chapter kick off for the Western Plains Action Group.

International Day of Farmers' Struggle

U.S. and Canadian farm groups unite on GM Wheat ban

On April 17th, farmers around the world protested genetically modified (GM) seeds that endanger their livelihoods and threaten natural biodiversity in key food crops. Representatives of the National Farmers Union of Canada (NFU) and the National Family Farm Coalition of the United States (NFFC) announced a collaborative effort to stop the introduction of GM wheat in North America.

"Banning GM wheat is crucial to the survival of the North American farmers who grow wheat," said Terry Boehm, a wheat producer from Allan, Sask. and an NFU Board member. He continued: "We export most of our wheat, and our foreign buyers have made it perfectly clear that they want nothing to do with genetically modified food."

Nearly 70% of Canadian wheat and over 50% of U.S. wheat is exported. According to Canadian Wheat Board estimates, two-thirds of international buyers do not want to buy GM wheat. A survey of the U.S. customer base for hard red spring wheat indicates that 65% are opposed to Roundup Ready (RR) wheat technology. This consumer opposition is connected to the industry's failure to engage in long-term testing of potential health hazards of GM plants prior to their introduction into the global food supply.

Monsanto, a multi-national agribusiness conglomerate based in the United States, holds patents on technology that uses genetic-modification to make plants tolerant to the pesticide glyphosate, which is marketed under the trade name "Roundup." Monsanto has announced that it will be seeking approval from the U.S. and Canadian governments for commercial introduction of "Roundup Ready" wheat in 2005.

"We have been working to prevent the spread of genetically-modified crops on both sides of the border," said NFU Women's President Shannon Storey, "but Monsanto has been playing us against each other, claiming that we have to grow it or lose our market advantage to farmers who will. That strategy ends today."

"Monsanto's promises simply do not match reality," says NFFC President and Missouri farmer Bill Christison. "We have watched foreign markets evaporate and prices fall for farmers using GM corn and soybean products and we have learned our lessons well." U.S. corn producers have lost \$200 million in annual sales to markets in the European Union alone, which established a moratorium on GM products in 1998.

"The future of genetically-modified crops in North America will be determined on the western plains of the United States and Canada," said Montana farmer Dena Hoff, past chair of the Northern Plains Resource Council and current chair of the NFFC Trade Task Force. "Individually our groups

have begun the farmer education and organizing necessary to win," Hoff said. "Today we begin to work together more deliberately to share strategies that will make that victory possible. This is a fight we simply cannot afford to lose."

—John D. Smillie

What is genetic modification? Isn't it like breeding?

Genetic modification/engineering is used to break the natural boundaries that exist between species. For example, a fish and a strawberry will not breed in nature. In genetic modification a scientist can take a gene from a fish and insert it into a strawberry, creating a new organism. Once these man-made organisms are released into the environment and the food chain, they will reproduce, and there is no controlling them. No one knows what the long-term effects will cause on our environment.

Since the FDA approved genetically modified foods, how can they be dangerous?

In 1992, the Food and Drug Administration decided that GM foods could be marketed with no requirements for long-term safety testing or labeling, and with no formal pre-marketing approval required as is standard for any food additive.

Don't GM Crops offer a solution to world hunger?

Most arguments that GM crops can solve world hunger are based on the notion that the problem is shortage of food. Enough food is produced to provide 4.3 pounds to every person, every day. The problem of world hunger is not one of quantity, but rather a matter of inequality, and access to food. Development experts warn that genetic modification may lead to an increase in hunger and starvation. Biotech companies are eagerly pursuing a genetic engineering technique named "terminator" technology that would render a crop's seed sterile, making it impossible for farmers to save seed for replanting.

Don't genetically modified crops require fewer pesticides?

70 percent of the genetically engineered crops in the field today are engineered to withstand high doses of farm poisons. Analysis of more than 8,200 University field trials shows that farmers who grow GM soybeans use 2-5 times more herbicides than farmers who grow natural soy varieties. Because the insecticide is an integral part of the crop, it's in your food products in the grocery store, and could pose yet-undetermined health risks.

This information was adapted from www.greanpeaceusa.org.

Energy Bill , from page 1

“Right now, we have little say in what happens on our land,” said Jeanie Alderson, a Montana rancher and member of the Northern Plains Resource Council, a WORC-affiliated family agriculture organization. The federal government leased most of the coal bed methane under her family’s ranch without providing them any notification or input into the decision. “This bill does nothing to level the playing field for us, or for any other landowners in the West.”

Weakened renewable energy standard

The bill’s renewable energy standard has been weakened to the point that it’s barely better than the status quo. Before it was amended, the bill contained a standard that would have resulted in up to 7.7 percent new renewable generation by 2020. The standard now is 4-5 percent.

New threats to groundwater

The bill suspends any regulation of the dangerous practice of hydraulic fracturing under the Safe Drinking Water Act. With hydraulic fracturing, water, sand and toxic fluids are injected under very high pressure into underground formations (such as coal seams) to fracture the formations and increase oil and gas production. It poses a real threat to underground sources of drinking water.

Generous subsidies to the fossil fuel industry

The bill includes billions of dollars in subsidies for fossil fuel development. One such subsidy is a renewal of tax credits for coal bed methane development. The bill also creates three new credits for so called “clean coal” technology, including the first ever clean coal production tax credit.

The Senate energy bill now goes to a House/Senate conference committee, where it will have to be reconciled with the House energy bill (HR 4) that passed in August 2001. The House bill could bankrupt America’s energy future. It subsidizes fossil fuel and nuclear production, shortchanges investments in energy efficiency, and fails to place enough emphasis on renewable energy resources. Fossil fuel and nuclear power companies would receive more than \$28 billion in new and expanded subsidies over the next ten years under the House bill.

“Congress needs to pull its head out of the sand and come up with a real energy policy. With these bills we are squandering our precious time and resources on twentieth century solutions to twenty-first century problems,” said Kardong.

—Kevin Williams

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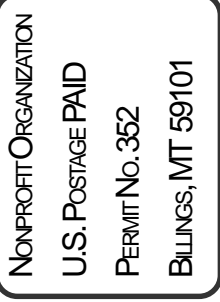
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WESTERN ORGANIZING REVIEW

Volume VIII, No. 3

May 2002

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