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NATIONAL ANIMAL IDENTIFICATION SYSTEM  
LISTENING SESSIONS

May 21, 2009  
Cahaba Grand Convention Center  
3660 Grandview Parkway  
Birmingham, Alabama 35243  
9:00 a.m.

REPORTED BY: Heather Spier  
Certified Court Reporter,  
and Notary Public

**ORIGINAL**

1 P R O C E E D I N G S

2

3 MR. WATERS: I would like to  
4 welcome you to this listening session. My  
5 name is Ken Waters. On behalf of  
6 Secretary Vilsack I want to welcome you to  
7 this USDA and NAIS listening session. To  
8 start things off we have a brief message  
9 from the secretary.

10 (Whereupon, a video message  
11 from Secretary Vilsack was  
12 played.)

13 MR. WATERS: Next I'd like to  
14 introduce to you Dr. Rick Hill who is the  
15 presiding official here at today's  
16 meeting.

17 MR. HILL: Thank you, Ken.  
18 Good morning.

19 AUDIENCE: Morning.

20 MR. HILL: My name is Rick  
21 Hill, and I would like to join the  
22 secretary in welcoming you to this fourth  
23 in a series of listening sessions that

1 will occur throughout the U. S. on the  
2 National Animal Identification System.

3           Before I get to my script, I'd  
4 like to let you know that I'm a  
5 veterinarian working with APHIS,  
6 veterinary service in Ames, Iowa, and I'm  
7 pleased to be here in Birmingham and I'm  
8 honored to represent the secretary to help  
9 introduce this event. After my remarks my  
10 specific job today is to listen to your  
11 comments, your concerns and your  
12 suggestions.

13           So I too want to thank you for  
14 taking the valuable time away from your  
15 farms, your jobs and your homes especially  
16 during the middle of the work week to  
17 attend this meeting and share your views.  
18 I will keep my remarks very brief because  
19 the point of this meeting is we are here  
20 to listen to what you have to say.

21           In response to concerns about  
22 increased threats and disease threats to  
23 livestock, APHIS, The Animal and Plant

1 Health Inspection Service, along with its  
2 stakeholders began about five years ago to  
3 develop a national animal identification  
4 system. The system enables animal health  
5 officials and producers to respond more  
6 rapidly and effectively to foreign animal  
7 disease threats in the United States,  
8 which has always been one of APHIS' core  
9 missions. The long-term goal of the NAIS  
10 is to provide state and federal officials  
11 with the capability to identify all  
12 animals and premises that have had  
13 potential contact with a disease of  
14 concern within forty-eight hours after  
15 discovery.

16                   However, as the secretary has  
17 noted, despite five years of concerted  
18 effort, we have not been able to fully  
19 implement NAIS. A significant number of  
20 our stakeholders have been divided over  
21 the issue, and we recognize that many real  
22 and significant challenges remain before  
23 anyone can confidently claim that the

1 United States has an effective animal  
2 disease traceability system in place.

3 Secretary Vilsack is aware of  
4 APHIS' many efforts in the past to engage  
5 stakeholders to support NAIS, and he is  
6 also aware that the USDA's position on  
7 various aspects of NAIS have not always  
8 been entirely consistent. The Secretary  
9 strongly believes that our nation needs a  
10 modern, nationwide system in place to  
11 protect the health of. S. Livestock.

12 As he mentioned at a recent  
13 congressional hearing, if at some point in  
14 the future we confirm that a sample is  
15 positive for the 2009 H1N1 influenza,  
16 APHIS and state officials -- state animal  
17 health officials would immediately begin  
18 an epidemiological investigation to  
19 determine if any other herds have been  
20 exposed to the affected animals.

21 Secretary Vilsack has also  
22 stated that significant producer  
23 participation in NAIS would make our

1 investigative efforts much more effective  
2 if we need to engage in a traceback effort  
3 related to this or any other disease  
4 concern.

5           In his video message earlier  
6 the Secretary was very clear that he  
7 believes that we should strive to develop  
8 a system that the majority of producers,  
9 big and small, can support. Therefore, he  
10 instructed us to hold this series of  
11 listening sessions across the country as a  
12 way to solicit opinions and ideas from a  
13 wide range of farmers, ranchers, and other  
14 stakeholders in order to help him make  
15 informed decisions that map out the future  
16 direction of NAIS.

17           We welcome and we strongly  
18 encourage you to express your thoughts and  
19 views here today, and we especially want  
20 to hear your ideas for solutions to  
21 concerns you may have about NAIS. We will  
22 be tape recording all of the sessions  
23 today so that we can be sure to capture

1 your concerns and ideas and pass them on  
2 to secretary. However, if for some reason  
3 you didn't get a chance to share  
4 everything you wanted today, we are also  
5 seeking written comments from the public.  
6 Your comments can be submitted through the  
7 websites noted in the information handouts  
8 in your blue folders. I assure you that  
9 every written comment submitted will be  
10 read and carefully considered before we  
11 move forward.

12 One of our hopes in sponsoring  
13 these meetings is that through dialogue  
14 and discussion among people representing  
15 all sectors of agriculture, creative  
16 solutions will begin to emerge on the  
17 issues that have divided some of us with  
18 regard to the development of an animal  
19 identification and tracing system.

20 We all would rather implement a  
21 system that truly reflects our  
22 federal-state producer partnership, a  
23 system that farmers and ranchers can

1 support and look upon as a benefit to  
2 their operations rather than as a burden  
3 being imposed on them. We need a system  
4 that minimizes your expense and effort,  
5 that is flexible enough to meet your  
6 individual needs and that protects animal  
7 health in a way that is sensitive to the  
8 differences between species groups, and  
9 protects your private business  
10 information.

11           Whether you sell your livestock  
12 directly off your farm or to an auction  
13 house or whether your meat is sold at a  
14 country store or on international  
15 exchange, we want to develop an animal  
16 health protection system that will allow  
17 you to confidently market your livestock  
18 as the healthiest and the best quality in  
19 the world.

20           To create an animal  
21 identification system that can realize  
22 those goals, the Secretary needs to hear  
23 both your concerns and your ideas for

1 solutions. Our sessions today will focus  
2 on important issues producers have often  
3 raised such as implementation costs,  
4 impact on small-scale farmers, privacy,  
5 confidentiality, liability. These  
6 discussion sessions will also allow you to  
7 weigh in on the concerns you have  
8 regarding premises registration, animal  
9 identification and animal tracing.

10 At the end of the day we want  
11 to learn what program options you could  
12 support so that we can pass that  
13 information on to Secretary Vilsack. This  
14 information will be critical in helping  
15 him to determine how the USDA, in  
16 partnership with stakeholders, can forge a  
17 more effective, successful and acceptable  
18 system to protect animal health.

19 Following dinner and/or as time  
20 allows a representative from our NAIS  
21 staff may help frame today's discussion  
22 sessions with a presentation on how APHIS  
23 Veterinary Services looks for, responds to

1 and traces for animal disease concerns and  
2 the role that animal identification and  
3 tracing plays in these efforts. The point  
4 of the presentation is to bring everyone  
5 in the room up to speed with information  
6 about NAIS, its goals and its  
7 implementation to date. And our  
8 facilitator will provide further guidance  
9 on that.

10 After these remarks we will  
11 move on to the more important session of  
12 the meeting, which is listening to what  
13 you have to say. I hope you actively  
14 participate and have time to stay for the  
15 entire meeting.

16 I'm sure everyone is aware that  
17 there are strong advocates in the audience  
18 representing both those in favor of the  
19 current system and those totally opposed  
20 to it. But rather than focusing only our  
21 differences, I'd ask you to look around  
22 the room for a minute and consider what I  
23 hope every individual present can agree

1 on.

2                   Regardless of whether you  
3 operate a small farm or a big operation or  
4 whether you raise chickens or cattle,  
5 whether you run a local butcher shop or a  
6 slaughter house or whether you represent a  
7 local state or federal government agency,  
8 what we all want, bottom line, is for  
9 animals throughout America to remain  
10 healthy and free of foreign diseases. I  
11 hope that unifying focus will be the  
12 compass that will guide our discussion  
13 today and in the future.

14                   In that spirit I would like to  
15 thank you all in advance for extending  
16 your professional courtesy and respect to  
17 everyone at this meeting, regardless of  
18 whether agree with them or not. Let's all  
19 keep in mind that maintaining an open and  
20 respectful dialogue will get us all a lot  
21 further down the road in developing an  
22 acceptable system that benefits everyone.

23                   Thank you again. We look

1 forward to your thoughts and concerns.  
2 And now I will turn our meeting back to  
3 our facilitator to get us started.

4 MR. WATERS: Thanks, Rick. I  
5 just want to go over a few things about  
6 how the day is going to go. And the first  
7 thing is to just take a look at your  
8 packets. The first thing I want to point  
9 out is on the -- on the cover of the  
10 packet is a sticker with a colored dot,  
11 and the dot indicates which of the  
12 breakouts that you will be going to.  
13 These are just handed out randomly so that  
14 we can have an even amount in each one,  
15 each of the breakout sessions. And we  
16 will give you further direction on which  
17 rooms. The breakout rooms -- I think  
18 there's one on this side and two on this  
19 side that we'll be meeting in after the  
20 more formal public comment session.

21 So if you open up and take a  
22 look inside, on the right-hand side of the  
23 packet is a pad and pen and then also the

1 presentation materials that were written  
2 for the NAIS listening sessions as an  
3 informational package. And this will be  
4 the slides -- they've been modified a  
5 little bit since we started to when we  
6 give the presentation later on.

7           On the left-hand side are four  
8 things. First is a letter from Dr. John  
9 Clifford. He's the administrator for  
10 Veterinary Services. And you'll notice  
11 the next to the last paragraph has some  
12 specific information on how to use the  
13 regulations.gov, which is one place where  
14 you can make your comments, written  
15 comments. So that's on the first page.

16           Second is the agenda. And I  
17 just want to hold off on that for a minute  
18 and go through the rest of the materials.  
19 Next is a news release describing where  
20 the listening sessions are going to be and  
21 what they're all about. This is from  
22 Secretary Vilsack. And then the final  
23 page again has more information about the

1 specifics of how you make your comments.  
2 If you want to do them online you can do  
3 them through the regulations.gov, which is  
4 the federal rule-making portal which is  
5 about mid page. You can go to the USDA  
6 and NAIS website. And, finally, at the  
7 bottom of the page there is an actual  
8 address that you can mail something in if  
9 you want to do it that way. We are trying  
10 to provide as many opportunities as  
11 possible for you to make comments along  
12 with these listening sessions.

13 Now, if you take a look at the  
14 agenda, we're changing things around a  
15 bit. We decided to forgo the presentation  
16 about the NAIS just to make sure that we  
17 plenty of time for listening to what you  
18 all have to say. So we're going to do  
19 that in three-minute increments. Each  
20 person has signed up to speak will come up  
21 here, wait their turn. And I have timer  
22 to help you keep on track here off to the  
23 right. And the way this works is I will

1 set it up for three minutes each. The  
2 green light will light, and it will be lit  
3 for about two minutes. After two minutes  
4 it will blink for about thirty seconds.  
5 And then when there is thirty seconds left  
6 the yellow light will go on, and I'll say  
7 "thirty seconds" just to -- if you're  
8 concentrating on what you're trying to say  
9 you'll hear that. Then at three minutes  
10 you will hear a brief beep, and I will say  
11 something like "final thoughts." So you  
12 know it's time to begin wrapping up your  
13 message or your comments.

14 When that's finished -- I think  
15 there's only about twenty or twenty --  
16 about twenty-five people who signed up.  
17 So that's going to mean we'll probably  
18 finish up about midmorning. We'll check  
19 in with you at that point. But I think  
20 it's easier if we just go straight to the  
21 breakout sessions.

22 And the difference between the  
23 two is that the public comment part of

1 this, the formal public comment, gives you  
2 three minutes each to come up and give,  
3 you know, an uninterrupted this is what I  
4 think about this program, whatever that  
5 is. The breakout sessions provide a more  
6 formal setting where there's other people  
7 in the room, and you can talk to each  
8 other more.

9           The thing to remember about all  
10 of this is that all of this is getting  
11 transcribed. We have a court reporter for  
12 this part of the morning. When we go into  
13 the breakout rooms everything that is said  
14 into a microphone will be recorded and  
15 transcribed and given to the secretary as  
16 he mentioned in his is talk. So it's  
17 important when you're talking in the  
18 breakout groups -- and the facilitators  
19 who will be doing those will remind you  
20 when you get in there. It's important to  
21 talk into the microphone.

22           So that said, why don't we just  
23 get started with the public comments, and

1 we'll see how it goes and then decide how  
2 we will proceed from there.

3 I know everybody was given a  
4 ticket. What I would rather do is just  
5 call your name, so I'm just going to go  
6 down the list here. And forgive me if I  
7 mispronounce your name. You can correct  
8 me. Steve -- I'm going to call five  
9 names. If you would just come up and sit  
10 at the front. And then we'll go through  
11 those five and I will call five more  
12 names. Steve McDonald, Stanley Scott --  
13 Scott Stanley, Margarite Strutton, George  
14 Chambers and Harry Mobley.

15 Now, the way this will work,  
16 again, I'll have the timer set up here.  
17 If you would, say your name and who you're  
18 with when you start your comments. That  
19 will be appreciated. Thank you.

20 MR. STEVE MCDONALD: Mr.  
21 Secretary, thank you for inviting the  
22 Alabama Cattlemen's Association to  
23 participate in this discussion. Because

1 of the experience our organization  
2 gathered following the discovery of the  
3 United States' third case of BSE, we feel  
4 this is an opportune time to share with  
5 you the opinion we have developed after  
6 having gone through such an incident.

7           Our association staff  
8 leadership at the local and state level  
9 responded to an amazing amount of  
10 inquiries from the media and consumers  
11 alike in the spring of 2006 relating to  
12 Alabama's BSE cow. Most of these calls  
13 dealt with a very similar set of  
14 questions; namely, is the beef safe, where  
15 did the cow come from, where are her herd  
16 mates that may have also been exposed.

17           Thanks to talking points from  
18 our checkoff program, the first question  
19 was easy to answer using fact-based  
20 scientific research. Consumer fears were  
21 calmed and panic was avoided. The second  
22 two questions were much harder to respond  
23 to and, despite an in-depth investigation

1 by animal health authorities, they remain  
2 today largely unanswered.

3           The disappointment over this  
4 fact was compounded when the Alabama  
5 Cattlemen's Association was visited by an  
6 expose television reporter from a news  
7 organization in South Korea. His  
8 questions probed again and again into the  
9 inability of our country to assure his  
10 viewers that our animals can be tracked  
11 and monitored for disease throughout their  
12 lifetime. The strictest post-harvest food  
13 inspection practices could not address  
14 this issue.

15           This reporter finally got the  
16 footage he wanted when he interviewed so  
17 called experts representing various  
18 anti-agriculture activism organizations.  
19 These activists cast a shadow of doubt on  
20 the safety of the food supply by pointing  
21 out that beef producers are not subject to  
22 an industry-wide disease surveillance  
23 program.

1                   The Alabama Cattlemen's  
2 Association again hosted visitors later in  
3 the year from South Korea. This time it  
4 was a delegation of animal and human  
5 health officials here to learn about the  
6 process of dentition, the method by which  
7 the Alabama BSE cow was determined to be  
8 over ten years of age, thus legitimately  
9 born before the feed ban. These  
10 officials, while cooperative and eager to  
11 reestablish trade for U.S. beef, still  
12 voiced concerns over the lack of a  
13 nationwide program to survey disease among  
14 the food animal population.

15                   Based on this experience as  
16 well as attention to disease cases and  
17 trade negotiations for the last several  
18 years, our membership can testify to the  
19 potential value of a nationwide disease  
20 trace-back system that would add to  
21 leverage to our bargaining toolbox in the  
22 arena of international trade. However, we  
23 cannot support any system that would cause

1 undue duress to any one of the market  
2 sectors within our industry.

3           Alabama's beef business is a  
4 complex system of both small and large  
5 producers as well as stocker-operators,  
6 order buyers, dealers and auction markets.  
7 Any workable system must be developed with  
8 each of these industry segments in mind.  
9 As well, any workable system must be able  
10 to function at the speed of commerce and  
11 protect the confidentiality and liability  
12 of its participants. Also, ACA urges USDA  
13 to direct APHIS and its other agencies  
14 such as FSA, NRCS, CREES and other to  
15 cooperate on a common sense approach to  
16 building its premises ID database. Thank  
17 you.

18           MR. STANLEY SCOTT: Good  
19 morning. I'm Stanley Scott from West  
20 Point, Mississippi, and I'm a lifelong  
21 cattle producer, and I'm with my son. I'm  
22 not officially going to be affiliated with  
23 anyone today; although, I do serve on the

1 beef council for the state of Mississippi,  
2 and I am the state membership chair member  
3 for R-Calf United States, a proud state  
4 membership chair for R-Calf USA. And I  
5 have a lot of concerns with this system as  
6 it's being proposed.

7 For one thing, the American --  
8 let's say United States because I don't  
9 want to include Canada and Mexico in my  
10 remarks. We have produced the best and  
11 the safest beef in the world for  
12 generations, and we continue to do so.  
13 Nothing is more important to us than the  
14 health of our cattle, but I see no  
15 benefits to this program. I've been a  
16 stockyard operator for twelve or fifteen  
17 years of my life. I'm not currently in  
18 that capacity.

19 But in the state of Mississippi  
20 we have a first point testing program that  
21 we use to deal with the disease of  
22 brucellosis in cattle. And, guess what,  
23 it worked. It eliminated it. A

1 government program that actually worked  
2 and was cost effective, but they're  
3 discontinuing it. I guess it made too  
4 much sense. It saved the producers in  
5 Mississippi millions of dollars in calves  
6 that weren't aborted or cattle who didn't  
7 become ill with the fever.

8           And this first point testing  
9 requires no owners to enroll or register  
10 in anything. It's a metal ear tag placed  
11 in the cow's ear at market. And when this  
12 co shows up positive, you look in the tag,  
13 you know what state it's from. You call  
14 the veterinarian. He tells you whose cow  
15 it is. There she is. In a matter of  
16 minutes usually or a few hours at most.

17           And there's a lot of questions  
18 about the security of this information.  
19 The packers know what kind of cattle they  
20 like. They're going to accumulate these  
21 ear tags. And they will go to the ear tag  
22 manufacturers, and they will get sources  
23 of these cattle. And in the foot and

1 mouth disease outbreak in the UK and  
2 Europe in '02, the countries that did have  
3 some type of animal identification like  
4 this, it was found to really be of no  
5 effect in helping mitigate that outbreak.  
6 Thank you.

7 MS. MARGARITE STRUTTON: My  
8 name is Margarite Strutton, and I'm from  
9 Louisiana. We're just small sheep  
10 farmers. Have been all of our lives.  
11 There's so many things about the NAIS that  
12 anger me that it's hard to know where to  
13 start, from the fact that it violates so  
14 many of my constitutional rights and my  
15 religious beliefs, being so extremely  
16 expensive and the amount of time spent in  
17 recording and paperwork, expensive  
18 computer equipment and time.

19 I resent the fact that I must  
20 be forced to identify my home as a premise  
21 and give out my private information. I  
22 feel that this is a direct violation of my  
23 privacy and rights as an American citizen.

1 All the required information is already on  
2 file in tax records, land records and  
3 other such files. Tracking is only  
4 another form of personal invasion and  
5 designed to trace my activity for another  
6 form of tax since where my animals go so  
7 do I. This endangers my home and my  
8 family. Tracking is like GPS Onstar which  
9 is used to keep track of vehicles, and it  
10 is a personal choice and it should not be  
11 mandatory.

12 I'm angered that I feel that my  
13 veterinarian will be required to become  
14 some sort of informer and that I will no  
15 longer feel free to consult with people  
16 that can help me, that some overeager  
17 beaver will jump the gun declaring some  
18 unproven theory that will destroy all I  
19 have without giving independent choices a  
20 chance to save what I hold dear, that due  
21 process of law will be denied so that an  
22 agency that I have become to distrust  
23 terribly can become more powerful in

1 deciding my future.

2           The Constitution of these  
3 United States guarantees my rights that  
4 someone may invade my private home without  
5 due course of law forcing their will on my  
6 family, as has already happened in this  
7 country, needs to be addressed and due  
8 punishment administered.

9           Those I do business with, like  
10 feed stores and other places of supply  
11 where my small farm is, will become places  
12 to report all my business which I think is  
13 a private affair and not public knowledge.

14           This atrocious behavior that  
15 will force so many out of business is only  
16 meant to benefit the big agri businesses  
17 that are given huge concessions such as  
18 one or no tag for large lots of produce  
19 and animals while we must identify each  
20 and every one and pay the prices to  
21 support this is stupidity.

22           Apparently, the USDA has lost  
23 its original purpose only to become a

1 police state, (inaudible) suppressor and  
2 needs to be disbanded since it only has  
3 concerns for big agri business or large  
4 money concerns. I don't understand why so  
5 much money is being used for this when it  
6 should be used to develop vaccines and  
7 medicines to combat disease. The place  
8 where disease needs to be stopped is at  
9 the processing plant or at the import  
10 entries and add-up orders. Such small  
11 groups of endangered animals will become  
12 so expensive for the small owner that they  
13 will slowly disappear. The cost and  
14 invasion of privacy will slowly erode the  
15 practice of attending events until they no  
16 longer exist and the slow dismantling of  
17 the American way of life by a small bunch  
18 burn of greedy 4people using fear as a  
19 weapon.

20                   Implant tags and microchips  
21 have not been proven to be save and are  
22 not secured in that they can be  
23 preprogrammed. They are basically

1 designed to cause large amounts of money  
2 to go to the big businesses that  
3 manufacturer and market such devices. We  
4 need to supply our own people with our own  
5 products. It is unacceptable for an  
6 agency to try to decide what is best for  
7 the people when our elected officials are  
8 not being the ones to decide and  
9 unconstitutional for a small group of  
10 people to think they have more power than  
11 the congress of the United States that can  
12 be punished by the people in reelection  
13 for not doing what the people demand.

14 I'm not a (inaudible) owner.  
15 I'm not a stakeholder. And I cannot  
16 comply with this. I don't trust the USDA,  
17 and I definitely don't like the NAIS.

18 MR. GEORGE CHAMBERS: Thank  
19 you. My name is George Chambers. I'm  
20 vice president of R-Calf USA, but that is  
21 not the capacity that I speak in today. I  
22 speak in the capacity as a United States  
23 citizen, a sixth generation rancher. I'm

1 from Carrollton, Georgia. I speak in that  
2 capacity. I'm a United States citizen. I  
3 own property, and I believe in the  
4 Constitution of the United States.

5 I thank USDA Secretary Vilsack  
6 and I commend him for engaging the very  
7 sector of the industry that this truly and  
8 ultimately affects and the ones who will  
9 pay for it, and that is the independent  
10 U.S. cattle producer. I wish to offer a  
11 few comments. This is one person's  
12 opinion, but it is my opinion, and we  
13 still have free speech in this country.

14 It's purported that the first  
15 step in implementing this is premises  
16 registration. Well, that's already in  
17 place. You can go up to any local FSA  
18 office you want to, and your property is  
19 already assigned a number. You can even  
20 get a picture of it if you want to.

21 We had at one time at my  
22 estimation the least invasive, least  
23 onerous system of animal ID in the

1 industry, and it was that of brucellosis  
2 program. Well, at that point you had  
3 animal ID. You didn't need an expensive,  
4 electronic tag. You didn't have to have a  
5 reader. You didn't necessarily have to  
6 have a very good working shoot. If you  
7 don't believe me, come to my house. You  
8 can see it.

9 Well, after talking with Linda  
10 Hewitt, a producer in Australia and you  
11 see how well these tags stayed in and how  
12 onerous it was to put them back in, how  
13 onerous it was to cancel one number and  
14 put a new number in the same animal,  
15 you'll understand where I'm coming from.

16 I know personally that there  
17 are several livestock operators in the  
18 audience. I've done business with them  
19 and I do business with them. And let me  
20 be very clear. I am not speaking on their  
21 behalf. However, I wonder with the  
22 nation's cow herd in the state of  
23 contraction -- and that is how the

1 independent market operator makes his  
2 business. How are they going to explain  
3 to their longtime customers,  
4 multigenerational customers, that they can  
5 no longer fulfill their marketing because  
6 they don't have or some (inaudible) tag  
7 fell out and they can no longer service  
8 their market needs, or if that producer  
9 feels as strongly as I do that this system  
10 violates the Constitution of the United  
11 States.

12 If you don't believe what I'm  
13 saying, get yourself a copy of Black's Law  
14 Dictionary and disseminate word for word  
15 the way the NAIS is proposed. I thank  
16 you.

17 MR. PERRY MOBLEY: My name is  
18 Perry Mobley. I am the beef and equine  
19 divisions director for the Alabama Farmers  
20 Federation. And on behalf of the Alabama  
21 Farmers Federation, I want to thank  
22 Secretary Vilsack and Dr. Hill for  
23 allowing us the opportunity to offer public

1 comment regarding the National Animal  
2 Identification System.

3 As a matter of our policy, the  
4 Alabama Farmers Federation, we favored the  
5 continued use of legally recognized forms  
6 of permanent identification. We believe  
7 that any new livestock identification  
8 methods should only be considered if it is  
9 proven to be as efficacious and practical  
10 as forms of livestock identification  
11 currently in use. Furthermore, we believe  
12 any new form of livestock identification  
13 should be a legally recognized proof of  
14 ownership in states having brand laws.

15 We recognize the effectiveness  
16 of time-proven, pre-existing permanent  
17 animal identification systems like hot  
18 branding, freeze branding, tattoos and  
19 metal tags. And we believe these methods  
20 of identification have been practical and  
21 useful as exemplified by the success of  
22 the Brucellosis Eradication Program.

23 While we recognize the need for

1 continued surveillance for domestic and  
2 foreign animal diseases that could be  
3 detrimental to our livestock industry, we  
4 are also fully aware that a mandatory  
5 animal identification system does not  
6 present our livestock populations from  
7 being challenged by any disease.

8 Therefore, we support continued funding  
9 for disease surveillance. These  
10 surveillance programs have proven to be  
11 very effective in the past and will  
12 continue to be as long as our animal  
13 health officials are provided with  
14 adequate funding for these programs.

15 Furthermore, we realize that  
16 there have been massive cuts in programs  
17 like the TB program, BSE, Johne's and  
18 other disease programs. The costs of  
19 adequately funding these programs will be  
20 minimal compared to the exorbitant costs  
21 of funding a mandatory animal  
22 identification program.

23 We support the judgments of our

1 state animal health officials in  
2 implementing any new identification system  
3 that is deemed necessarily and just in our  
4 state. Our state veterinarian and his  
5 office have proven time and time again  
6 that they are up to the task of properly  
7 and professionally handling any animal  
8 health issues that might arise in our  
9 state, and these individuals have an  
10 intimate working knowledge of our state's  
11 livestock industry and are well respected  
12 and trusted by our producers.

13 Finally, I have been intimately  
14 involved in the previous attempts of the  
15 National Animal Identification System.  
16 There is very little support for such a  
17 system amongst our nation's producers.  
18 The current technology isn't reliable  
19 enough to consistently work at the speed  
20 of commerce. The costs of implementing  
21 such a system would be too burdensome, not  
22 only on our producers, but on our nation,  
23 especially in a time of economic

1     uncertainty.

2                     Many, many producers have  
3     expressed they will hang it up if forced  
4     to comply with such a system. If our  
5     producers quit, then our national security  
6     is certainly in jeopardy if we can't  
7     produce enough to feed ourselves. Thank  
8     you.

9                     MR. WATERS: Next five. Chad  
10    Scott, Ray Hodge, Jim Carter, Karen Wynne  
11    and Paul Breckler.

12                    MR. CHAD SCOTT: Good morning.  
13    My name is Chad Scott. That is my dad  
14    that spoke earlier. I'm a fourth  
15    generation cattle farmer. And hopefully  
16    my family can continue this business. But  
17    right now our cattle industry is under  
18    attack. And I have some questions of the  
19    USDA, the agency that is supposed to  
20    enforce this NAIS.

21                    They have supported measures  
22    like the Peru Free Trade Agreement in  
23    2007. I went on the USDA's website, and I

1 see the motion for Peru Free Trade  
2 Agreement, and I said I wonder why this is  
3 here because I know Peru is infected with  
4 foot and mouth disease and we have no  
5 country of origin of labeling, and the  
6 USDA import this beef. Also, Canada is  
7 infected with BSE. What South Korea wants  
8 us to do is not get a NAIS. They want us  
9 to fix the OTM Rule 2 and stop importing  
10 the diseased Canadian beef.

11 Also 75 percent of tuberculosis  
12 cases in America comes from Mexico. So we  
13 need to take cattle off the J-list and we  
14 need to identify foreign cattle with a  
15 permanent mark of origin so we can  
16 separate it from American cattle. And I  
17 think places like an Amish farm are the  
18 safest food supply in the world, and they  
19 have the least amount of government  
20 regulation. And I don't think that this  
21 NAIS is the answer.

22 And I have a -- I was reading  
23 my blue folder. And it say NAIS helps

1 producers and animal health officials  
2 respond quickly and effectively to animal  
3 disease against the United States. Where  
4 did they get this information from? I've  
5 never heard of any study or any research  
6 done that says NAIS does this.

7           And I have something from the  
8 Liberty Art Coalition. Neither the United  
9 States Department of Agriculture, nor the  
10 Massachusetts Department of Agriculture  
11 has demonstrated any scientific findings  
12 that NAIS will prevent the spread of  
13 diseases of animal origins to humans or to  
14 other animals or will benefit animal  
15 public health.

16           And I also have some readings  
17 from how NAIS has failed in other  
18 countries such as Australia and the United  
19 Kingdom. And I've heard from John Carter.  
20 He said that NAIS couldn't track a  
21 bleeding elephant in a snowstorm in  
22 Australia, and they've had it since 1980.  
23 And they are a viable civilization with

1 modern technology and not some third world  
2 country. But it says the UK (inaudible)  
3 reports on livestock tracking released in  
4 2003 should become mandatory reading for  
5 anybody involved. At that time they have  
6 (inaudible) bureaucrats chasing ten  
7 million cattle at an annual cost of sixty  
8 dollars per head, sold for 20 missing.

9 Also if you get to the land  
10 producers, the United Kingdom decided that  
11 it would drive them out of business and  
12 they would lose their European market.  
13 This is a quote from Australia, "when we  
14 began this war in Australia, I said that  
15 there were two hundred thousand cattle  
16 sold every year," and the people that  
17 wanted NAIS only said there was sixty  
18 thousand sold. We now have a hundred and  
19 sixty thousand on the database. But they  
20 have twenty-seven million cattle in  
21 Australia and only a hundred and sixty  
22 thousand on the database that's been  
23 around since 1980.

1                   Also I have a quote right here.  
2 This is from the Confined Animal Feeding  
3 Operations. The cost for animal  
4 identification quoted in this study is  
5 going to be seven -- people with more than  
6 five thousand cattle is going -- oh, I got  
7 it now. Range from two dollars and  
8 forty-eight cents for animals to seven  
9 seventeen per animal. What it is is  
10 producers who have thousands of cattle, it  
11 will cost them two dollars and forty-eight  
12 cents. Produces like me and my dad, it  
13 would cost us around ten dollars per  
14 cattle. That is an unfair cost of damage.  
15 Thank you. That's all I have.

16                   MR. JIM CARTER: Thank you. I  
17 appreciate the opportunity. I'm Jim  
18 Carter. I'm region executive officer for  
19 the National Livestock Marketing  
20 Association. I represent over two hundred  
21 auction markets in six states including  
22 the surrounding states: Alabama,  
23 Mississippi, Tennessee, Kentucky and

1 Michigan. In addition, I'm a beef  
2 producer in Mississippi.

3 As the regional executive  
4 officer for the National, looking at these  
5 territories, the (inaudible) is, first  
6 off, is a national voice for the livestock  
7 marketing sector representing over  
8 two-thirds of all registered livestock  
9 auctions in the United States. Our  
10 livestock markets are going to be the most  
11 important point in commerce in  
12 implementing any national ID system, and  
13 this is because of the tens of thousands  
14 of livestock that are consigned -- the  
15 cattle that are consigned every day for  
16 sale by hundreds of different sellers that  
17 then move from livestock markets onto  
18 numerous destination points all over the  
19 United States.

20 For any ID system to be  
21 successful it must allow for the sale and  
22 movement of livestock at the speed of  
23 commerce. The speed of commerce for

1 livestock markets means processing and  
2 marketing consigned livestock on sale date  
3 within just a few hours minimizing the  
4 (inaudible) shrinkage. Protecting the  
5 safety and the welfare of our employees  
6 should be paramount. And the livestock  
7 that they handle through the sale in  
8 moving these animals onto their next  
9 destination with a minimum of delay.

10           Because of the majority of our  
11 members remain skeptical that a low  
12 frequency RFID program requiring movement  
13 by movement traceability, this would  
14 uphold the all important speed of  
15 commerce. It will make it possible with  
16 the current technology. NAIS should  
17 remain and very simply a voluntary  
18 program.

19           USDA is very well aware of the  
20 market's concern respected to the NAIS  
21 plan. So I'm just going to list them very  
22 briefly. Number one, low frequency RFID  
23 tag and reader technology has been

1 demonstrated in numerous USDA (inaudible)  
2 studies to be absolutely inadequate in  
3 preserving our speed of commerce in almost  
4 every market sector. USDA technology's  
5 neutral stance will result in the  
6 proliferation of incapability and  
7 imperfect ID technologies and the systems  
8 resulting in enormous inefficiencies and  
9 tremendous cost to the industry. Many  
10 livestock markets are going to have to  
11 establish tagging services for their  
12 consigners who are unable to tag their  
13 animals on the farm. This leads to a  
14 number of concerns such as tremendous  
15 added cost to the markets, staffing,  
16 worker, safety, liability that was  
17 mentioned earlier, animal welfare and on  
18 and on and on.

19           The recently released cost  
20 benefit study has shown implementation of  
21 the NAIS will cost the cattle industry  
22 nearly two hundred million a year. Well,  
23 after reviewing the cost to the markets

1 with the markets, we would argue that  
2 these costs were grossly underestimated.  
3 Also, who is ultimately going to pay these  
4 costs.

5           And, lastly, we must not force  
6 onto producers and market operators an  
7 animal ID program that is so expensive or  
8 difficult to operationally comply with, as  
9 was mentioned earlier, that they choose to  
10 leave the business rather than comply with  
11 the program. It's time for the USDA to  
12 focus in on what is achievable and cost  
13 effective by a new program and abandon  
14 those parts of the NAIS that were probably  
15 always too ambitious or unachievable, such  
16 as the fully traceable low frequency EID  
17 aspects of the program. If a bookend ID  
18 system starting with breeding herd makes  
19 more sense developing its effectiveness  
20 and lower cost in the industry, then let's  
21 talk about that and let's work together to  
22 make it work for the cattle system.

23           Whatever ID system is decided

1 upon, the livestock industry needs time to  
2 adapt to any new ID system requirements as  
3 well as allow advanced ID technology time  
4 to catch up with the realities of our  
5 nation. The livestock markets stand ready  
6 and willing to work with the USDA and our  
7 industry partners in advancing a more new  
8 constructive approach to NAIS that meets  
9 the demands and the meets the U.S.  
10 livestock industry and has the support of  
11 those affected by it.

12 If we could make any point in  
13 summary, it needs to be orderly. To just  
14 take a system like this that's been proven  
15 to be too expensive and ineffective and  
16 say we're just going to do it, we're going  
17 to do it now and we're going to do all of  
18 it I think is just unreasonable. Thank  
19 you very much.

20 MS. KAREN WYNNE: Good  
21 morning. My name is Karen Wynne. I'm  
22 with the Alabama Sustainable Agriculture  
23 network. We work with small farmers in

1 the state, mainly small limited resources,  
2 social disadvantaged farmers.

3 I'm just going to echo the  
4 concerns that people have said much better  
5 before me: The cost, the logistics, the  
6 bureaucracy, the alternative methods of  
7 disease degree control and tracing systems  
8 that are already in place. And I guess my  
9 biggest concern is I think that there's a  
10 right to farm that came before the  
11 constitution, and I'm most concerned about  
12 losing that right. Thank you.

13 MS. JOAN MACKEY: This young  
14 man has let me go ahead of him. I'm not  
15 sure if I'll be able to stay. I am Joan  
16 Mackey from Alabama. I have some concerns  
17 I want to give to you to think about as  
18 well as those who are doing this meeting.  
19 You may have heard the term (inaudible).  
20 These are highly (inaudible) processes  
21 which are employed in order to lead a  
22 group of people that they normally would  
23 not choose or agree with. The people walk

1 away oftentimes not happy with the  
2 conclusion believing they at least were  
3 given an opportunity to influence the  
4 outcome. And though the decision did not  
5 go their way, they believe they are  
6 treated fairly and (inaudible.)

7           The reality, however, was that  
8 the conclusion was already predetermined  
9 from the beginning. With skillful  
10 manipulation by the facilitator of the  
11 group, the decisions are made without the  
12 people realizing they are being misled.  
13 Whether or not you have heard of the  
14 (inaudible), these processes are well  
15 known by these groups. They are being  
16 used everywhere to lead groups of people  
17 towards predetermined decisions that are  
18 not in the best interest of the people,  
19 but for those who want to deceptively get  
20 you to approve of their plans and  
21 decisions so as to overcome any objection  
22 which was not intended.

23           In other words, instead of

1 waiting to present a plan that will get  
2 resistance and be possibly stopped, the  
3 schemers set up a system to manage the  
4 people who have issues or a stake in the  
5 decision so as to lead them to the  
6 decision the schemers want. Even though  
7 one may not like the final decision, you  
8 are deceived into accepting it because  
9 they gave the appearance that you are part  
10 of the decision-making process.

11 Consensus building is for one  
12 purpose, to eliminate dissent. It is  
13 important for you to educate, research and  
14 familiarize yourself with this process  
15 because often you are the ones who are  
16 being manipulated through these means.

17 Following is one example of how  
18 the process works within a facilitated  
19 meeting to cultivate a desired conclusion.  
20 Basically the idea goes something like  
21 this: An organization or group such as a  
22 school, planning commissioners,  
23 developers, USDA , digital, annual

1 whatever has already decided what it's  
2 going to be, but it wants to avoid  
3 appearance (inaudible) approval. So it's  
4 scheduled a public meeting which is  
5 advertised as being held for the purpose  
6 of soliciting community interest. In  
7 fact, the organization has no desire to  
8 solicit opinions. Rather, the real intent  
9 of the meeting is to give the community  
10 the impression that input put was  
11 solicited.

12                   The meeting goes like this:  
13 Everyone arrives and sits down. After an  
14 introductory talk audience members are  
15 told they are going to be divided into  
16 numbered groups so everybody is asked to  
17 count off, one, two, three, six, seven,  
18 eight, going up and down the seated rows.  
19 They start over after the (inaudible)  
20 number is called. Each person is then  
21 directed into a group whose name is the  
22 same as the number they counted off. So,  
23 for example, if you counted two, when the

1 count came around to you, then you go to  
2 group two.

3                   There are, of course, a certain  
4 number of group leaders who then direct  
5 the discussion of each group. Each group  
6 leader controls the format and to a great  
7 degree the content of the group's  
8 discussion. Together toward the end the  
9 group members are asked for input, which  
10 are then listed on a big sheet of paper by  
11 the group leader. At the end of the  
12 meeting everyone reassembles. These  
13 sheets from all the groups are posted  
14 around the room, and each group leader  
15 reads the list of suggestions that are on  
16 his list. Unpopular or unusual inputs are  
17 glossed over and downplayed while the  
18 majority of attention is focussed on those  
19 ideas that are generic enough that almost  
20 everyone would agree to them. At the end,  
21 the summary is delivered and everyone goes  
22 home.

23                   The purpose of the count off is

1 to split off up anyone who came in  
2 together so that each of the numbered  
3 groups will most likely consist entirely  
4 of people who have never met and almost  
5 certainly will not contain any two or more  
6 like-minded individuals who may have come  
7 in together.

8           Once everyone is split up in  
9 this manner the group leaders can then  
10 easily control the group conversations  
11 because dissenting outspoken individuals  
12 are generally alone in each group, and  
13 such people discover that they have little  
14 or no support from other group members.

15           The purpose of the sheet of  
16 paper is to radically display to everyone  
17 at the end that everyone's opinion has  
18 indeed been registered. And, finally, the  
19 whole meeting format is designed  
20 specifically to avoid community input.

21           Obviously, a bunch of strangers  
22 divided under two groups and chatting for  
23 two hours are not going to accomplish

1 anything of importance.

2 As mentioned, this is one  
3 example of how the (inaudible) practice is  
4 practiced. It may not always have the  
5 exact appearance as the above example.  
6 They may not have people count off to put  
7 them into groups. They may not put the  
8 large gathering into groups at all. But  
9 once you become educated to the  
10 manipulation it becomes obvious this is  
11 what is taking place.

12 If you then make an attempt to  
13 upset the facilitator (inaudible) by  
14 voicing an opinion or suggestion that go  
15 contrary to their agenda, it becomes very  
16 apparent your input is no longer wanted or  
17 appreciated. This is designed action in  
18 violation of the most basic morales and is  
19 used extensively by many interest groups,  
20 including eco interest groups which is why  
21 you need to educate yourself so as to  
22 recognize when this process and other  
23 propaganda is being used against you in

1 your communities or town councils to make  
2 or accept the decision that is not right  
3 and even a lie.

4 This came from the book "Look  
5 What Happened While You Were Sleeping."  
6 NAIS is not only harmful but very  
7 dangerous. Thank you.

8 (UNIDENTIFIED SPEAKER:) I  
9 would like to thank everyone for the  
10 opportunity to speak this morning, voice  
11 our opinion. I'm here as a younger  
12 generation coming into farming whose main  
13 concern is to be able to farm, to support  
14 myself, to support a family, to provide  
15 safe and healthy food. And I don't need  
16 the government taking my money and taking  
17 away my ability to do what I need to do to  
18 provide that safe and healthy food.

19 It's human nature that you're  
20 going to provide the best product and the  
21 safest thing that you can provide. That's  
22 the way that God made people. And when  
23 government gets involved that makes it

1 impossible for them to do.

2 All the papers that they put  
3 out this morning talk about a solution  
4 that will work for everybody. The only  
5 solution is that this program is not in  
6 any way enacted and does not exist at all.

7 MR. WATERS: Next is Louis  
8 Cofa, Sammy Adams, Mark Casson, Carry  
9 Sexton, Paul Breckler.

10 MR. TERRY LEWIS: I'm Terry  
11 Lewis. I'd just like to say that Thomas  
12 Jefferson said that when the people are in  
13 fear of the government rather than the  
14 government in fear of the people tyranny  
15 reigns. I was in Yugoslavia, communist  
16 Yugoslavia, about twenty years ago. We  
17 were held in some meetings and broken up  
18 into groups that are facilitated. We came  
19 to some conclusions of what we were there  
20 about in Yugoslavia. I read a month later  
21 that the consensus that we came up with  
22 totally opposite and had nothing to do  
23 with what we talked about. I was shocked.

1 First time I was exposed to this process  
2 that is going on here today with the USDA.

3 The support and understanding,  
4 what we face is a battleground that is  
5 today discussed here when the battle  
6 should be over here. We are corralled  
7 like cattle to come discuss the things  
8 that we shouldn't be discussing.

9 Sun Chu was a Chinese warrior a  
10 couple of thousand years ago or more.  
11 He's studied, actually, a lot of our war  
12 departments in a lot of our universities  
13 that teach warfare. He said if you know  
14 your enemy and you know yourself, you win  
15 every battle. If you know yourself but  
16 not your enemy, for every battle you win  
17 you lose a battle. He said, thirdly, if  
18 you don't know yourself and you don't know  
19 your enemy, you lose every single battle.

20 It's very important that we  
21 understand as a people that this is not  
22 about just animal identification. It's  
23 something much bigger than that. It's

1 about our liberty and our freedom, not for  
2 the government, not from the state, not  
3 from the city, but from God. It's God  
4 given. It's not for anybody else to give  
5 it.

6 This is a total lie. There is  
7 no purpose to it. We have programs like  
8 COL, Country of Labelling. That will  
9 work. We've got, as the gentleman said  
10 earlier, branding. That will work. And  
11 so we're brought here for a purpose of  
12 we're going to give our input. And in  
13 communist Yugoslavia -- that was not the  
14 only one I was in a meeting like this.  
15 I've seen it before. Go up and give your  
16 peace and they go in the back rooms and do  
17 what they want to anyway. It's very  
18 obviously with the literature downstairs  
19 that the agenda, which was announced in  
20 our introduction, their agenda -- that's  
21 the word he used. Their agenda is in all  
22 the program material downstairs. There's  
23 no inputs here. This is not about getting

1 you here and wanting to listen to you.  
2 They are in Washington laughing about it.  
3 We have to realize that the USDA, the  
4 veterinary statements that we all got in  
5 our packet -- we need to work collectively  
6 to resolve (inaudibly) more favorably with  
7 animal traceability. Our focus today is  
8 your ideas. I encourage you to engage in  
9 this dialogue. It's mismanagement.  
10 You're here to be managed. That's the  
11 only reason you are here for. I've got  
12 better things to do than wasting my time  
13 doing this, but I'm concerned and know  
14 that the key to defeating this is just  
15 being educated. There needs to be things  
16 that we need to understand that the  
17 government has no right to do. So it's  
18 not a matter of our just entering into a  
19 dialogue. The USDA is not concerned about  
20 our cattle. They are concerned about this  
21 program being implemented.

22 It's already been defeated over  
23 and over and over. Now it's back. Who's

1 pushing it? Investigate it. Check it  
2 out. Look at it. This is a total absence  
3 of common sense. Anyone that has common  
4 sense and looks at this will be against  
5 it. Any lover of liberty will be against  
6 it. There is a growing consensus of us  
7 with common sense. We're willing to die  
8 for what we believe in. The question is  
9 are they willing to die to implement what  
10 they're doing. Thank you.

11 MR. MARK CASSON: I'm not sure  
12 that we're going in order, but my name is  
13 Mark Hasson. I'm a small scale farmer.  
14 There is so much wrong with this program,  
15 and I very much agree with the gentleman  
16 that just spoke. I have tried to make  
17 notes about how to go about addressing  
18 this because there are so many things that  
19 just don't make sense, but it really does  
20 come down to I've had the same feeling  
21 coming up to this meeting. On some hand I  
22 feel it's futile. I feel like they've  
23 made their decision what they're going to

1 do. They do plan to make this mandatory.

2           If you listen to the Mr.  
3 Vilsack at the beginning of the meeting he  
4 said basically the program -- Congress is  
5 saying if the program is not going to work  
6 we're going to stop funding it. So he  
7 brought us here today to show that he is  
8 asking the American people how to make it  
9 work. Not whether or not it's going to  
10 work, just how. How do we keep the  
11 program. That's what they brought us here  
12 today. Now they can go back and say,  
13 listen, we went out, we spoke to the  
14 people, and this is what we came back be.  
15 He said in his comments that he wants a  
16 guarantee we produce the healthiest, best  
17 quality food in the world.

18           I raise chickens unpasteured.  
19 I raise chickens on grass for meat. You  
20 want to talk about healthy chickens, I  
21 don't make (inaudible) chickens. They  
22 don't come out of a mass production  
23 industrial-sized plant. They come off a

1 farm. If you want quality food, you  
2 should be investigating in how we get  
3 animals back out on pasture and get them  
4 out of diseased prone environments.  
5 Bringing them into a mass production  
6 facility, which is what will happen. If  
7 you implement NAIS, you're going to be put  
8 a lot more small scale farmers out of  
9 business. We don't make enough money to  
10 talk about, and you're going to cost us  
11 more money. I'm going to have to ID tag  
12 every one of my chickens. If I was a mass  
13 production facility, I could have one  
14 number for three hundred thousand  
15 chickens. But my hundred and fifty will  
16 need a hundred and fifty numbers with a  
17 hundred and fifty tags, and I've got to  
18 report a hundred and fifty things on a  
19 computer when it happens.

20 But this program is so bias  
21 against small scale farmers and so pro  
22 large industries so we can sell our food  
23 in other countries. Well, guess what?

1 Why are we importing meat into this  
2 country so we export our meat to some  
3 other country.

4 (Round of applause.)

5 MR. MARK CASSON: This is  
6 insane. They don't have the first clue of  
7 what quality healthy meat is about, and  
8 it's not -- this program is not to ensure  
9 quality healthy meat. If you want  
10 quality, healthy meat, figure out how to  
11 get farmers back into farming and figure  
12 out how to save family farms not put them  
13 out of business. But this program is  
14 going to do a lot of damage to this  
15 country. I'm very pessimistic about our  
16 opportunities to stop them. I think that  
17 the game has been set and it's been set  
18 already and it's just one more nail in the  
19 coffin. Thank you.

20 MS. CARRY SEXTON: Good  
21 morning. My name is Carry Sexton, and I  
22 am an employee of United South & Eastern  
23 Tribes, which is an advocacy group that is

1 working (inaudible) 25 Indian parts.  
2 However, that's just my credentials. I am  
3 not speaking on behalf of (inaudible) but  
4 rather as someone with an educational and  
5 personal background in both animal  
6 agriculture and business and someone who  
7 has an awareness of how things play out in  
8 Indian country.

9           First, I would like to say I  
10 appreciate efforts on behalf of the USDA  
11 to reach out to Indian organizations  
12 directly to tribes and to the community  
13 base organizations that represent socially  
14 disadvantaged small farmers. I've been  
15 hearing a lot from them and have developed  
16 quite of a number of contacts in that  
17 community as a result of this USDA  
18 outreach.

19           First I would like to point out  
20 some issues that are involved of when  
21 anything of this nature goes into Indian  
22 countries, even as a voluntary program or  
23 as a mandate. Indian nations are, of

1 course, sovereign nations. That means  
2 they are subject to federal law. They  
3 have at times a very challenged  
4 relationship with the states in which they  
5 lie. In the event, for example, of an  
6 animal emergency in several states, animal  
7 disease emergency, it would be very easy  
8 to foresee difficulties in that  
9 relationship causing real hardship to the  
10 producers because they can't work out the  
11 logistics of can the state vets come, who  
12 can tell us what to do, we don't have  
13 anything in place ourselves, how do we  
14 address animal disease in our area.

15 Some Indian tribes have been  
16 fully involved with the NAIS and, in fact,  
17 (inaudible) organization. There are some  
18 that still haven't quite heard about it,  
19 although outreach efforts are ongoing.

20 There have been some barriers.  
21 This is a group largely where a lot of the  
22 technology that is involved implementing  
23 this type of program isn't readily

1 available. There are some groups that  
2 could probably out compete the USDA  
3 (inaudible) so there is some disparity  
4 there.

5           The USDA has established a  
6 tribal database so that groups that --  
7 Indian tribes that don't have that  
8 relationship with the state that supports  
9 it can do premises registration through a  
10 national forum or an independent tribal  
11 forum without having to be part of that.  
12 That step and their outreach makes me  
13 aware that there is real intent on the  
14 USDA's part to make this something, either  
15 voluntary and mandatory program, that can  
16 work well in Indian country.

17           These listening sessions for  
18 some are a beginning. However, government  
19 to government consultation with tribes is  
20 a requirement under federal law. And I  
21 would like to remind the Secretary of  
22 Agriculture and USDA that that opportunity  
23 still must be pursued.

1                   On a personal note, I am  
2 willing to pay more, even if it's in  
3 taxes, for disease control in animals. I  
4 don't see this program as a food safety  
5 issue. I'm a horse woman. I've seen the  
6 spread of disease in that. I would like  
7 to remind everyone that it's not just  
8 cows. It's not just meat animals. And if  
9 it costs more to producers, fine. I'm  
10 willing to pay little bit more in risk  
11 abatement. If that's onerous to small  
12 farmers, fine. Let's come up with a  
13 program. I'm not afraid to use the money  
14 that I pay to the govern anyway to support  
15 this type of action and to, in some cases,  
16 maybe preserve the genetics that have  
17 existed over generations in a farm because  
18 the spread of animal disease is more able  
19 to be controlled. Thank you.

20                   MR. SAM ADAMS: Good morning,  
21 ladies and gentlemen. My name is Sam  
22 Adams, and I would like to thank the USDA,  
23 Secretary Vilsack, Dr. Hill and others who

1 are here, Ken, for the opportunity to come  
2 here and be a part of this formation  
3 program. While I do have some livestock,  
4 I'm not going to speak to you from that  
5 capacity. My main form of work is I'm a  
6 network security specialist.

7           Some of you may be aware that a  
8 number of months back the government had  
9 revealed that the (inaudible) structure  
10 had been broken into by hackers that they  
11 thought were from China. Now, that's a  
12 pretty big thing. Just two months ago the  
13 Pentagon released information that the F35  
14 project had been broken into by hackers  
15 also from China as well. This is top  
16 secret information. This information that  
17 is confidential to the government, and  
18 this information was breached by a foreign  
19 entity.

20           At the Def Com Conference, the  
21 defense conference 2007, two men from  
22 Germany demonstrated how -- they did a  
23 presentation called Sixty Seconds or Less.

1 They demonstrated how in sixty seconds  
2 they could break into a car with remote  
3 entry from a laptop a hundred feet away in  
4 another car, start the car and unlock the  
5 doors.

6 Now, some of you probably have  
7 remote entry. You're going to walk out to  
8 your car, you're going to push the button,  
9 and your car is going to be unlocked.  
10 Some of you that have a little more money  
11 will be able to push a button and start  
12 your car. Well, these men demonstrated  
13 that in sixty or less it was possible to  
14 do all of that from another car and a  
15 laptop.

16 Now, where does this -- where  
17 is all this heading. What's the  
18 importance of this information. The  
19 importance of it is very simple. Anyone  
20 who has read anything about warfare or  
21 history will understand that it's very  
22 simple. What you do when you want to take  
23 over a city, you surround it and you

1 starve it to death. So basically having  
2 all this information, you're confidential  
3 information, your premises, your animals,  
4 everything, at the mercy of being able to  
5 being broken into -- because I'm telling  
6 you if it's there and it's databased, it  
7 can broken into. There is no doubt about  
8 it. I'm telling that you positively. I'm  
9 telling you that one hundred percent.  
10 Your information will not be a hundred  
11 percent secure. It's not possible. I'm  
12 telling you that. I know that for a fact.

13 So it's very simple. If  
14 everyone is concerned about terrorism, the  
15 best thing to do is really to ax this  
16 program, not try to fix it, not try to  
17 amend it, not try to patch, not try to  
18 make it work. It doesn't work. It will  
19 not work, and it's too dangerous to be  
20 implemented, plain and simple.

21 And I think Ms. Mackey's  
22 comments were very true, that I think  
23 there has been a predetermined outcome.

1 And as seen today in the list of the  
2 agenda it says in part three about the  
3 breakout group it says, "these discussions  
4 will be less about concerns and more about  
5 ideas and solutions to create an NAIS that  
6 we can all live with." I can't live with  
7 this, and I'm not going to live with it  
8 and you shouldn't live with it either.  
9 Thank you very much.

10 (Round of applause.)

11 MR. WATERS: Tony St. Louis,  
12 Sue Stretton, Jerry Etheredge, Cal Green.  
13 I can't -- the signature is from the Farm  
14 Bureau Federation, and Barrett, last name  
15 Barrett. Charles Hord and Reid Blossom.

16 MS. SUE STRETTON: My name is  
17 Sue Stretton. I'm a farmer and a  
18 landowner from Louisiana. We drove all  
19 night last night to be here. That's how  
20 important this is to us. I'm a shepherd  
21 and a goat herd. I am a voting citizen of  
22 the United States. I am not a premise  
23 holder. I am not a stakeholder. In spite

1 of (inaudible) by foreign (inaudible)  
2 alliance, USDA has not substantiated any  
3 benefit to animal health. To the  
4 contrary, they have allowed animals with  
5 TB, BSE from countries with FMD enter into  
6 this country. USDA has gone from zero  
7 tolerance for disease to managed risk.  
8 They have instigated several rules that  
9 require veterinarians to sign us up if we  
10 use their services or to get our records  
11 flagged. That's in the federal register.

12 One of its measures for NAIS  
13 have diverted funds from real disease  
14 fighting efforts like testing,  
15 vaccination, research and development,  
16 inspection, and treatment. The database  
17 and staff, recordkeeping and enforcement  
18 for American's two million plus farms will  
19 cost the taxpayers a staggering amount.  
20 The equipment and computers will burden  
21 farmers and other agriculture related  
22 industry. Recording will be a burden to  
23 everybody who handles or moves animals.

1 Many farmers plan to leave farming, and  
2 some will just simply disobey the law.  
3 This leaves the consumer with a  
4 decentralized food system with no choice  
5 but importing food and food from factory  
6 farms.

7                   People who lease lands or board  
8 horses will stop rather than be signed up  
9 without their consent. I know because  
10 I've already given warning to people who  
11 lease my land that if they get a premise  
12 ID they are off tomorrow.

13                   NAIS violates my religious  
14 rights. While identification systems  
15 exist, this system is different in that it  
16 will require us to report our movements.  
17 That's right, our movements. My animals  
18 don't walk to the sale barn or the shows  
19 or whatever alone. My movement. And  
20 limit my ability to buy and sell. Other  
21 systems do not do this. This is in the  
22 spirit of Revelation 13:15-17, "I answer  
23 to a higher authority than you." I not

1 only won't comply, I can't.

2           NAIS has already wasted a  
3 hundred forty-four million, five hundred  
4 thousand dollars on this program that  
5 nobody wants. Of the 30 percent of  
6 farmers USDA says it signed up, some  
7 people don't even know they are signed up.  
8 Some were signed up without their consent.  
9 How many inspectors could you have hired  
10 and how much research could you have done  
11 with that money, I ask you.

12           NAIS does nothing to prevent or  
13 treat foodborne illness. Most foodborne  
14 illnesses happen in the slaughter house,  
15 in transit, in the grocery store and on  
16 your hands in your own kitchen. NAIS will  
17 not track those diseases. And tracking  
18 those diseases back to the point of  
19 origin, which that cow might be two years  
20 old or twenty years old or six months old  
21 is not going to do any good at all. Money  
22 would be better spent in testing animals,  
23 increased oversight of slaughter houses

1 and feed lots and an increased inspection.

2 A voluntary NAIS has not worked  
3 because the USDA has not operated a  
4 voluntary NAIS. By entering into  
5 cooperative agreements with government and  
6 nongovernmental agencies to implement  
7 NAIS, USDA has proven they cannot be  
8 trusted with a voluntary program. There  
9 is mandatory -- there is no mandatory  
10 program without consequences.

11 In the states and countries  
12 with mandatory NAIS, the fines for  
13 noncompliance or errors, just errors, have  
14 run from one to five thousand dollars per  
15 incident. Not many of us can stand those  
16 kind of fines. It would not take long for  
17 our farms to be gone. These fines are  
18 horrendous and they constitute a cruel and  
19 unusual punishment. You will make  
20 criminals out of law-abiding citizens just  
21 trying to make a living.

22 NAIS violates my rights and my  
23 religious beliefs. I cannot and I will

1 not comply. Thank you.

2 (Round of applause.)

3 MR. TONY (no last name given):

4 My name is Tony. (Inaudible) from  
5 livestock to row crops and everything  
6 else. When I walked in I saw this  
7 information, and there's over 25 sheets of  
8 paper double-side of typed text.  
9 Everything is pro-NAIS. When you buy  
10 medicine, you always look for the small  
11 print to find out what's the side effects.  
12 Where's all the side effects? You know,  
13 where is this coming from, a balanced  
14 side? Who's got time to read all this  
15 information. I can barely keep up with  
16 stuff in the industry, keeping what's  
17 going that makes me money, let alone the  
18 stuff that steals the money from tax  
19 dollars to lining other people's pockets  
20 like Digital Angel, the people who make  
21 the tags. I don't know what's the matter  
22 with branding, ear tags, the way it's been  
23 going for thousands of years tracking

1 cattle.

2           They say -- the Secretary says  
3 that it will prevent disease. I don't  
4 know what's in that little thing that's  
5 going to prevent disease, but we haven't  
6 found a vaccine today that prevents all  
7 diseases, so whatever's in it, why don't  
8 they release that information.

9           You know, it just really ticks  
10 me off in every aspect. This is cramming  
11 down our throats from the, you know, our  
12 constitution, completely, you know, doing  
13 away with everything America stands for.  
14 You know, I haven't heard many people here  
15 voice that they were for this, and I hope  
16 that all this information really is  
17 considered, and I appreciate the  
18 opportunity to speak.

19           (Round of applause.)

20           MR. REID BLOSSOM: Hello. My  
21 name is Reid Blossom. I'll be giving  
22 comments on behalf of the Southeast  
23 Livestock Network. SLN was formed in 2003

1 as a group of Southeast Cattlemen's  
2 Association to represent the interests of  
3 our small producers in the market in which  
4 they do business in the event that USAIP  
5 would be implemented. After that the  
6 subsequent NAIS program was put on the  
7 shelf. We have continued to work with  
8 small producers on traceability systems.  
9 This includes a source and age  
10 verification system that takes advantage  
11 of RFID technology to track cattle  
12 movement.

13                   Concerning NAIS, we would like  
14 to make a few comments clear. First, any  
15 NAIS system should not be funded on the  
16 back of producers, dealers and auction  
17 markets. NAIS can be a beneficial tracing  
18 method for animals disease; however, it  
19 should not be viewed as a tool for  
20 ensuring higher levels of food safety.  
21 SLN has proven that producers will pay for  
22 participation in a voluntary program, but  
23 any participation in a mandatory federally

1 -- a mandatory, federally mandated program  
2 should be subsidized using federal  
3 dollars.

4           Also because new technologies  
5 developed by industry has proven  
6 themselves effective in animal tracing  
7 applications, they should be the basis of  
8 any system that attempts to track animals  
9 at the speed of commerce. Also, any  
10 private information collected by USDA  
11 during the course of implementing NAIS  
12 should be completely protected from  
13 release under a federal freedom of  
14 information request. A guarantee of this  
15 absolute confidentiality is fundamental if  
16 NAIS is to be successfully implemented by  
17 USDA.

18           Producers who may be identified  
19 as the original source of an animal  
20 involved in a disease traceback  
21 investigation should not be held liable  
22 for incidents involving what were once  
23 their animals but have since moved on

1 through commerce. Also, any animal  
2 disease traceback system must, of course,  
3 work at the speed of commerce.

4 And in regard to  
5 confidentiality, here in Alabama we have  
6 experienced an animal disease event in the  
7 Spring of 2006, and we'd like to commend  
8 our state and animal health officials for  
9 never releasing the identity nor the name  
10 of the producers involved in that  
11 investigation.

12 MR. CAL GREEN: Hello. My  
13 name is Cal Green. I'm from Roanoke,  
14 Alabama. I'm a livestock operator. My  
15 brother and I run a stockyard. We've been  
16 in the business I guess pretty much all my  
17 life. I'm very much on the ground floor  
18 of the animal ID system. And I want to  
19 make one thing clear. I'm not against ID,  
20 but I'm for voluntary ID. If you have a  
21 load of cattle -- and this is a point I  
22 want to make. If you are selling cattle  
23 -- and we've been told for the last two

1 years or three years how much it's going  
2 to benefit us. Well, in our voluntary  
3 system now, ask the producers that are  
4 doing that program how much benefit  
5 they're receiving. Is it ten dollars a  
6 head, is it a hundred a head or hundred  
7 and fifty a head. I think that's one of  
8 the most important things is if this  
9 program is going to be implemented and  
10 you're telling us how great it is, then  
11 how much is it going to benefit us. Is it  
12 going to be five dollars, ten dollars or  
13 one fifty in order to operate.

14 My (inaudible) is kind of like  
15 a train back in 1880. And everybody is  
16 sitting in the back of the train, and  
17 they're all having a good time and they're  
18 drinking and gambling. But there are some  
19 folks up in the front of that train,  
20 they're putting the coal in it to make  
21 that train run. And the producers and our  
22 livestock operators, we're putting the  
23 coal in. And the guys in the back of the

1 train are going to be the packers, some of  
2 your retailers, they're going to your tag  
3 outfits. And they're going to be in the  
4 back of the train getting all the benefit.  
5 And we're going to be up front, and we're  
6 going to have the coal dust on us, and  
7 we're not going to be receiving the  
8 benefit of what's about to be implemented  
9 here.

10                   And I want to make one more  
11 point here what I can't understand with  
12 the United States Department of  
13 Agriculture. How can you ask us to ID our  
14 cattle. You're importing meat from all  
15 over the world that has not been ID'd.  
16 And the inspection is something we have  
17 no -- we have the best inspection in the  
18 world, and we spend more than any country  
19 in the world inspecting our beef. So how  
20 can you ask to us to do this when you're  
21 shipping meat in from all over the world,  
22 and I can guarantee you it has not been  
23 inspected up to our standards, but yet

1 you're laying this burden off on us.

2 And I do appreciate the  
3 opportunity to be here today. But I do  
4 want the Secretary of Agriculture or the  
5 NCBA or whoever to put out a study before  
6 this program is implemented and tell us  
7 what the benefit is going to be because I  
8 can promise you the benefit is not going  
9 to outweigh the cost.

10 MR. DOUG YELVERTON: As a  
11 representative from Mississippi Farm  
12 Bureau Federation, it's an honor and  
13 privilege for us to have the opportunity  
14 to express our views today. My name is  
15 Doug Yelverton. I'm a cattle producer  
16 from Columbus, Mississippi. I'm an active  
17 member of the Mississippi Farm Bureau  
18 where I serve on the policy development  
19 committee. I would like to express our  
20 appreciation in having this opportunity to  
21 the Secretary.

22 I began my cattle business in  
23 1954, 4H Club. It has served as my income

1 all these years for my family. My primary  
2 concern with the National Animal  
3 Identification System is that unintended  
4 consequences to the producer may result  
5 through the implementation of this  
6 program. We must acknowledge that there  
7 are certain variables of unknown that  
8 exist in any new program of this  
9 magnitude. Within the bound of these  
10 unintended consequences comes the  
11 possibility of producers being forced out  
12 of business. This would have a profound  
13 devastating effect on rural economies  
14 across our nation.

15 As a matter of his Mississippi  
16 Farm Bureau Federation policy we feel that  
17 any National Animal Identification System  
18 program should adhere to the following:  
19 One, it should not interfere with normal  
20 livestock commerce. Two, it should  
21 protect producers from liability of acts  
22 of others after livestock leave our  
23 producers' hands, including nuisance

1 suites naming everyone who handled  
2 livestock. Three, it should ensure the  
3 security of the producer information and  
4 respect the privacy of producers. Four,  
5 it should include provisions for country  
6 of original labeling. Five, it should  
7 preserve the identify and integrity of the  
8 U.S. herd. Six, it should not be the  
9 responsibility of the U.S. producers to  
10 incur the majority of the cost of  
11 complying.

12 In addition, we feel there are  
13 multiple sources of individual  
14 identifications, which could be included  
15 but not limited to hot brand, freeze  
16 brand, tattoo, metal tags and others. We  
17 believe that fully funding disease  
18 eradication programs for disease such as  
19 brucellosis, Johne's disease, BSE and TB  
20 would be a more effective way to spend tax  
21 dollars.

22 In closing, let me say thank  
23 you again for the opportunity to address

1 you and share our views on this topic. I  
2 love my profession. I love that cold  
3 rainy January morning out there pulling a  
4 baby calf. I enjoy that August afternoon  
5 approaching dark out there bailing hay.  
6 This is a way of life that I chose  
7 desiring to raise my family to be  
8 God-fearing, salt-of-the-earth citizens.  
9 Every day I know that the fruit of my  
10 labor will feed a child in a school lunch  
11 program or a housewife in Japan who buys a  
12 steak to feed her family. The care and  
13 prevention of disease is and will remain  
14 the top priority for us as livestock  
15 producers. Thank you.

16 (Round of applause.)

17 MR. JERRY JONES: Thank you  
18 for the opportunity to come here and speak  
19 today. I'm Jerry Jones. I operate two  
20 stockyards here in Alabama. I certainly  
21 hope that our time has not been wasted  
22 coming here and speaking today, that the  
23 decision has not already been made that

1 we're going to have NAIS implemented.

2 I have some concerns. One is  
3 that the technology has not yet been  
4 developed where this program will work in  
5 our market facilities. Two, I think the  
6 cost of this is grossly underestimated. I  
7 think it will be much more expensive to  
8 the beef industry than what has been  
9 projected. We have the safest food supply  
10 in the world already, and I just don't  
11 think that we need to have a program  
12 imposed on us that is not workable. Thank  
13 you.

14 MR. CHARLES HORD: Thanks for  
15 being here. I appreciate the chance. My  
16 name is Charles Hord. I work for the  
17 Tennessee Cattleman's Association. I've  
18 just kind of informally talked to some of  
19 my members about what their concerns are  
20 on these issues, and just want to share  
21 some of that with you.

22 Like everyone here I think, we  
23 prefer a voluntary market-driven system.

1 I do think that can work for producers.  
2 Like many of you, it seems like the  
3 writing is on the wall of a mandatory  
4 system. My producers have the same  
5 concerns over liability, confidentiality,  
6 the effectiveness of the system. But for  
7 the producers in Tennessee where the  
8 rubber hits the road it's going to be cost  
9 of the program.

10 The average herd in Tennessee  
11 is about twenty-three head of cattle. I  
12 think that's probably in line with most of  
13 the southeastern states. Twenty-three  
14 head of cattle, you can't afford to have  
15 expensive facilities to handle working  
16 cattle. I think for many producers that  
17 the cattle are going to go to the markets  
18 without these tags. I think the farms  
19 will become defacto taggers for many  
20 producers.

21 The cost of tagging for these  
22 barns, you know, they're going to have  
23 their labor costs and their facilities and

1 reworking their barns. I've heard twelve  
2 to fifteen dollars a head to do that for  
3 producers. You know, these small  
4 producers are the ones that can least  
5 afford those costs. So I hope as we move  
6 forward with the mandatory program, if  
7 that's what's coming, the focus is on how  
8 we can help these small producers stay in  
9 business.

10 With that in mind, the feeling  
11 is the USDA's primary role should be more  
12 administrative, guidelines and rules.  
13 Private systems handle the databases  
14 rather than strictly government. Thank  
15 you.

16 MR. WATERS: The next names  
17 are Rhonda Selser, Betsy Hart. And if  
18 there's anybody else that would like to  
19 speak who hasn't, feel free to come up at  
20 this time.

21 MR. CHARLES KELLY: Since they  
22 didn't call my name I'll just go first.  
23 My name is Charles Kelly. I appreciate

1 the opportunity to be here today. I'm a  
2 rancher in Talladega County, Alabama. I'm  
3 a beef county producer and avid horseman.  
4 I'm here today representing the Alabama  
5 Farmer's Federation as well as myself.

6 As a matter of policy, the  
7 Alabama Farmer's Federation favors the  
8 continued use of legally recognized  
9 traditional methods of permanent  
10 identification of livestock for individual  
11 ownership. Any new method of livestock  
12 identification should only be considered  
13 if it is proven equally practical and  
14 effective as current methods and is a  
15 legally recognized form of proof of  
16 ownership in all states having livestock  
17 brand laws.

18 It is a nature tendency for us  
19 to think of rules and regulations in terms  
20 of how they will affect us individually.  
21 As a cattle producer how is a rule or law  
22 going to affect my operation? This is  
23 human nature. But for the purpose of this

1 topic on NAIS, please think of the  
2 livestock industry a whole. We need to  
3 think of everyone from the cattle  
4 producers with six hundred head of mama  
5 cows to the school girl with the horse in  
6 the back yard to the retired lady who has  
7 a few chickens because she likes raising  
8 her own eggs and any other person that  
9 owns an animal that is classified as  
10 livestock.

11 What is proposed with NAIS is  
12 an encumbrance that has never been levied  
13 on any type of personal property in the  
14 history of our nation. We have a right  
15 and a duty to say no to this. When you  
16 hear the eloquent scientific sounding  
17 sales pitch for this program, it sounds  
18 good. It sounds like the thing to do, but  
19 it is not what we need to do.

20 Our nation's livestock industry  
21 has experienced an exodus in the last few  
22 decades like we've never seen. This is  
23 due mainly to the lack of profitability.

1 Most small producers cannot afford one  
2 more input cost, nor can they withstand  
3 the managerial feat of following the  
4 protocol that will come with the program.  
5 The implementation of this program could  
6 force many small producers out of  
7 business. If these small farmers go by  
8 the wayside, the fallout on our economy  
9 will be great. Just as important, if the  
10 small farmers go, so will the absolute  
11 best part of our American heritage.

12 For the recreational horseman  
13 or the hobby farmer who is involved in the  
14 livestock industry whether they know it or  
15 not, the requirements of this system could  
16 prove to be impossibly cumbersome. Will  
17 every movement of an animal off the farm  
18 require filling out some form? What  
19 impact will the Freedom of Information Act  
20 have on NAIS? Will confidential personal  
21 information become available to anyone who  
22 requests it? The answers to these  
23 questions are unknown at that time. What

1 we do know is that there will be an  
2 intended consequence -- or there will be  
3 unintended consequences. What no one can  
4 say is how bad they will be to a way of  
5 life.

6 Even with the ever shrinking  
7 percentage of our population involved in  
8 food animal agriculture, the United States  
9 continues to be the food basket to the  
10 world. Our veterinarians and our  
11 veterinarian medicine program are second  
12 to none, and we have the safest food  
13 supply on the planet.

14 We have had more success than  
15 any other country in the areas of disease  
16 eradication, disease control and food  
17 safety. A mandatory animal identification  
18 will not and cannot enhance food safety.

19 NAIS will do nothing more than  
20 create a whole new bureaucracy just for  
21 its administration and will usher in an  
22 era of intrusion into the personal lives  
23 and private property of US citizens. We

1 have had success in the past with our  
2 proven programs. Our food supply is safe.  
3 Let's continue to enhance the programs we  
4 have in place. Let's provide our  
5 veterinarians the resources they need to  
6 continue their vigilance without wasting  
7 huge sums of money that we don't have.  
8 Wasting money while robbing Americans of  
9 their rights would truly be a travesty.

10 (Round of applause.)

11 MS. RHONDA SELSER: My name is  
12 Rhonda Selser. I'm from Southwest  
13 Louisiana. We raise chickens and sheep  
14 for profit. You've already heard the  
15 financial, the constitutional and  
16 religious reasons by thousands of people,  
17 and I agree with them. But I don't want  
18 to just dwell on that and go point by  
19 point why I'm against it, but I do want to  
20 let you know how committed I am to being  
21 against NAIS.

22 This commitment is based in my  
23 religious beliefs. The Bible is God's

1 inspired, infallible and indestructible  
2 word of God. The Bible begets that there  
3 will be a method of commerce that controls  
4 the buying and selling with a mark. The  
5 spirit of this control is in NAIS, both in  
6 premises ID and in animal tagging. God's  
7 word instructs me and others to fight this  
8 method with what I say and what I know.

9           USDA has said that this program  
10 must go forward because it has trade  
11 partners that are watching and waiting. I  
12 say we have thousands and millions of  
13 people that are watching us against NAIS  
14 and are praying for us because they are  
15 already suffering from this similar  
16 program. The NAIS thing about internet  
17 communication is that you can read  
18 international articles about people. You  
19 can trade e-mails and find out how they're  
20 using money and sometimes their farms from  
21 similar programs as this.

22           So I must not just oppose this  
23 because it's going to hurt me and my

1 family, but it's also going to hurt small  
2 farmers all over the world. NAIS is an  
3 evil system that I must as a responsible  
4 person resist.

5 I don't do this alone. But  
6 even if no one else stood with me I would  
7 stand because I know my God is behind me  
8 and will protect me and support me when I  
9 stand. But I must stand and say no.

10 I don't want to just stop there  
11 and say that there's no possibilities POS.  
12 One of the biggest things is -- because  
13 I've studied. You don't have to educate  
14 me. I've printed it out and I've read  
15 your programs and all your standards and  
16 everything. It seems to me you have  
17 chosen time and traceability as the major  
18 consideration.

19 To me the major consideration  
20 is your method. If it is an acceptable  
21 method that includes both modern medical  
22 advances (inaudible) disease control, a  
23 method that includes mass communicating,

1 testing, vaccination, quarantine and  
2 disposal of sick animals, that method that  
3 was supported and used by the (inaudible)  
4 union, the World Trade Organization and  
5 the British response to hoof and mouth  
6 disease is not acceptable. But once you  
7 have an acceptable method you can  
8 communicate with farmers. I keep records.  
9 I know where I buy and sell my animals,  
10 and you can get a hold of me in  
11 forty-eight hours. You've got my  
12 telephone number. USDA is already -- USDA  
13 can contact me and millions of others.  
14 But in the course is what you're going to  
15 do is kill even the healthy animals, there  
16 is no method, no program that is going to  
17 work. Even your advance (inaudible)  
18 research have indicated how ugly it could  
19 get.

20                   The USDA has this information  
21 and millions more to get a response from  
22 farmers and tell them, just tell them,  
23 what you're looking for. Tell us. I'm

1 going to be responsibility and I'm going  
2 to help you find what you need to find,  
3 but you've got to be communicative, and  
4 you show no idea of how to communicate  
5 with me in forty-eight hours.

6           There's a change -- I think  
7 President Obama came into office saying  
8 there needs to be change. And I don't  
9 think NAIS can work. I want you to scrape  
10 it. I want you to start from the  
11 beginning.

12           Finally, if you're worried  
13 about how far I'm willing to go or what  
14 I'm going to say, let me give you an  
15 example. I have a ewe that was attacked  
16 on the day she was born giving birth to  
17 her lamb I should say. She was attacked  
18 by a dog or a wolf, I don't know. When  
19 she got up to the barn she had skin  
20 hanging from her on her sides and on her  
21 face. And the blood was all over her, but  
22 none of the blood was on her lamb. She  
23 brought her lamb up. That is my intent.

1 She put her body -- she had only her body  
2 and her hard head. I've got a hard head.  
3 She put that between her and the lamb.  
4 That's my intent. When you decide to  
5 implement NAIS and go to that first farm  
6 to do that first initial, no matter who it  
7 is, I'm going to be there and I'm going to  
8 stand between you and them. I'm going to  
9 support them.

10 (Round of applause.)

11 MS. BETSY HART: I'm Betsy  
12 Hart, Executive Director of National  
13 Aquaculture Association representing fish  
14 and shellfish producers from across the  
15 United States. We also represent  
16 producers of food fish, bait fish,  
17 restocking of our natural reservoirs,  
18 among other users. We also serve as the  
19 umbrella association for approximately  
20 twelve species associations and twenty  
21 state aquaculture associations.

22 If NAIS is to be implemented,  
23 it's imperative that it be designed and

1 implemented for the various animal  
2 agriculture industries, recognizing their  
3 significant differences. We believe our  
4 discussion, the aquaculture industry,  
5 should focus on premise identification.  
6 For domestic aquaculture we see little  
7 value in individual and animal  
8 identification nor a practical way to  
9 accomplish such.

10           The domestic aquaculture  
11 industry is comprised of a wide diversity  
12 of species, well over a hundred, both  
13 marine and freshwater, as well as a  
14 diversity of production practices,  
15 marketing channels and endusers. The  
16 relatively small size of the aquaculture  
17 industry and the relatively low individual  
18 animal values greatly limit the potential,  
19 social and overall economic impact of any  
20 disease outbreak on society.

21           The lack of discussions  
22 associated with the production of our  
23 finfish industries and an existing program

1 for managing shellfish safely, the  
2 National Shellfish Sanitation Program,  
3 make block or individual ID of meager  
4 benefit relative to the cost. The  
5 benefits to public health would be  
6 negligible.

7                   Individual or lot  
8 identification is not practical with  
9 relatively small animals such as fish and  
10 shellfish. Hundreds to millions of  
11 aquatic animals may be moved at one time.  
12 Fish from internal farm populations and  
13 water are routinely commingled for  
14 management purposes.

15                   Fish and shellfish produced by  
16 domestic aquaculture must compete in the  
17 marketplace not only with fish cultured in  
18 foreign countries but also with fish  
19 harvested from wild stocks of both foreign  
20 and domestic origin. This is in stark  
21 contrast to other commodities such as  
22 beef, pork and poultry. No equivalent,  
23 birth to process tracing system can be

1 implemented for (inaudible) fisheries, and  
2 is highly unlikely that a system will be  
3 possible for foreign aquacultural  
4 producers.

5 The cost of compliance with a  
6 mandatory lot or individual animal  
7 identification system for domestic  
8 aquaculture would put us under  
9 considerable economic disadvantage.

10 In summary, the economic burden  
11 of lot or individual animal ID far exceeds  
12 the potential benefit in terms of actual  
13 risk reduction. We appreciate the  
14 opportunity to submit comments. And if  
15 NAIS is to be implemented, we welcome the  
16 opportunity to create a system that is  
17 beneficial to the American public, the  
18 aquaculture industry and is also  
19 economically feasible.

20 MR. JOHN KISSEE: Hello, I'm  
21 John Kisse. I'm with Livestock Marketing  
22 Association as the regional executive  
23 officer. But in that capacity I'm also

1 the executive director of state  
2 associations of markets in Florida,  
3 Georgia, South Carolina, North Carolina,  
4 Virginia, West Virginia and Pennsylvania.  
5 I also represent members in New York and  
6 also in Vermont.

7           Those members or those markets  
8 represent the grassroots producers. We  
9 see them every week. You could say that  
10 we have a (inaudible) every day of the  
11 year because we have a market that's had a  
12 sell every day of the years. And these  
13 are producers that may not belong to your  
14 regular associations and groups, but they  
15 do see us every week when they come to  
16 town, and we hear their concerns.

17           One of their concerns is about  
18 making this mandatory instead of  
19 voluntary. You could say that the NAIS is  
20 similar to closing "Gitmo." It may sound  
21 good politically, but when you get down to  
22 the practicality of it, it may be  
23 something totally different. I think you

1 can see that from yesterday as the Senate  
2 voted 96 I believe it was against closing  
3 or funding the closing of "Gitmo." It may  
4 sound good, but when you listen to the  
5 actual people out here, they're not for  
6 what you're pushing.

7 Also, from a market standpoint  
8 the technology is not ready. They cannot  
9 move at the speed of commerce. And if  
10 you're going to move forward, the USDA is  
11 going to have to make a decision on what  
12 system you're going to go with. We can't  
13 have three or four different tag  
14 companies, readers. It just won't work.  
15 It's not practical.

16 Then you need to look at the  
17 true cost. Y'all have a cost benefit  
18 study. I call it cost benefit not benefit  
19 cost, which is kind of playing with words,  
20 as been mentioned earlier. That said that  
21 a market could be retrofitted for some  
22 eight thousand dollars. Some of our  
23 markets three or four years ago when this

1 system came out move forward had spent at  
2 least double that. And now their systems  
3 aren't working because you changed the  
4 plan again. We want to (inaudible) of  
5 what it actually costs on an individual  
6 animal to actually ID it.

7 As far as the cost, I happened  
8 to be in Washington with a group last  
9 week. We talked with the subcommittee on  
10 agriculture for the House. And they said,  
11 well, cost shouldn't be a problem, we'll  
12 pay for it. And one of our members  
13 rightly said, you don't have any money.  
14 Any money you have comes from us the  
15 taxpayer, therefor, you know, you're going  
16 to pay it, I'm going to end up actually  
17 paying for it, so I don't want to spend my  
18 money in that way.

19 We look at the education, that  
20 is the big job that you all as USDA, if  
21 you want to move forward even with a  
22 voluntary program, you need to concentrate  
23 on. I think currently you show about 35

1 percent of the premises in the country  
2 ID'd. That's after five years of moving  
3 and trying this.

4           There's a trust factor which  
5 has to be overcome. Some of the money was  
6 spent in Pennsylvania to put readers in  
7 our livestock markets. They put the  
8 readers in. It's funny, though. Some of  
9 those readers didn't even have electricity  
10 put to them, and no one has been back to  
11 see what kind of data might have come out  
12 of those readers that were put in.

13           For all these reasons we need  
14 to really consider whether we stay a  
15 voluntary program, work out the kinks and  
16 move forward, or whether you want to push  
17 (inaudible) in a system that's not proven  
18 and not -- looks like it will be  
19 effective, especially cost effective.  
20 Thank you.

21           MR. NATHAN YEAGER: Good  
22 morning. My name is Nathan Yeager with  
23 the National Cattlemen's Beef Association.

1 I'm here to represent over two hundred and  
2 thirty thousand cattle farmers that we  
3 have as members of our association and our  
4 state affiliates, some of who have been  
5 here to provide their comments as well  
6 this morning.

7 First and foremost our members  
8 recognize the need for a national system  
9 to protect our nation's cow herd and to  
10 give animal health officials the  
11 opportunity, the opportunity, to quickly  
12 and effectively respond to a foreign  
13 animal disease outbreak. We recognize  
14 that. However, our members, our members  
15 have continued concern in NAIS, which is  
16 why our policy supports a voluntary rather  
17 than a mandatory system.

18 The first concern, which is  
19 three that I will be sharing with you this  
20 morning, is that producer information will  
21 not be kept confidential. The federal  
22 government has a weak track record of  
23 keeping producer private information

1 private. And the USDA's own office of  
2 general counsel has told us that the House  
3 Agriculture Committee has -- excuse me.  
4 Has told us that they may not be able to  
5 guarantee the information can be safe and  
6 not be leaked out.

7 Our second concern is a need  
8 for a system that will operate at the  
9 speed of commerce. The working,  
10 processing and marketing of cattle cannot  
11 slow down in order to be scanned and  
12 entered into a system.

13 Finally, the third point is  
14 that we want to make very clear that NAIS  
15 is not a food safety tool. There are many  
16 firewalls and inspection procedures in  
17 place to keep our beef supply safe, and  
18 the NAIS will not serve to enhance food  
19 safety, nor was it intended to.

20 Additionally, animal ID does  
21 not prevent animal disease. It merely is  
22 a tool to respond to an animal health  
23 emergency. We thank you for your time to

1 be here today, and we look forward to  
2 recommending future refinements to the  
3 system.

4 MR. WATERS: Is there anybody  
5 else that wants to talk?

6 (No response.)

7

8 (End of proceedings.)

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C E R T I F I C A T E

STATE OF ALABAMA)  
JEFFERSON COUNTY)

I hereby certify that the above and foregoing proceedings was taken down by me in stenotypy, and the colloquy, questions and answers thereto were reduced to typewriting under my supervision, and that the foregoing represents a true and correct transcript of the proceedings upon said hearing.

I further certify that I am neither of counsel nor of kin to the parties to the action, nor am I in anywise interested in the result of said cause.

*Heather Spier*

COMMISSIONER - NOTARY PUBLIC