

# WESTERN ORGANIZING REVIEW

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## U.S. Court of Appeals Declares Beef Checkoff Unconstitutional

**O**n July 8, 2003 the Eighth Circuit Court of Appeals affirmed a federal judge's ruling that the mandatory federal beef checkoff program is unconstitutional.

The decision upholds a June 2002 ruling by U.S. District Judge Charles Kornmann of South Dakota that the beef checkoff violates cattle producers' First Amendment rights by compelling them to pay into a program with which they disagree. The lawsuit was brought by WORC, Livestock Marketing Association, and several individual cattle producers.

"This decision upholds the rights of independent cattle producers who have been fighting this illegitimate check-off for years," said Shane Kolb, Chair of WORC and a rancher from Meadow, SD.

The beef checkoff is a mandatory one-dollar fee farmers and ranchers pay every time they sell a head



*See Beef Checkoff continued on page 13*

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## Bad Energy Bill Replaced by Flawed Bill

**M**onths of partisan wrangling over energy policy came to a surprising conclusion in the Senate on July 31, when leaders brokered a compromise. Finding themselves bogged down in amendments that would consume hours of debate, and eager to adjourn for a month-long summer recess, Senate Majority Leader Bill Frist (R-TN) and Minority Leader Tom Daschle (D-SD) brokered a deal to abandon Senate Energy Committee Chairman Pete Domenici's (R-NM) legislation and pass the energy bill that the Senate passed in the last Congress under Democratic control.

The move rescues the floundering bill, which WORC opposes because it would further elevate energy development over the interests of landowners, the environment and taxpayers. The Republicans had abandoned hope of completing work on the bill before Labor Day, and some analysts were questioning whether an energy bill would pass at all, given the mounting delays

and backlog of bills competing for time on the Senate floor.

When Senator Daschle suggested passing last year's bill with no further amendments, the Republicans quickly accepted. The unusual deal is widely attributed to Daschle's unwillingness to risk the death of the bill's ethanol program. The resurrected bill passed the Senate by a vote of 84-14, with all of the Senators from WORC's region voting for passage.

Both parties are claiming victory. Leading Democrats pointed out that last year's bill is friendlier to the environment in several respects and will provide more balance between environmental interests and energy production as the bill heads to a House-Senate conference committee.

WORC opposed last year's bill because it offers no new vision for a coherent energy policy for the 21<sup>st</sup> century, fails to protect landowners impacted by energy development, includes only a very weak renewable energy

*See Energy Bill continued on page 15*

WESTERN ORGANIZING REVIEW

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Contents

**The View from WORC** 3  
**Around the Region** 4  
**Country of Origin Labeling** 6  
*UnCOOL Votes in Congress*  
**9th Circuit Court Ruling Stands** 7  
*Yes, Methane Wastewater is a Pollutant*  
**WORC Adopts Trade Bill of Rights** 8  
**Deficiencies in APHIS Application** 9  
*May Delay GM Wheat Release*  
**Livestock Team Plans D.C. Fly-In** 10  
*Moving Captive Supply Bill through Congress*  
**Natural Gas: Myths and Facts** 11  
*Is the U.S. Having a Natural Gas Shortage?*  
**Commentary** 12  
*WORC Member Influences Global Trade*  
**Energy Tidbits** 14  
*An Energy News Roundup*

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## Trade: Good for Agriculture and Workers?

Recently, a high tech computer company released a statement explaining why they laid off their American workers and decided to move those jobs overseas: “We need to outsource these jobs to remain competitive, hold down costs for the American consumer and improve the quality of living for our foreign employees.” Isn’t there something wrong with this scenario?

Over the past thirty years, we have witnessed the exodus of many blue collar jobs to developing countries, leaving American manufacturing and textile workers unemployed.

Then we witnessed the influx of raw products (fruits, vegetables, meats, timber, steel) from foreign countries, jeopardizing the livelihoods of farmers, ranchers, loggers and steel workers. While millions of people in the United States were being put out of work, wages in other countries were not improving. Only the highly trained, computer skilled, white collar worker would be capable of maintaining a high standard of living. Now, those positions are also being outsourced. These jobs have not fled to developing countries because of some natural law or inevitable process, but

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*“...it is our responsibility to hold our elected officials accountable. We must not let them compromise the financial and economic stability of this nation for the self interest of multinational corporations.”*

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because trade agreements pushed hard by the U.S. government have actively encouraged outsourcing.

Liberalizing trade with developing countries was important to U.S. multinational companies, not for opening potential foreign markets for their U.S. made goods. Their poverty was too big an obstacle for that to succeed. Instead, trade agreements ensured that the U.S. market would remain open to the goods and now services that these companies are increasingly producing abroad.

In order for globalization or a one world economy to function, all economies must be at the same level. It is evident that it would be impossible to raise devel-

oping economies to our level. However, outsourcing of jobs and raw products is slowly lowering our economic level to that of developing countries.



If outsourcing has not improved the standard of living in foreign countries, but has lowered our standard of living, then what good is a low cost product for the American consumer? We won’t be able to afford it either.

Why is our government still actively pursuing free trade agreements if they are so devastating to our economic stability? The answer is simple. While these U.S. based companies show little loyalty to this country, they do have a strong influence over our elected officials. This was rather obvious in the battle over funding for Country of Origin Labeling. Multinational ag corporations show their true colors by opposing provisions that would give American consumers the right and ability to choose U.S. grown products. Congress still has the ability to say no to future free trade agreements even though they limited their constitutional power by passing trade promotion authority.

Benjamin Franklin once said, “It is the responsibility of every citizen to question authority.” In other words, it is our responsibility to hold our elected officials accountable. We must not let them compromise the financial and economic stability of this nation for the self interest of multinational corporations. The government is the people and people still elect congressional delegates no matter how many corporate dollars are in the campaign coffers.

*Shane Kolb is the Chair of WORC. Shane ranches with his wife, Kathy, and their two sons in Meadow, South Dakota. Shane is the Vice-Chair of Dakota Rural Action.*

## Bits and Pieces

PHOTO COURTESY OF DAKOTA RURAL ACTION



Members of Dakota Rural Action celebrate at their petition rally after collecting 25,100 signatures in 76 days.

**D**akota Rural Action and allies collected 25,100 signatures in 76 days to place a measure on the November 2004 ballot that would repeal a new law restricting votes on factory farms. “The people of South Dakota want to determine their own destiny on matters of local control that affect the living standards, viability, and quality of life,” DRA member Ralph Duxbury said.

**Dakota Resource Council** has moved seven counties in North Dakota to pass resolutions urging the Bush administration to protect the U.S. Country-of-Origin Labeling law during upcoming international trade talks.

“U.S. customers want labeling and trust U.S. products,” said John Hagen, member and rancher from Keene. “We can’t afford to offend our best customer.” Four more counties are scheduled to address the resolution in early August.

Four ranches in Stillwater and Sweet Grass counties will retain their rural character in perpetuity thanks to the signing of conservation easements under the **Northern Plains Resource Council’s** groundbreaking Good Neighbor Agreement with the Stillwater Mining Company. The legally-binding agreement – signed by Northern Plains, its local affiliates Stillwater Protective Association and Cottonwood Resource Council, and Montana’s largest mine – protects the area’s

quality of life while providing for responsible development of platinum and palladium. “When the platinum and palladium are gone, these ranches will be ranches instead of industrial sites or subdivisions,” said Paul Hawks, a member of the Cottonwood Resource Council.

**Powder River Basin Resource Council** sponsored a luncheon in Sheridan with Wyoming Governor David Freudenthal. More than 30 landowners participated in a discussion of the impacts of coalbed methane (CBM) de-

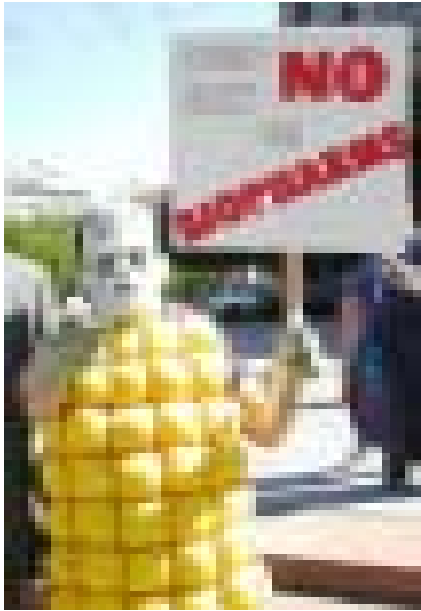
velopment. Participants described specific problems with CBM development, and landowners focused repeatedly on the need for mandatory surface use agreements. Held on June 10, the luncheon followed a town meeting about CBM development in Sheridan County and preceded a tour of CBM sites with the Chamber of Commerce.

**Western Colorado Congress** and over 40 individuals and groups sent a letter to Governor Bill Owens asking him to declare a moratorium on the review of biopharm applications. After the Governor failed to respond to the letter, WCC held a media conference in Denver on May 12. This event received much news coverage, including coverage outside Colorado through an AP wire story. In this extensive publicity, the media recognized farmers worried about biopharming as well as Western Colorado Congress and its Salida allies as leaders on the issue.



**Idaho Rural Council** hosted WORC’s June Board and Staff meeting in Boise on June 5-7. Between meetings the participants toured factory farms nearby.

PHOTO COURTESY OF WESTERN COLORADO CONGRESS



Bill Patterson, an organizer at Western Colorado Congress, dressed as Frankencorn for an appearance at the Biopharm protest in Denver.

**Oregon Rural Action** welcomed Kathy Weber as the new Staff Director in July. Kathy came to ORA after working as the Foundation Director for a rural non-profit hospital. Kathy is interested in bringing individuals and communities together over issues that affect quality of life and stewardship of the region's land, air and water. Her expertise in relationship building and grant writing will complement the organizing priorities and issues that ORA supports.



Kathy Weber, the new Staff Director at Oregon Rural Action.

--Kevin Dowling

### TEXAS COW CHIPS

This is a fabulous, large cookie. It works great as a gift given in pairs.

--Anna Sanchez-Glenn

- 2 c. butter
- 2 c. white sugar
- 2 c. brown sugar
- 4 eggs
- 2 tbs. vanilla
- 4 c. flour
- 2 tsp. salt
- 2 tsp. baking powder
- 2 tsp. baking soda
- 2 c. oat flakes
- 2 c. bran flakes
- 1 c. pecans
- 1 c. coconut
- 1 c. raisins
- 1-12 oz. pkg. chocolate chips
- 1-6 oz. pkg. peanut butter chips

Beat butter and sugars together until blended. Add eggs and vanilla and beat until smooth. In a separate bowl, combine flour, salt, baking powder and soda; gradually add to sugar mixture and stir well. Stir in remaining ingredients. Drop cookies with a 1/4 cup measuring cup onto a lightly greased cookie sheet, 6 to a sheet. Bake at 350 for 12 to 15 minutes. Cool on a wire rack. Store in a container between sheets of waxed paper.



Order Your Way Out West Rural Action Group Cookbook today! Send \$10 and \$4.95 S&H to:  
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## Country of Origin Labeling under Fire

**C**ountry of Origin Labeling (COOL) for beef and pork have come under fire again. This time the opponents of COOL are attempting to kill the provision by cutting the funding for writing final rules and implementation.

The law providing COOL for red meats, fish, fruits and vegetables passed as part of the 2002 Farm Bill. The provisions of the law allowed for voluntary labeling until September 2004. At that time, the law requires that labeling of those products as to their country of origin become mandatory. Any meat or meat products born, raised and slaughtered in the U.S. would not have to be labeled.

The 2002 Farm Bill, however, did not provide funding for implementation of COOL. Therefore, each year Congress has to designate funds for the program. In early July the House began work on the FY 2004 budget. The appropriations for agricultural programs originate in the House Agriculture Appropriations Committee. During the committee's hearings, Congressman Henry Bonilla (R-TX) introduced an amendment that would strip the funding for COOL of red meats.

The amendment passed the appropriations subcommittee and was included in the full House Appropriations bill. When the bill was introduced on the House Floor, Congressman Dennis Rehberg (R-MT) and Congresswoman Darlene Hooley (D-OR) introduced a counter amendment to remove Bonilla's language and reinstate funding.

Despite effort by the supporters of COOL, the Rehberg-Hooley amendment lost by 15 votes.

"This is not the message we want to send to our domestic and export customers," said Linda Rauser, Chair of Dakota Resource Council. Japan and Korea, two of the United State's major importers of beef have demanded that U.S. guarantee their beef comes from U.S. animals, not Canadian animals.

The next step in the appropriations process is taking the issue to the Senate. However, the senators left Washington, D.C. for their August recess before acting on the full appropriations bill. Despite the work to keep COOL funding intact through the appropriations committee, many of supporters of COOL anticipate that the packers, retailers and other opponents will at-

tempt to strip the funding by offering the Bonilla language on the Senate Floor.

In response to the recent debate on COOL funding, Gilles Stockton, a Northern Plains Resource Council member, said, "One has to wonder why the meat industry and their water-boys are so adamant in killing COOL.

I doubt that it is about money. After all, they would be able to sell U.S. beef for a few cents more. Maybe they would even profit. I wonder if it is a matter of control. They don't want us to think that they can be beat."



### COOL Listening Sessions

Since the passage of COOL last year, U.S. Department of Agriculture (USDA) has implemented the voluntary labeling program. Over the past several months, they have held public hearings to gather information regarding the writing of mandatory rules for COOL. The purpose of the listening session was to listen to ideas on how country of origin can be implemented without burdening producers with the cost.

USDA held listening sessions on COOL in Billings on June 6th. Speakers at the Billings session included USDA undersecretary William Hawks, Senator Conrad Burns (R-MT), and Ralph Peck, Director of the Montana Department of Agriculture. Each speaker stressed the importance of using existing resources and "common-sense" approach to implementing the laws.

Most speakers testified that record systems and other means of tracking animals are already in use by processors, wholesalers and retailers so the actual cost of implementing a COOL program will not be as expensive as the USDA has estimated.

Transcripts of the listening sessions and the presentation are available on the USDA COOL website, [www.ams.usda.gov/cool](http://www.ams.usda.gov/cool).

--Jeri Lynn Bakken

## 9<sup>TH</sup> Circuit Ruling Stands: Methane Wastewater is a Pollutant

**O**n June 3rd, a federal appeals court reversed a stay on implementation of its ruling that coalbed methane wastewater is a pollutant under federal law, agreeing with the Northern Plains Resource Council that the stay was issued prematurely.

The reversal means that the 9<sup>th</sup> Circuit Court of Appeals' ruling that methane wastewater is a pollutant and that states do not have the right to create exemptions to the federal Clean Water Act will stand while the Supreme Court decides whether to hear an appeal of the case.

"This is great news for farmers and ranchers," said Tongue River rancher Mark Fix, chair of Northern Plains coal bed methane task force. "We're already irrigating and it's good to know that it's once again a crime to dump salty methane water into our rivers without a permit."

In June 2000, Northern Plains filed a citizen suit under the Clean Water Act against Fidelity Explora-




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*"This is great news for farmers and ranchers. We're already irrigating and it's good to know that it's once again a crime to dump salty methane water into our rivers without a permit."*

*-- Mark Fix, chair of Northern Plains coal bed methane task force.*

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tion and Production Company, an MDU Resources Group, Inc. subsidiary, for discharging millions of gallons of methane wastewater into the Tongue River without a permit.

In August 2002, U.S. District Judge Sam Haddon dismissed the case, agreeing with MDU's subsidiary that methane wastewater is not a pollutant under the Clean Water Act.

Northern Plains appealed the case to the federal 9<sup>th</sup> Circuit Court of Appeals, joined by amicus briefs from the Tongue River Water Users' Association, Tongue and Yellowstone Irrigation District, and the Northern Cheyenne Tribe. The 9<sup>th</sup> Circuit reversed Haddon's decision, ruling that:

- "Salty" water pumped from aquifers for coalbed methane development is a pollutant under the Clean Water Act; and
- States do not have the authority to exempt methane wastewater from the federal Clean Water Act, invalidating a Montana law that allows for the discharge of unaltered groundwater without a permit.

MDU's subsidiary requested a stay of the decision while it petitioned the U.S. Supreme Court to consider the case. With today's decision, the 9<sup>th</sup> Circuit's ruling will stand while MDU's request is considered by the nation's highest court.

-- Amy Frkymann

## WORC Adopts Trade Bill of Rights

The WORC Board adopted the WORC Trade Bill of Rights at their Summer Board meeting in Boise, Idaho on June 7.

Through the Trade Bill of Rights, WORC presents a statement of healthy and sustainable global trade. It provides positive guidelines for addressing the trading activities and agreements WORC members are currently experiencing. It asserts ten articles that set forth standards for international trade issues.

One goal of WORC Trade Team was to present a positive vision for global trade policy that is beneficial to independent agriculture, consumers, labor and the environment.

By adopting this document, WORC Trade Team members hope to develop campaigns that empower people in their local communities and improve their lives.

The Trade Team plans to use the document as a tool to set overall WORC trade policy, determine campaign direction and gauge the acceptability of proposed Free Trade Agreements. The WORC Trade Bill of Rights also provides a model for allied groups and elected officials to consider in determining their trade policy.

### TRADE BILL OF RIGHTS

*Adopted by the WORC Board June 7, 2003, Boise, Idaho*

The Western Organization of Resource Councils (WORC) supports a trade system that strengthens the health, environment, food sovereignty, working conditions and labor rights of all countries. Vibrant national economies are essential to a healthy global community and for this reason we support trade laws, agreements and treaties that guarantee the following rights and principles:

- Article I.** The right and ability of any nation and its political subdivisions to maintain and operate policies and programs that protect the interests of public health, safety, welfare and services.
- Article II.** Adherence to transparent competitive market principles and enactment of adequate anti-trust/anti-dumping remedies in order to prevent and counteract instances of market collusion, predatory practices, and declining market competition.
- Article III.** The inspection and testing of imported commodities and products to assure that they are mined, grown and/or produced under standards that are consistent with all domestic laws and regulations.
- Article IV.** The importer and/or seller of any commodity, product, or service is liable for any violation of domestic laws and regulations.
- Article V.** The jurisdiction and venue for legal challenges to, and violations of domestic laws and regulations shall reside in the pertinent domestic court.
- Article VI.** All imported products, services, and commodities shall be purchased in an open, competitive and transparent market system.
- Article VII.** All imported products have an identified fair market value that may be used as the basis for a tax to maintain and build the national infrastructure.
- Article VIII.** The application of quotas and/or tariffs on any commodity or product of any country when currency exchange rate differences put domestic producers at a competitive disadvantage.
- Article IX.** The laws, jurisdiction, or sovereignty of a country and its political subdivisions are not undermined by trade treaties or agreements.
- Article X.** Trade treaties and agreements are negotiated and enacted through a transparent democratic process.

*--Jeri Lynn Bakken*

## Deficiencies in Application May Delay USDA Wheat Release Decision

On July 8<sup>th</sup>, the U.S. Department of Agriculture (USDA) sent a deficiency letter to Monsanto regarding the company's application for deregulation of its genetically modified (GM) "Roundup Ready" hard red spring wheat. This letter, which has not been released to the public, could mean that there may be substantive gaps in Monsanto's application, or that the company may have overlooked an administrative detail. The Center for Food Safety has submitted a Freedom of Information Act request to obtain a copy of the letter.

Farmers of hard red spring wheat in North Dakota and Montana are worried about losing valuable export markets, since consumers in Europe and Asia have indicated that they will not buy GM wheat.

"There are lots of unknowns about this technology," said Wayne Fisher, who farms 1500 acres of wheat in southwestern North Dakota. "My primary concern is that some major importers won't accept my wheat even if it isn't genetically modified, because it will be hard to prove that it's been safely segregated and they won't want to take any chances. We could see wheat prices drop by 70 cents a bushel or more and then we're looking at greater dependence on government programs just to stay on the farm."

### Petition effort for EIS continues

A petition to the Animal and Plant Health Inspection Service (APHIS) requesting the Environmental Impact Statement (EIS) and an analysis of economic impacts was submitted in March by Dakota Resource Council, Northern Plains Resource Council, WORC, and other concerned groups. In late June, representatives from WORC, the Center for Food Safety, and the Rural Advancement Foundation International-USA met with APHIS officials in Washington, D.C., to discuss concerns about GM wheat and reiterate the importance of APHIS conducting a full EIS be-



fore approving Roundup Ready wheat for commercial release. At the meeting WORC also presented a formal request for APHIS officials come to North Dakota to meet with farmers about their concerns with GM wheat.

### Canadian Wheat Board says "No" to GM wheat

Earlier this summer, the Canadian Wheat Board (CWB), the country's farmer-controlled grain marketing agency and one of the world's largest exporters of wheat, formally asked Monsanto to withdraw its application to test Roundup Ready wheat in Canada. Top CWB officials stated that 80% of CWB's customers do not want GM wheat. The CWB has said that it will go so far as to consider legal action against Monsanto in order to prevent GM wheat from being tested outside of government-run trials.

"We've given strong assurances to our customers that we will make sure this situation is resolved in Canada, and we intend to take whatever action necessary to do that," said Adrian Measner, CWB president and chief executive officer. Monsanto has, thus far, refused to honor CWB's request.

-- Brett Kelter

## Livestock Team Plans D.C. Fly-In

**M**oving the Captive Supply Reform Act and the Packer Ban through Congress is a priority for the WORC Livestock Concentration Team. To facilitate the passage of these bills, the Livestock Team is flying to Washington, D.C. to visit elected officials and the U.S. Department of Agriculture (USDA).

The Fly-In, scheduled for September 20-24, will give members an opportunity to pursue the Livestock Concentration Campaign. This campaign to return competition to the livestock industry is once again gaining momentum.

WORC began its campaign to stop livestock concentration nearly a decade ago. In 1996, DRA member Ron Wieseler presented then USDA Secretary Dan Glickman with WORC's Petition for Rule Making. That petition asked USDA to enforce the Packers and Stockyards Act. The petition asked the Secretary to issue rules that 1) Prohibit packers from procuring cattle for slaughter through the use of a forward contract, unless that contract contains a firm base price that can be equated to a fixed dollar amount on the day the contract is signed and the contract is offered and bid



in an open, public manner; and 2) Prohibit packers from owning and feeding cattle unless those cattle are sold for slaughter in an open public manner.

Now, seven years later, USDA still has not taken action on the petition.

This year, WORC's proposed rules have been introduced as congressional bills. S1044 is the Senate Captive Supply Reform Act. This act addresses the issues of concentration by requiring a fixed base price in formula contracts. It also requires that contracts be traded in open, public markets. In WORC states, Senators Enzi (R-WY), Thomas (R-WY), Johnson (D-SD), Daschle (D-SD), Conrad (D-ND), and Dorgan (D-ND) have sponsored this bill.

S27 and HR719 both ban packer ownership of livestock.

The Fly-In will include meetings with both House and Senate members. Three lobby teams will meet with at least 30 Congress members to educate them on the issue and encourage them to co-sponsor both the Captive Supply Reform Act and the Packer Ban.

The Team has also requested a meeting with USDA. The purpose of that meeting will be to discuss the status of WORC's Petition for Rulemaking and USDA's intentions.

-- Jeri Lynn Bakken

### Sponsors of the Packer Ban bills

Senator Enzi (R-WY)  
 Senator Johnson (D-SD)  
 Senator Dorgan (D-ND)  
 Senator Grassley (R-IA)  
 Senator Harkin (D-IA)  
 Senator Dayton (D-MN)

Representative Cubin (R-WY)  
 Representative Janklow (R-SD)  
 Representative Pomeroy (D-ND)  
 Representative Boswell (D-IA)  
 Representative Leach (R-IA)  
 Representative King (R-IA)  
 Representative Nussle (R-IA)  
 Representative Bereuter (R-NE)

## Natural Gas Crisis: Myths & Facts

America has awoken to a natural gas crisis. Federal Reserve Board Chair Alan Greenspan recently testified to Congress, “We are not apt to return to earlier periods of relative abundance and low prices anytime soon.” In addition, many members of Congress and industry representatives are decrying higher gas prices and calling for increases in natural gas supply. Speaker of the House Dennis Hastert (R-IL) has formed a Republican Task Force for Affordable Natural Gas to look into the crisis and report back to him with solutions by September 30. Sen. Pete Domenici (R-NM) is pre-

paring amendments to his comprehensive energy legislation that would place a time limit on the federal permit process for developing new sources of natural gas and removing existing barriers to imports of liquefied natural gas.

But is there really a crisis brewing? Are federal regulations a serious impediment to gas drilling? Will drilling more gas wells increase our energy security? We hope you find this fact sheet prepared by Matt Lewis, with Resource Media, helpful in answering these and many other questions about the so called natural gas “crisis.”

**MYTH:** Federal regulations prohibit access to natural gas resources on public lands in the Rocky Mountain states.

**FACT:** Over 88 percent of federal natural gas resources on public lands in the Rocky Mountain states are available for leasing to energy companies.

**MYTH:** Natural gas releases on public lands in the Rockies are highly restrictive and prevent the gas industry from developing gas resources in a timely fashion.

**FACT:** About 25 percent of natural gas leases on public lands in the Rockies contain seasonal lease stipulations to protect wildlife, but the Bureau of Land Management usually grants exceptions to these stipulations at the industry’s request.

**MYTH:** Natural gas lease stipulations are impediments to domestic energy security and threaten our nation’s economy.

**FACT:** Natural gas lease stipulations protect wildlife and clean water, which support the West’s multi-billion dollar hunting, fishing and recreation economics.

**MYTH:** Streamlining environmental reviews and increasing access to federal natural gas resources on public lands in the Rockies will increase gas supplies and lower prices for consumers.

**FACT:** Streamlining environmental reviews and increasing access to federal natural gas resources on public lands in the Rockies would increase supplies by less than one percent, provide no immediate price relief, and save the average U.S. household about \$5 a year by 2020.

**MYTH:** The natural gas industry is minimizing the environmental impacts of new gas wells through the use of low-impact drilling technology.

**FACT:** The natural gas industry has destroyed croplands, fragmented wildlife habitat, and degraded streams throughout the West. The gas industry almost never uses low-impact drilling technology.

**MYTH:** By drilling more gas wells, we can increase our supply of natural gas and improve energy security.

**FACT:** The gas industry has drilled more than 50,000 new gas wells in the U.S. in the past four years, but gas price volatility has continued.

--Kevin Williams

## A World Right Side Up

Dena Hoff

In mid-May I was invited, as an American farmer and a representative of the National Family Farm Coalition to Via Campesina (an international organization of small farmers, farm workers, and indigenous peoples working toward food sovereignty) to participate in a conference in Dakar, Senegal, Africa.

This conference was entitled “Mutually Supportive Agricultural and Trade Policies,” and was attended by family farm organizations and non governmental organizations from all over Africa, Latin America, Asia, Europe and North America for the purpose of showing solidarity with African farmers trying to find alternatives to the industrial model of agriculture being pushed by the World Bank.

Agriculture is central to the African economy. It accounts for more than 30% of the Gross Domestic Product, employs more than 60% of the labor force, represents a major source of foreign exchange, and provides subsistence and income for a large percentage of the rural population.

We discussed policy instruments which are mutually beneficial, such as food security, adequate income for farmers, access to resources, quality of life, and protecting the environment, as well as policy instruments to be avoided, such as dumping, forced deregulation, substandard products, privatization and subsidies for exports.

At the end of this conference, all participants agreed on a document called “the Dakar Declaration” which

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*We must continue to exchange ideas, information and strategies that work so that our vision of the world, a world right side up, becomes a global reality.*

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declares, “the WTO vision: the World upside down.” The aim of the WTO is to reduce agriculture prices world wide. This declaration asserts that all agricultural policy must respond to the fundamental human rights and needs of populations everywhere, and that trade, while necessary, does not have prevalence over these needs and rights of people.

Finally, the Dakar Declaration urges governments to reject the current WTO concepts and proposals and

defend the principle of food sovereignty – the right of all people to decide their own food and farm policy. Only by working with our counter-parts around the world can we make the principles in this Declaration a reality.



We must continue to exchange ideas, information and strategies that work so that our vision of the world, a world right side up, becomes a global reality.

After the conference I was privileged to be part of a group of six to spend several days visiting farming village cooperatives and exchanging information on production methods, irrigation, food distribution and dispelling the myth that all American farmers are rich and prosperous; but that is another, much longer, and more interesting story.

*Dena and her husband raise sheep, cattle, corn, and beans near Glendive, Montana. She is very active in the Northern Plains Resource Council and a member of WORC's Board of Directors.*

*Trade representatives from around the world will meet at two different “ministerials” this fall to negotiate major trade agreements.*

**WTO - September 10-14, Cancun, Mexico** - trade negotiators will meet to discuss and advance the work of the World Trade Organization

**FTAA - November 20-21, Miami, FL** - members from 34 countries in the Americas will meet to discuss the Free Trade Area of the Americas

*Beef Checkoff continued from page 1*

of cattle. Over 90% of national checkoff dollars are channeled through the National Cattlemen's Beef Association, a controversial private industry group.

The Eighth Circuit rejected arguments by U.S. Department of Agriculture (USDA) and Cattlemen's Beef Board (CBB) that the beef checkoff program is immune from a First Amendment challenge because it is "government speech." The Eighth Circuit said that the government was not speaking through the beef checkoff; it held, rather, that the beef checkoff compels individuals to pay for speech that they disagree with, and therefore it violates the First Amendment.

The court also rejected arguments that only the portion of the program spent for advertising should be struck down, ruling that the "principal object" of the beef checkoff is the unconstitutional speech, so "no remaining aspects of the [Beef Promotion] Act can survive."



In response to the Court decision, Secretary of Agriculture Ann Veneman said, "USDA regards such (check-off) programs, when properly administered, as effective tools for market enhancement."

Linda Rauser, a rancher from Keene, ND and, Chair of Dakota Resource Council does not believe the current program has been properly administered and has not been an effective tool.

"Let's not forget how this all started. Ranchers were denied an up or down vote on the continuation of the existing beef check-off program," Rauser said, "The flawed beef check-off program was designed 'un-amendable'. Given the 'take it or leave it' nature of the beast, when ranchers were denied a vote, we were left with 'take it'! In hindsight, ranchers decided to 'leave it' at that point.

What if they had just let us vote?" Rauser said.

WORC opposes any further delays in terminating the program. "Hopefully, USDA will not delay us with further appeals," Rauser stated.

-- Jeri Lynn Bakken

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# Energy Tidbits

## RENEWABLE ENERGY FUNDING RESTORED

On June 14, the U.S. House of Representatives passed its fiscal year 2004 agriculture spending bill, and it included an amendment that reinstates funding for a renewable energy and energy efficiency program passed as part of the 2002 Farm Bill (known as Section 9006). The amendment, offered by Marcy Kaptur (D-OH), reinstates funding that was eliminated in the House Appropriations Committee a few days earlier. The Senate Appropriations Committee has also protected funding for the program. It remains unclear when the bill will be taken up by the full Senate.

— *Environmental and Energy Study Institute*

## CONSERVATION CAN SOFTEN ENERGY SHOCK

A Colorado energy-efficiency group asked state officials to adopt aggressive conservation measures to help offset a “natural gas price shock” this winter. The Southwest Energy Efficiency Project, or SWEEP, is asking Excel Energy and two energy related offices in the Colorado government to fund at least \$20 million a year for energy improvements that would save natural gas. SWEEP says its proposals could reduce natural gas use by 20 percent or more.

— *Denver Post*

## DOE DENIES FUNDING FOR DRILLING IN NORTH DAKOTA

The U.S. Department of Energy has denied \$3 million in funding for a coal bed methane drilling project in southwest North Dakota, which according to state officials will delay exploration for at least a year. Ranchers have expressed concern that coal bed methane drilling would contaminate water, damage crops and land. “It really irks me that large corporations think they need taxpayers’ money to do this,” said rancher Donald Nelson with the Dakota Resource Council. “I’ve heard it said that one or two people may get filthy rich off of this, but most of the people will be hurt by it.”

— *AP/Billings Gazette*

## RENEWABLE ENERGY PROVES A BOON TO STATE ECONOMIES

The Council of State Governments has issued “TrendsAlert: Renewable Energy and State Economies,” a comprehensive look at how some states leverage the environmental and health benefits from renewable energy sources to help spur the economy through the creation of jobs and increased tax revenue. For example wind, the most popular renewable energy source, not only generated a significant amount of electricity in California during the 1990s but also contributed more than \$31 million a year in salaries and some \$7 million in property taxes annually. In Maine, the biomass power industry generates more than 25 percent of the state’s electricity. Just as importantly, the industry has created nearly 3,000 jobs in the state. The TrendsAlert cites specific policy options some states are using to encourage the development of renewable energy sources, such as Public Benefits Funds and Renewable Portfolio Standards. A copy of the report is available at: [www.csg.org](http://www.csg.org)

— *The Council of State Governments*

## GROUPS CRITICIZE ENERGY COUNCIL

Nineteen organizations, including WORC, wrote to James Connaughton, Chairman of the Council on Environmental Quality (CEQ), and urged him to either disband the Rocky Mountain Energy Council and the Energy Streamlining Task Force, or refocus their work to further the central mission of CEQ – environmental protection. The organizations’ main concern is that the Energy Council and Task Force appear to be another effort by the Bush Administration to focus land management agencies exclusively on expediting energy development regardless of the impacts.

— *WORC*



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**In this issue...**  
Beef Checkoff Ruled Unconstitutional  
Senate Resurrects Energy Bill  
Coalbed Methane Wastewater Ruled a Pollutant  
WORC Adopts Trade Bill of Rights  
Myths and Facts on Natural Gas

