

the
vineline

May/June 2006

Official Magazine of the NATIONAL WATERMELON ASSOCIATION



**Specialty Crop
Block Grant**

**Immigration
Legislation**

**2007
Farm Bill**

**Small Business
Health Care**



Next Issue:
Vine Decline
--Spring Trials
Report
--Fall Trials & Plans

PRESORTED STD.
U.S. POSTAGE
PAID
TAMPA, FL 33634
PERMIT NO. 6210

Washington Update

As you are most likely aware, there has been much to do in Washington these past few months in particular surrounding agriculture as a whole, and making sure that Watermelon fits in to the equations.

With the loss of our friend and colleague, Vern Highley, and with D.C. taking up so many issues that watermelon needs to be involved with at once, it has been somewhat of a challenge at times, but one that I truly look forward to. We all face challenges in our lives, as this one is for us, and me. But we are making strides along the way, and facing issues head-on. Possibly we wish Washington would move quicker, but that is not how our government works.

In some cases, you can help when you see a plea in *The Vaseline* or a fax from the NWA office to contact your legislative leaders. When those requests come from us, would you consider taking a few minutes to help us? A communication from you will help to springboard our efforts, and get us that much closer to achieving our public affairs goals.

It is important for you to know what we are working toward for you. The following articles will provide a brief update of our dealings with our Congressional leaders and the USDA in D.C., and where we may be headed in the future:

Small Business Health Care Reform Bill

The ability to negotiate a national health care plan for small businesses and associations such as the NWA is of paramount interest to many of us. There are over 120 organizations that represent in excess of 80 million people that wish to have the ability to purchase health care as do labor organizations, major corporations and the federal government.

With that comes a debate that has great divides in the ranks, both lobbying for or against the bill whilst stating their side of the bill. As many organizations and States have come forward against this bill due to their contention that a federal program would disallow their involvement, and make such plans federally-managed, versus the current state of affairs that exists.

The U.S. Senate considered a bill (S.1955) sponsored by Senator Michael Enzi (Wyoming) and co-sponsored by Senators from 7 states including John Cornyn (TX), Richard Burr (NC), Larry Craig (ID), and Wayne Allard (CO). The purpose of this bill is to expand health care access and reduce costs through the creation of small business health plans by modernizing the health insurance marketplace.

After some limited debate, the bill was sent to the Senate Finance Committee for further review. In order to bring the bill back to the Senate floor, we need to gain 5 additional Senators' votes to reach the



needed majority (60 votes), and begin that process. The NWA is continuing to work with many other organizations to gain those votes (and others) to complete this legislative process and be in a position in the future to negotiate and provide a health care plan to our members.

The NWA is contacting numerous Senate offices that did not support the further debate of this bill, but rather forced it back into committee. As well, we will be working with Senator Enzi's office to support his efforts to get the bill back into debate on the floor.

You can help us by sending a letter, fax, email or telephone call to your Senate offices with encouragement to support the bill. The following is a list of (NWA Member) states that we need Senate communications with to gain their votes:

Arkansas (Lincoln and Pryor)
California (Boxer and Feinstein)
Colorado (Salazar)

Delaware (Biden and Carper)
Florida (Nelson)
Illinois (Durbin and Obama)
Indiana (Bayh)
Iowa (Harkin)
Maryland (Mikulski and Sarbanes)
Massachusetts (Kennedy and Kerry)
Michigan (Levin and Stabenow)
New Jersey (Lautenberg and Menendez)
New Mexico (Bingaman)
New York (Clinton and Schumer)
Oregon (Wyden)
Washington (Cantwell and Murray)

In addition to this list, the Democratic Senators from all other non-watermelon producing states opposed the bill, less Senators Landrieu - LA and Nelson - NE, who both supported it. Only one Republican opposed the bill (Chafee - RI).

The majority of us can use more affordable health care, or know of fellow members that can. We have a suggested letter prepared for your use. Let's put some pressure on our elected leaders to allow debate in the Senate. Please call us, and help us to help you.

Specialty Crop Block Grants



United States Department of Agriculture

As we shared in the last issue of *The Vaseline*, the USDA will issue \$7 Million in funding to each State Department of Agriculture to promote the competitiveness of specialty crops (which includes watermelon). This is a result of the Specialty Crop Competitiveness Act which was signed into law in December, 2004. This is a great opportunity to gain some funding both at the chapter level and national level to increase promotions and advance current programs for the future.

Each State will receive at least \$100,000 in funding, with the remaining funding (almost \$2 million) to be dispersed based on the percentage of each state's specialty crop production. The larger the state's specialty crop production, the larger the grant pot will be.

The primary function for this grant opportunity is for the promotion of specialty crops (i.e. watermelon) through marketing and public relations. In-store promotions, watermelon festivals,

expanded queen promotions, exhibit booths and other opportunities can be considered by all of our chapters.

The USDA may have published their final rule for the allocation of this funding by the time you are reading this article. The open comment period for their initial rule expired on May 22nd. The actual rule can be found at www.usda.gov, and then search for specialty crop block grant.

It is our understanding that we will not be required to create nor write the typical, lengthy proposals that a few of us are accustomed to. Each state will have differing variations, but in the end, we should all be able to apply with not too much trouble or time. The NWA will help you as much as we can, but the responsibility will rest on your shoulders to write the requirements and submit them to your state(s).

We encourage you to contact every state that you have members in to gain as much as you can. If you do not make the contacts, then you will not be part of the grant process. Please don't let other fruit, vegetable or horticulture groups take it all. It is up to you at the chapter level. If you have not already contacted your State or States' Department of Agriculture, please do so ASAP!

Immigration Reform

The hottest news from Washington of late has been the Senate's debates and votes surrounding immigration, border controls along Mexico in particular, future citizenship opportunities, and an agricultural component that will keep our industry with the needed availability of workers, primarily from Mexico.

Hundreds of miles of reinforced fencing across a major portion of the Mexican border, Disallowing past felonies and/or misdemeanors, National Guard troop patrols, penalties or fines of illegal aliens, citizenship possibilities, reform of the H-2A program, prevailing wage rates, and so much more have been debated and or decided by the Senate.

This is an extremely contentious issue, especially during a Congressional election year. Work-day walk-outs, boycotts, protests, and debates have become commonplace. Words such as 'amnesty' and 'prevailing wage' have been argued daily amongst Congressional colleagues of both parties. National news media outlets have covered this issue almost daily.

The NWA has been involved with three agricultural groups in Washington to

assure that Congress does not close our borders without making concessions to allow guest workers to keep our industry working. From weekly conference calls to periodic meetings and Hill visits, we have been successful in getting agriculture on the docket to keep the labor force in place. How that shakes out with this legislation in the future is yet to be seen.

We have not been alone in this effort. Each committee that we work with (United Fresh Fruit & Vegetable Association, Agriculture Coalition for Immigration Reform and National Council of Agricultural Employers) is made up of numerous agricultural groups that have worked together to protect the availability of laborers. In addition, major groups representing similar interests from the hotel motel, trucking, construction, home building, landscaping, restaurants, and many more have been vital parts of this lobbying effort.

Congress may still be in a joint conference between the Senate and House (at this issue's publication time) to work out and debate the differences in their bills. If and when they can develop a mutual agreement on the Hill, then Congress will send the bill to the White House for the President's consideration.

Earlier this spring, immigration officials arrested 7 executives and hundreds of employees during raids on IFCO, a manufacturer of crates and pallets. The charges by the U.S. Immigration and Customs Enforcement agents included conspiring to transport, harbor and encourage illegal workers to reside in the U.S. for commercial advantage and private financial gain. This became national news and a pedestal for some legislators in Washington.

Indications are that hundreds of such raids have been and are happening across the country, and will continue into the unforeseen future. As a result, we have worked with groups in agriculture to develop a recommendation for our members to have available in case such a visit were to ever occur at your packing shed, fields or business. It is better to be prepared and safe. The recommendation is as follows.

Important Information for Growers on Labor Audits and Raids

The Bureau of Immigration and Customs Enforcement (ICE) is currently conducting audits and raids across the country. This agency has the authority to investigate the possible employment of undocumented



workers, or to look for undocumented workers within constitutional parameters (i.e. reasonable search considerations). For more information on the agency's activities, go to: <http://www.ice.gov/graphics/news/factsheets/EnforcementFS.htm>

IF ICE wanted to come on to a grower's or packer's property to conduct a search or check for I-9s on employees, here are the two options that they have:

1. "Routine" Audits (by ICE or Department of Labor)
 - a. Require the inspecting agency to give three (3) days notice
 - b. Do not require a search warrant
 - c. Employer is required to provide a list of employees and social security numbers for up to three (3) years
 - d. Agency is entitled to examine and copy I-9 forms and copies of any attached documents used to complete the I-9 form.
2. "Raids"
 - a. Require a search warrant
 - b. Do not require advance notice
 - c. Agency entitled to all records and other property covered by the warrant

To prepare for either of these possible events, we recommend the following:

- Have growers/packers review their I-9 procedures to verify that proper protocols are being used.
- Confirm that documents used





to verify employment eligibility upon initial date of hire that may have had expiration dates are being followed up on with renewal documentation.

- Review record retention practices to ensure compliance with applicable state and federal laws.
- Designate a company representative who is authorized to meet and talk to Department of Labor and/or ICE personnel.
- Educate employees to refer I-9 inquiries to the designated company representative.
- No management employee should submit to an interview or provide documents to the government before conferring with the designated company representative.

If ICE shows up to a grower's/packer's office with a search warrant, the grower/packer should have a protocol already in place to alert senior manage-

ment and legal counsel. The warrant should be carefully reviewed for what records are being requested, and remain mindful that criminal prosecution for immigration law violations may result if seized records reflect violation of IRCA's criminal statutes.

Developed in conjunction with Farm Bureau Federation



2007 Farm Bill

It is coming time again for Washington to create the next Farm Bill in 2007. Numerous listening sessions have been held in multiple states by the U.S. House Agriculture Committee and the U.S. Secretary of Agriculture, Mike Johanns. More are scheduled in Washington this year by the House, with the sessions beginning by the Senate.

The NWA has been a major part of this process thus far, with Vern Highley and Brent Jackson providing testimony at two of the listening session during the past nine months. Bob Morrissey has been one of 18 members of United Fresh Fruit & Vegetable Association's Farm Bill Committee, which has developed recommendations to both the Senate

and House Agriculture Committees.

Additionally, the UFFVA Farm Bill Committee is working with a number of Senate and House offices to write legislation to be introduced to Congress later this year. Senators Larry Craig (ID) and Debbie Stabenow (MI) will sponsor the Senate bill, while Congressmen Richard Pombo (CA) and Dennis Cardoza (CA) will sponsor the House bill. There are numerous co-sponsors as well from across the country. The bill writing process is well underway, with the overall details of the recommendations presented to both Congressional committees and the U.S. Secretary of Agriculture already.

The committee's intentions are to protect fruits & vegetables whilst gaining a fair share for specialty crops (fruits & vegetables in particular) in the next Farm Bill. F&V has never received a fair share in the past, but with the supporters that we have on the Hill, we believe that now is the time to pursue our goals. Following is a brief synopsis of our recommendations:

Overview:

Specialty crop production across the United States accounts for over \$46 billion in farm cash receipts, representing 44% of the U.S. total crop value. Over the years, the specialty crop industry has gone through tremendous changes in an effort to remain profitable, satisfy consumer demands, adapt to new technology, and compete in an increasingly global market place. Today, growers are facing the most strident economic conditions and regulatory challenges they've seen in decades. Meanwhile, the consumption of our commodities seems to be stagnating. While the perishable nature of our products present unique challenges and highly volatile markets, our industry has not relied on traditional farm programs to sustain our business. We're proud of our commitment to free markets, and don't want that to change.

The specialty crop industry also produces crops that are vital to the health of Americans and represent a significant segment of American agriculture. However, because they are not considered "program crops," specialty crops are often ignored when it comes to the development and implementation of U.S. farm policy. Yet, like producers of program crops, the specialty crop industry faces significant challenges in the production and marketing of their commodities that must be addressed if they are to remain competitive.



Specialty crops are important to the good health of Americans and to the efforts in our country to prevent disease, reduce obesity, and improve the well-being of our citizenry. We are also working hard to fulfill consumer needs for high-quality and affordable healthy food choices, but we need agricultural policy priorities to assist us in that effort. It is in this context that we raise the importance of specialty crops today – not as simply one more sector of the agricultural economy, but as a vital national priority in every Congressional district and to the health of our nation overall. The industry strongly believes government policy should provide incentives for private investment, tools to increase profitability, and help to those producers who are committed to constant improvement to better serve consumer needs. We do not want policies that sustain yesterday's business; we want investment in the future.

Ultimately, the goal of any specialty crop federal agriculture policy should be to enhance the tools necessary to drive demand, utilization, and consumption of our products and not distort the production of those products with respect to domestic and international markets.

The Federal government should elevate its financial investment into program priorities for the specialty crop industry and work cooperatively to ensure U.S. specialty crop producers are competitive in domestic and international markets. In turn, the goal of any farm policy should be to enhance the tools necessary to drive demand, utilization, and consumption of specialty crops, and not distort the production and marketing of these commodities in the United States.

Committee Recommendations (in brief):

- **Restrictions on Planting Flexibility** – We support this long-standing provision as a fundamental matter of equity among farmers. As long as some farmers receive direct payments from the government, they should not be allowed to plant crops on that subsidized land that competes with unsubsidized farmers.

- **Nutrition Programs** – We support a strong new focus within the 2007 Farm Bill on increasing the access and availability of fruits and vegetables, particularly to children. We support expansion of the school fruit and vegetable snack program, increased commodity purchases, higher allocation to the Department of Defense (DOD)

fresh program for schools, development of a new nutrition promotion program to assist producers in enhancing their markets, and a general requirement that USDA feeding programs and commodity purchasing comply with the 2005 Dietary Guidelines.

- **State Block Grants** – We support an expansion of the State Block Grants for Specialty Crops program originally authorized in the Specialty Crop Competitiveness Act of 2004, and funded through appropriations in the Fiscal Year (FY) 2006 Agricultural Appropriations bill. Due to the wide diversity and localized needs in specialty crop production, state departments of agriculture are uniquely able to assist local growers with the specific investments they need to increase competitiveness.

- **International Trade** – We support programs to increase foreign market access, to increase funding for the Technical Assistance for Specialty Crops program, and creating a new Export Division within Animal, Plant, Health, and Inspection Service (APHIS) to attack with much greater vigor the real but too often hidden trade barriers facing our industry in Sanitary and Phytosanitary (SPS) issues. We will also work with allies to seek continued support for the Market Access Program (MAP).

- **Invasive Pests and Disease** – We support significant new investment in prevention of the unintentional introduction of plant pests and diseases. Investment in prevention is more cost-effective than mitigation.

- **Research** – We support significant new investment in research for specialty crops, through both the National Research Initiative and programs within Cooperative State Research, Education and Extension Service (CSREES) and Agriculture Research Service (ARS).

- **Conservation Programs** – We support a mandatory allotment of funding for specialty crop production within the Environmental Quality Incentive Program (EQUIP) similar to what currently exists for the livestock industry. We will work with all allies to expand general support for conservation programs.

- **Unique Attributes of Specialty Crop Producers** – Due to the nature of

high-value specialty crop production, many current Farm Bill programs and disaster programs are of limited benefit to specialty producers due to payment caps, limits on Adjusted Gross Income, limits on off-farm income even if integral to farming operations, etc. We support a thorough review of all farm programs to ensure that specialty crop producers have access to benefits comparable to other farmers, rather than being excluded or limited simply due to a higher-cost of production.

That provides you with a top-line of the committee's recommendations to Congress. There will be much more to come including additional listening sessions, debate, give-and-take, negotiations, etc. before Congress completes this process next year. If you would like to see all of the detail and budgetary information that makes up the entire bill recommendation (our fruit & vegetable portion), please contact the NWA office.

One last note We recently learned that there is a bubbling discussion on the Hill to simply extend the 2002 Farm Bill as status quo. That is absolutely not acceptable to the specialty crop industry. We have already begun meetings and a letter campaign with both Agriculture committees and the USDA to head this off at the pass. More to come.



Washington Update

Clearance Sale

Watermelon Ball Cap



\$12.00
(includes mailing)

NWA Ball Cap



AVAILABLE IN RED OR
BROWN BRIM
\$15.00
(includes mailing)



Golf Shirt:
Limited quantities
in S, L and XL
\$25.00
(includes mailing)



Watermelon Jean Shirts:
Regular and Button-
Down collars available
Regular collar in XL and XXL
Button-Down collar in S, L, XL and XXL
\$25.00
(includes mailing)



**Stadium
Blanket**
(available in red or
green)
\$20.00
(includes mailing)

Quantities are limited--

Watermelon Promotional Items



Watermelon Fun Tee Shirt:

Adult and Youth sizes available in limited quantities
Youth sizes in S, M, L, and XL
Adult sizes in S, M, L and XL

\$10.00 (includes mailing)



Tie-Dye Shirt:

Limited quantities in M, L, XL and XXL

\$20.00

(includes mailing)



Watermelon Tee Shirt:

Adult and Youth sizes available in limited quantities
Youth sizes in S, M, L and XL
Adult sizes in XL and XXL

\$10.00 (includes mailing)



Baseball Shirt:

Limited quantities in M, L and XL

\$20.00

(includes mailing)



Ladies T-Shirts:

Limited quantities in white and red
White includes S, L and XL
Red includes M, L and XL

\$20.00

(includes mailing)

- Everything Must Go!