

USDA
Blue Breakout
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FS: I don't know if you remember what color your sticker was, but remember, we're just trying to get the crowd into three parts so that there are smaller numbers of people.

MS: ...

FS: Oh, sir. You give me so much more credit than I deserve. The banquet hall, which I believe is this facility, is blue. The VIP lounge, which I believe is that through those doors, is red. And the downstairs—you guys walked past a bunch of chairs that were set out—that's yellow.

MS: So blue stays here then.

FS: Yes. Blue, I believe, stays here. Yeah.

[*Silence.*]

FS: Certainly, participation is voluntary, and if you're just staying to observe, we just ask that you not interfere with the sessions.

LM: Good afternoon. Welcome to the breakout session portion of the meeting. My name is Larry Miller. I work with APHIS, and with me as a facilitator also is Kim Ogle. You saw her earlier this morning.

KO: I'm right here—I'm adjusting some mics.

LM: This is the chance to explore in a smaller group and have more discussion—opportunity for you to talk about your concerns about specific aspects of the NAIS. If you saw the Federal Register notice, you'll recall that there were seven questions published in there that we're particularly interested in gathering more feedback about. So we'll kind of start with those, but we'll open it up to other things once we've talked about those for a while. So we're not limited to that, but let's stay in that domain for a while. But it's a chance to express what your concerns are about those areas and to offer up solutions about how it could be made—I don't mean to keep putting my back to you all, and it's just there's so

many people over here—and offer up solutions about how that could be made more workable. Or if you feel like it can't—there aren't solutions to it, then offer up why there aren't any. So it's helpful to get both types of feedback—if you see solutions, to put those on the record; and if you think there are no viable solutions, to put why. So both types of information are helpful, but we're looking particularly for people to identify concerns they have and offer up solutions to those.

This is your chance to give input to a new administration. We've got a new president, a new secretary, and they're trying to develop new approaches and collect new ideas to work with this issue, so it's your opportunity as you go on record to get feedback to them as they decide, over time, what the direction of animal ID and traceability will be in the United States. It's also an opportunity to hear the ideas and thoughts of other people—a lot of times, that's synergistic. What somebody else says will generate new ideas or new perspectives in yourself and kind of gets a synergistic energy, and hopefully, things will come out ... that'll be useful and we can work in.

A few ground rules as we get started. Kim and I are facilitators; we're not technical experts about NAIS—we don't work with the NAIS program on a day to day basis. If there are technical questions that come up, we have folks here that can answer those; but if you want to talk about historical aspects of the program and such, we don't have that background to tell you about that. So as to keep the flow of discussion moving is what we're going to do. And just a few things—and it came up this morning. We're not here to talk about the pros and cons of NAIS, to build consensus, to bring everybody to consensus. There are no right or wrong ideas. It's a chance for everybody to say what their concern is about and to offer up what they see as the solution, so it's that pure and simply.

So no consensus-building, no pros and cons about the program—it's more straightforward than that. I'm going to have to get some water here.

KO: Do you have a bottle? Or I'll get you one?

LM: I have one, but when I'm done, I'll grab it—

KO: Okay.

LM: —for sure. Remember that there's a lot of—as you gathered from this morning, there's a lot of opinions and viewpoints associated with the program. Somebody up here talking into the microphone may have opinions that are 180 degrees the opposite of your own,

but give them a chance to finish. Let's don't interrupt each other; let's be respectful of each other's comments. And if you have something to say, you'll get that chance and they'll do the same for you. So let's maintain the nice sense of respect we had this morning and carry that on into the afternoon. As mentioned, try to keep—I'm going to—as facilitators, conversations often go in many directions, but we're going to keep trying to bring it back to those seven issues that were in the Federal Register and asking about concerns and asking about solutions to those. So if we sound like a broken record in that regard, that's why we're doing that.

Also, what we're going to do—Kim and I—is to make sure everybody that wants to talk gets a chance, and that if a whole bunch of people are wanting to talk at once, we'll get the queue set up and we'll try to monitor the hands as best we can to make sure everybody gets called on in the order and gets a chance to say. So before we get underway, we're going to kind of put all these questions out here at once for you to—rather than go through each one because a lot of times when talking about one, that spills over into another and into another. So we're going to ask you in an open-ended sense to talk about all seven at once. Hopefully, that's not confusing. And after we've done that for a while and we make sure we've aired our thoughts on that, we'll see if there's other concerns that weren't in that Federal Register notice that you may want to talk about.

I think, given our size, we probably can do a very quick introduction so we'll know who's in the room with each other. And before we start that, I wanted to say when you get the microphone to talk, if you would be so kind as to say your name and your business affiliation for two reasons. One, this is being recorded and it's going to be transcribed. If you say your name, it helps—when you're listening back to a tape when they transcribe it—to know definitively when the speakers have changed. So it helps for that matter, and it also helps to know a business affiliation because you can tell when somebody speaks and, in listening to things and reviewing the information later, what issues or concerns are unique to different aspects of animal agriculture. So that's helpful.

And having said that, any quick questions before we get underway? Okay. Hearing none, if we can start right here if we could, and if you just say your name and your business affiliation—and we'll do this real quickly.

MS: Thank you. My name is Dr. [s/l Deabam] with APHIS.

LL: Hi, my name is [s/l Lea Leland.] I'm with VS.

SB: I'm [s/l Sarah Blasko]. I'm with PBD APHIS.

NH: Neil Hammerschmidt, USDA Veterinary Services.

JB: I'm [s/l Jane Bellukien]. I'm just a private citizen.

LB: Hi, I'm [s/l Lucille Bellukien], private consumer of farm products.

RM: I'm [s/l Roy Moore]. I'm a farmer. I'm also an ag science teacher, not representing ag science teachers. I'm not speaking for anybody but myself.

LM: Got you.

JS: I'm Jonas Stoltzfus, I'm a farmer—beef farmer.

JS: Judy Stoltzfus, beef farmer.

MS: Mark Schonbeck. I'm with the Virginia Association for Biological Farming. I'm an advocate for sustainable agriculture, researcher, and home gardener.

WL: [s/l Willa LaFever.] I represent Sunnywell Natural Food and sustainable living in general.

TM: My name is [s/l Tom Mauer], and I'm a private citizen, representing myself at this point.

BS: Barbara Steever. I have a small horse farm. I do some boarding of horses.

MS: Levi Miller, own a dairy farm.

CC: I'm Cathy Cook. I'm a patriot.

RH: I'm [s/l Ruth Haukley]. I'm a private consumer.

MD: I'm Maureen Diaz, and I guess I'm a private consumer as well.

DV: [s/l Danny Vaughn], dairy farmer.

JL: [s/l John Lauver], I'm a poultry farmer, cage layer industry.

CC: I'm Charlie Cathcart. I'm chairman of the Century Commercial lamb producers and feeders. They're too busy this time of year making lamb, so they asked me to express their opinion.

MS: And also the Pennsylvania farms here.

AG: Andrea Graffe, equine and dairy.

MG: Megan Gerber, equine.

WS: Wayne Shingler, owner and operator, Frijolito Farm in Columbus, Ohio—poultry.

SK: Sam Kieffer, National Governmental Relations Director for the Pennsylvania Farm Bureau.

GD: [s/l Darrell Dickinson.] We raised registered Texas Longhorn cattle in Ohio. I'm here protecting—trying to protect my ancestors from the detrimental NAIS. Thank you.

FS: I'm [s/l Jennifer Minay], and I am a veterinary student.

KO: Thank you, everyone.

LM: Welcome. Thanks for hanging around to the afternoon. We heard a lot of interesting ideas and discussion this morning, and we're going to carry on with that, but drill down a little deeper and more into specific issues, hopefully, that are on your mind. As I mentioned this morning, the overarching goal is to capture what's on your mind and how the program can be made better. If you think it can, identify your concerns and offer up solutions for those, if you have them. And so in the Federal Register, there were several questions.

I hope most of you have seen that, but if you haven't or don't have it in front of you, I'll just recap what those seven questions were about, and that was: issues related to cost, concerns related to cost, concerns related to the impact on small farmers, concerns related to privacy and confidentiality, concerns related to liability, concerns with premises registration in general, concerns with animal identification in general, and concerns with animal tracing. So those seven areas, and rather than go through each one and confine discussions to that, a lot of times, they're going to integrate.

So I'll open the floor up. If there's something that comes to mind on any of those areas and the way it concerns that you have that you'd like to bring up about NAIS, and particularly, if you would, if you have solutions to that, that would be most appreciated. Sir. He's right here, Kim.

KO: Oh, I'm sorry.

LM: Okay.

JS: Well, in all respect to all the comments that have been made so far, pro or con, on this program, I believe the most effective solution is to scrap the program. I think this program is an incredible invasion into my privacy as an individual, it's an incredible invasion into personal operations, and I think that all the concerns that are noticed here on the Federal Register would be met by scrapping it and going back to the drawing board. If the associations that are very much for this type of thing and want this type of thing, let them develop their own program.

For example, I heard some representatives of various farm associations—they want that. Let them develop that type of program and bear the cost and let those people voluntarily participate, but this thing scares me. As I said earlier, it looks to me like a mandatory thing coming down, and you will have blood in the streets if this thing goes back, I am assured. Thank you very much.

LM: Sure, thank you. And above all of these, what I was hearing from you is most importantly of all was liability—I mean, was the invasiveness/privacy part of it.

JS: Yes.

LM: Okay. Yeah. Other concerns? You, then you.

BS: Well, I actually wrote down some of my responses to your questions on the Internet. One thing—question that wasn't, of course, raised was the constitutional concerns, which is my primary concern. It's on constitutional—everything after that is just commentary—but I'll go to the commentary. My concerns about cost: Right now, I don't pay anything, so anything I have to pay extra is too much. I mean, right now, the horse market is bottomed out. You can't get anything for a decent horse, and the horses that aren't decent, you couldn't pay somebody to take from you right now.

You're worried about the impact on small farmers. All right. Well, I board a few horses on my property. It brings in extra income to pay for my personal horses. With an animal ID system like this, first of all, I'd give up my private property rights, which I don't like. Second, let's say I've done that. Now, I have to tag my horses. I don't want to tag my horses—it's not necessary. I can identify my horses. I mean, most people could identify their children; I can identify my horses the same way.

Let's say you have a blonde-haired, blue-eyed daughter. Could you find her in a room full of blonde-haired, blue-eyed children? I'll bet you could. I can find my horses, I recognize them, and I'd say most people here could. If somebody does have so many animals that they don't know as personally as I know my horses, there are certainly systems that they've already gotten us to identify them. I don't need the government telling me how to mark my horse for their benefit.

Let me see. Privacy and confidentiality—I don't care. You can Google my name and find everything about me. That's not my problem. My problem is it's none of the government's business. Liability—I'm not producing food, I'm not importing livestock. That's not a problem. Civil rights are my concern. Premise registration—I own my property, I'm not a stakeholder, and my home is not a premises. I have not heard any guarantees that that would not change.

Mr. Hammerschmidt, last November I asked you—or rather, I asked Ron Miller about could you come onto my property without permission or a warrant if I have a premise ID? As I recall, your response to me was that if the governor declared an emergency, you wouldn't need a warrant. I did not ask if the governor declared an emergency. I want to know can you come onto my property without permission or a warrant in a non-emergency situation because if you can, that is a violation of the fourth amendment. I'd like a straight answer sometime. I think everybody involved with this would like a straight answer, and we'd like to see it in writing.

Animal identification—well, like I said, I can identify my horses. I don't care if you can or not because I know who they are. Also, you're going to start threatening me that I have to comply. The more USDA pushes this at us, the harder we will resist. Animal tracing—really no way to make this practical on the individual level. Somebody asked me earlier about do I keep records of where my horses go. Why? I was there with them. I know where I've been, and I don't keep it in writing—not necessary.

And as far as—well gee, I go to horse shows. I've worked in a horse show secretary office—I've done the secretary job myself. Everybody who brings a horse to a show has

their contact information and their horse's information on file with the horse show committee. Yes, we can track you back if you attended a particular show. So as I see it, this program is unconstitutional. As Jonas said, it's invasive, and the more you push it, the more we will push back. And yes, there will be civil disobedience. Also, just one more—

LM: Sure.

BS: —thing. I want to remind people in this room—if anybody remembers anything about U.S. history—you've heard about prohibition. Government thought it would be a good idea to ban alcohol in this country because alcohol's bad for you. Hey, we all agree: Alcohol can be bad for you. So the government took it upon themselves because they had a group of people that wanted to ban it, and all hell broke loose in this country, and 10 years later, we had to reinstate the alcohol as a legal product. If you people push this on us because you think it's a good idea and the people who are affected by it do not want it, it will not work in the same way that prohibition did not work.

LM: Okay. Thank you, Barbara. It was this gentleman.

MS: Good afternoon. I've had experience with the scrapie program as a sheep farmer, and it has worked very well. It's an asset to the organization. If they discover an animal that has scrapie, it's four years of age, and they eradicate that animal and pay me an indemnity—I've made money. As for the animal tracing, yes, they can do that in 48 hours without any trouble, as long as the people who are taking care of the records are sufficient to do the job. Animal identification—we identify every animal on the farm as it is—every maternal sire—and we judge them by what they produce and what they don't produce and how the lamb does afterwards and how it grows. And if they don't do good on grass, they're history. Feedlots are—well—

Premise registration—what's the difference? I'm in the phonebook, you can drive down the road, you can ask state policemen. You can ask my neighbor—they'll tell you—so there's no secret. Why try and make it a secret? That means you've got something to hide. I have nothing to hide, neither do any of the members. These are their views. Privacy and confidentiality—it's the same thing. The auctions know who we are; the buyers know who we are. USDA has always been an asset in getting rid of the predators that constantly prey on us, and they also prey on your kids, unless you haven't noticed. And you have the vultures that everybody thinks cleans up on the road, but they do more damage in the field than they do on the road, and they're protected and we've been trying to get rid of that. Killing them would be a blessing.

Impact on small farmers—what does it take them? 20 minutes a year if you have 25 Us or 30 Us. That's no big deal. We have 1,100, and you have 2,000 lambs—it's a hell of a big deal to have to tag all those lambs, let me tell you. The cost of this has been paid for for the tags. There's an 800 number. You tell them who you are, and they mail you the tags. What's so complicated? USDA pays for that. If the disease is discovered in your flock and it's time to eradicate those animals, USDA does the job for you and pays your animals. What's better than that? That's getting rid of the stuff that's going to die on you in two years. Thank you.

LM: Thank you, sir. We have another. And I want to remind people, if you'd state your name—if you're not comfortable doing that, that's fine, but it will help put the transcription, if you would.

MD: Okay. Maureen Diaz. I'm hearing the comments here. I'm noticing a real disparity, obviously, of viewpoints, and I want to point out I was taking tallies in the listening session this morning of those in favor and those opposed. It was 27 opposed to NAIS, it was four for NAIS, and there were five people who were neutral or undecided or undeclared. I noticed something very profound, which speaks volumes. Of the 27 people opposing NAIS today, I believe every single one of us is just a private citizen, you know. We grow our own food, we buy food from our small farmers, some of whom are here.

I know various individuals who are here, and many that I don't know, but it was clear that of all of those people opposing NAIS were just private citizens who are concerned about protecting our own interests. We tend to be people who are concerned about constitutional rights because we see our rights being stripped away out of apathy for the most part—out of apathy from the larger portion of our population—and that concerns me. So we're just private people—farmers, consumers—concerned about this because of privacy rights, constitutional issues—because we see all of these things as a burden on the farmer and the producers—the small producers.

But those in favor are talking on behalf of associations of larger producers, and I think that the thing I want all of you to understand who are in favor of this. Did you hear our comments? If you want NAIS, it's appropriate for the large operations where the problems occur; it is not appropriate or necessary for our small famers—that's what I want you to take away from this. It should not be pushed upon us, it should not be mandatory, and I'm sorry, but the USDA is paid for out of our tax dollars. My husband sweats—he lays sleepless in bed at night—over having to pay our taxes.

So don't say that the USDA pays for it because you have to understand our tax dollars are what is paying for this. And things like if there's a hoof and mouth disease outbreak and the government's going to come in and say your herd has to be annihilated, they're going to do that whether you object or not—and it's not even necessary because hoof and mouth disease is not a fatal disease. Animals recover just like people do. But we lose control as private citizens and private farmers when we have the government step in and instill programs. That really scares me, and it infuriates me when our government tries to push that upon us.

LM: I think there was some heads nodding. You raised some interesting points. Just to kind of get some discussion going, what you just said—see if this raises any points of view—how would you contrast or word that with that underlying need for—

MD: The underlying need is—

LM: Let me finish a second.

MD: Okay.

LM: For when animals are infected or exposed to an exotic disease, to be able to trace. So what you just said with that other need that seems to be pulling in a different direction, so they're two contrasting issues, right?

MD: Well, yeah—

LM: Yeah.

MD: —because these problems are not association—associated with small-scale grass-based farming, and these farmers are not buying and selling back and forth constantly and hauling their large—lots of animals to the slaughter houses or to the sales. They're just conducting private business between private citizens, and their animals are not the ones getting sick. I mean, it's rare that there's going to be an illness, and it doesn't become epidemic or pandemic. It remains confined if there is actually a problem.

I understand that with large producers whose food I will not consume because I know it to be unhealthy—that's where the problem lies. That's where NIA—NAIS—I'm getting tongue-tied—that's where it needs to focus and leave the rest of us alone, but don't ask us to pay for it.

LM: Okay. Are there—? I think we had— Okay. Go ahead.

FS: All right. Since everybody's so concerned about these contagious diseases, years ago, I was boarding at a stable where an EIA positive horse moved in. The methods in place at the time were adequate—it was controlled. That particular farm was quarantined. I believe in the entire outbreak, two horses, which were the ones that moved in with the disease, were the only ones that needed to be destroyed. None of the other horses at that stable, including my own, were affected because EIA is a very difficult disease to be spread.

I mean, I don't think you need to have me go into the epidemiology of it, but it is not an easily spread disease, and the methods in place at that time—I believe this was 1990—were adequate. So we don't need new numbering systems because it would've made no difference in the outcome of that particular outbreak.

LM: Sir, didn't I see you start to raise your hand? Yeah.

TM: And I guess there are a couple of things here. It seemed to be working on this premise that we'd got this huge problem that we need to deal with, and I think that when you start from that, you can always kind of come up with some kind of a tortured solution. So we're fixing a problem that may very well not exist. The other issue that really concerns me is—and it's something that I find that dealing in ag organizations consisted deal with is that we look at all of our problems and issues as though they're ag issues. This isn't an ag issue.

It's starting in the agricultural community, but if we're using the argument that we need to have this because animals are moving all over the country much more rapidly and all over the world much more rapidly, well, guess what? So are people. Who's not to say at some point, "Well, we've got to—we have this potential for a problem because people are moving all over the world." Do we now decide that we're going to have to have a program like this? And this opens the door. I mean, it's really—it's a slippery slope.

I mean, people could say, "I went through the state with labor and industry to get occupation on my—to use my building for a business." And I said, "Well, there's only three people here that—so I don't—I'm exempt from the law." And they said, "Well, you could have more." And I said, "Yeah, I could sell drugs out of the basement, too." I said, "But that's not going to happen either." So at what point do we say, "Let's deal with the real issue and not concoct this thing that benefits the few on the backs of the many."

LM: Yes.

FS: Thank you for speaking for me, Tom. I wrote it down here: Are we going to start tracking diseased people next? If so, we better get started because we're a very sick nation. And we're a very sick nation of human beings, and if we have sick animals—and I think we do—in large corporate factory farms, we do produce sick animals, just like we produce sick people when we take them out of their natural, god-created environment. The thing of the many, many things that concern me here: We, as a nation, need to understand that the only way we're going to resolve our problems is to seek out the causes.

We just keep coming up with bigger and bigger and more and more expensive Band-aids. This is not where we want to go. We want to be healthy humans, raising healthy families on healthy farms with healthy plants and animals, living together peacefully and harmoniously. Some of us want to create—re-create—the Garden of Eden. Why? Because we've been commanded to. This is not working. It's not working for those of us who are committed to living in obedience.

LM: Thank you. Sir.

MS: Yeah, Mark Schonbeck, Virginia Association for Biological Farming. I just wanted to note that we're in a time of tremendous economic strain—government budgets are spiraling. All of us, as Americans, and the government—the current administration—are faced with several huge problems: climate change, healthcare crisis, and that's a really big one, and various aspects of the farming crisis and the whole food system needs a tremendous amount of attention. And I've actually been very gratified to see considerably more attention being paid to some of the more underlying issues, like supporting sustainable and organic agriculture, supporting local food systems, supporting smaller farmers, rebuilding rural communities.

I've seen a lot more commitment from the current administration and the new Secretary, and also under the new farm bill, which was actually passed last year. But we'll have to put this in a context that there is such a terrific deficit that our president is now looking for places to cut, and even though there is a strong emphasis on green jobs and conservation, he has found it necessary to propose a budget that severely cuts the wetland reserves program and moderately cuts back the EQIP program.

So what I'm leading up to this pertains to NAIS, the question is: Is this the best way to invest our money to trace back on all the farms, rare instances of severe animal disease

outbreaks that are usually related to either international trade—for instance, importing FMB—or to the severe unnatural conditions on the concentrated animal feeding operations? So I would propose that we put NAIS—see, this expenditure needs to be a lower priority than these other programs that build the health of our agriculture. The beginning farmer and rancher development program, the sustainable agriculture research and education program—the ways in which the USDA is helping the small to medium size farmer get more and more sustainable, produce healthier food, strengthen communities, prevent animal disease, prevent people's diseases.

And if we've come to a place where we want a national identification system, we need to focus on where the problems are and what it was designed to address, which is issues of import and export and long distance transport and the intensive co-mingling of animals in these larger operations. And so I would propose that we, for now, set this aside and really focus on what our priorities are. Climate change is going to wipe us off the face of this planet a heck of a lot faster than the worst FMB outbreak you could consider, and I'm hearing that animals tend to get over it. It seems to be—I'm wondering about what that is. I don't know enough to really say one way or the other ... this be done, but that one, but it's just what I'm hearing is that perhaps there is a better way to invested limited USDA dollars.

LM: Understood. Thank you, Mark. Right behind you, Kim. Yes, ma'am.

SM: Hi, Sandra Miller. I guess maybe I should just play a little bit of devil's advocate on this side because it's a question that I have. I raise predominantly meat goats, and I do have to participate in the scrapie program, since it's become mandatory. When I applied for and was awarded a Project Grass grant to fence off riparian areas, as well as promote a rotational browsing system, which alleviated my need for chemical wormers. I was automatically assigned a premise ID. I did not request it, it was given to me, and I was told that I needed to have it in order to participate and receive grant funds.

So I do have some experience with the government programs. However, I see a lot of inconsistencies, and I want to know if NAIS is going to be administrated on the state level or on a federal level, and if so, are all of the regulations going to be consistent? For example, right now, I butcher through a USDA processor, and I do sell all my meat direct to customers. I take it by the cut into farmer's markets in two different states. And if I take animals to my USDA processor in Maryland, which is only about 32 miles from my farm, I am not required to have scrapie tags on my goats, even though they're terminal. They were born on my farm, they were raised on my farm, and I take them directly from my farm to a processor.

However, in my own state, if I take goats to a USDA processor nine miles from my farm, I am required to have scrapie tags in their ears or—and if I don't, they'll be turned away. So it's this inconsistency that really bothers me in these type of government programs where I feel that there is so much nebulous rules that have to be adhered to that it does make it difficult for small processors—4or even larger ones, for that matter.

LM: Like, the logistical complexity.

SM: Very logistically complex.

LM: Thank you, Sandra.

FS: Is that something that you want to— Okay. There's not a—okay.

LM: Yes, ma'am.

FS: Can I just talk about that last point real fast? In my opinion, these programs should be administered by the state and not necessarily have, across the board, the same regulations because of state's rights. And while I understand, of course, that it's confusing and difficult at times, it needs to be the states individually deciding what's implemented and what's not and how it's done.

LM: Would having more state involvement and less federal—? Is that—? Is that—

FS: Well, I think—

LM: —what you're raising?

SM: That is what I'm raising, but the point I'm making is that the law—even under the same program, the rules and regulations are different from state to state. I live less than a half hour from the Maryland border, I sell in Maryland, I sell in the District of Columbia. If there are different regulations—and there are already for each individual state—how do people who live in smaller states in close proximity—it becomes even more difficult. And that's my question is: How is this going to be administrated, because if it's going to go the same way as the scrapie program, it's just one more layer of difficulty for any type of producer. And I'm a small producer; I have worked for a large-scale cattle operation before. I could see, whereas a cattle producer, when I was shipping animals to different states, where this could also be prohibitive.

I mean, if you travel through a state, do you need to be tagged? If one state requires it and the other one doesn't? There's just a lot of confusion. And even through a nationally mandated program, such as the scrapie program, there is an incredible amount of disparity from state to state already. So I mean, that's—

LM: A question.

SM: That's a question.

LM: Thank you. Okay. We'll just go one, two, three. I didn't see who came up.

MS: Just on the issue of state and federal, what I learned in just reviewing some of the papers when I first came here and then hearing, of course, these speakers is that the current vision of the NAIS is that it is voluntary from the federal viewpoint. However, that individual state's or producers associations or other organizations can create—can mandate premise and animal ID. So from the viewpoint of the individual farmer, the term "voluntary" has an unclear meaning and may not be meaningful if entire states will impose it as a regulation. And the comment just now about how contiguous states will have a highly different regulations, it gets very confusing. That's another huge issue, and that gets into the cost question as well.

But I just wanted to say that if the program is voluntary, it really needs to be truly voluntary—that farmers that are not engaged in international commerce or a very large-scale production should not be required by any state or in any state to submit to a program that is not to their benefit.

LM: Yeah, Willa's next.

WL: Addressing your comment and rules and inconsistency, one of the things that concerns me greatly is that in this world, once we open the door to government interaction and control, the rules change. The fact that the constitution was brought up by so many individuals here today was very encouraging to me—it's a wonderful thing, and we need to realize that the rules are being changed. So if we open this door, you can assume that the rules will change. We need to be thinking about what will the rules be next.

MS: I may be mistaken, but my understanding is that unless the state—or unless the federal government has specific constitutional authority to do something, the regulations that they promulgate have to be adopted by the states. And that's why we end up with this

variety of issues dealing with custom meat processing versus USDA slaughter house. Some states allow you to use a custom place and sell at a market as long as it's not going out of state. So I think that the issue is, at this point, that whether they want to admit it or not, that they're recognizing that this is a state's rights issue to make that decision and I think that this is another issue that's like that.

Now, some states just automatically jump up and say it's really easy—"We'll just adopt what USDA says, and we're not going to do anything differently." Other states that want to take a more rational approach to things, I think, look at it and say, "Well, does that apply here? Do we really want this to apply to here, because this is our call?" And I think that when we deal with NAIS, if the state is forcing us to do that, then they need to have some enabling legislation that says they can do it. And at this point, I haven't had anybody be able to show me where the state has actually adopted any legislation that gives them the authority—the USDA or the PDA the authority—to do that.

LM: Jonas.

KO: And then I'll get you next, okay?

FS: Okay.

LM: Who's next?

KO: Jonas.

LM: Okay.

JS: Thank you. I think while quotes sometimes can be trite, I want to quote one that I read about a year ago that came through from R-CALF. "The issue is not the issue; it's who decides the issue is the issue. If I decide the issue, I'm a free man. If a politician decides the issue, I can only elect him. But if a bureaucracy or a bureaucrat decides the issue, I'm a pawn in their hands with very little recourse."

LM: Okay. Jonas.

KO: Thank you. Here you go.

JL: My name is [s/l John Lauver]. I've enjoyed listening to the input this morning and this afternoon. I do know that, as a cage layer operator and being a CAFO, I probably had

enmity with many, but my heart is with you. I also do—in our family garden, we follow organic practices. I would like to assist my children in small animal projects, and I see this NAIS is being a detriment in that way. A couple of questions, a couple of concerns that I have. Premises registration—my farm premise happens to also be my home, and that is a major concern with me. My home is my castle—that's a belief that our nation has held. People of our nation has held that, and my records are kept in my home.

This whole program makes my home no longer my castle. It's no longer my—it's USDA can come into my home because that's where I keep my records. They can come onto my premise, not just the animals that are related to NAIS, but my entire premise becomes available to them through this system. That's a big concern of mine. Another concern that I have is the privacy—the confidentiality. There's computer hackers all around. Earlier this morning, I heard the comment more than once that we need to go beyond paper records.

I have a concern with that. Paper records have served the purpose in the past. Paper records are safe and secure with me; computer records are open to any hacker who can get into the system, any individual in bureaucrat or worker in the system who finds a way to profit by selling that information. It's being done on a daily basis, and it concerns me that my small enterprise, my individual information could be made available to anybody who knows how to get into the system.

Under animal identification, I have a big concern about what has he written here. Do you have any suggestions on how to make animal identification practical and useful to stakeholders, while simultaneously meeting the needs of animal health officials who must conduct disease trace back. I though this whole issue was about animal health, but immediately here, it's making it practical and useful to all stakeholders, basically. We were already going beyond animal health before this was even made mandatory—before the laws even in effect. We're looking at all stakeholders being able to use this information.

That's a concern to me. One more item I have is: We have homeland security involved in this terrorism. I've been concerned about terrorism from people like PETA. I wasn't really concerned about the Arabs, but PETA and getting a hold of by information. I do have a premise ID—I don't apply for it, it came to me through my—through the feed mill I work with. And I've not been happy with that, but it's been forced onto me. But how many terrorists—homegrown out of PETA—are out there looking for this system to become made mandatory, and then they will use the system to prey on us. I see that as a very real possibility. Thank you.

LM: Thank you. Sandra.

SM: Well, since the door's been cracked on information security, I guess I can also introduce myself as an information assurance and security professional, and I've worked with federal and state agencies for a number of years in electronic security—and I'm also a farmer. But the threat of hackers in the database system, it's real, but as today, most of your online criminals are specifically targeting high-value data—credit card theft, bank theft, identity theft, things like that. So that doesn't worry me as much.

What my question is, is since this will be a federally mandated program if it goes through— Currently, wireless technologies that are used by the federal government are required to be FIPS 140 certified, which basically means an independent organization has looked at the technology—whether it's hardware, software, whether it's going to be the RFID readers, the RFID tags—and these systems need to be accredited and certified.

And my first question is: Will these systems that are working, whether they be databases, be required to meet the federal government's security standards? Because if it is, I can definitely say that, at this point, getting FIPS 140 certification, there's a three-year backlog, and it costs the companies who own the technology anywhere from 100,000 dollars to over a million dollars to have their systems certified.

LM: If I could turn that around, given that you feel that's not workable, what would be workable?

SM: Well, it would not—there's got to be some sort of privacy assurance, and whenever I listen to the subcommittee hearing, there were three distinct groups there. There was R-CALF, there was iDairy, and there was a port counsel. In my opinion, all three of those organizations—they weren't there to give testimony on this program. They were there jockeying for a position on who's going to get the lucrative contract to control the database because, as it stands right now, Australia and Canada, who both have mandatory animal ID programs, use a third-party private organization to control their database.

So that's going to mean me, as a goat farmer, will have to register my animals with maybe a pork database or a calf database or a dairy database. And how do—how am I assured that the technology that they are using is compliant with privacy and security? When you're dealing with personal information, how are they going to ensure the quality and the security of our information?

LM: There's a gentleman behind you, Kim.

SK: Thank you. Sam Kiefer. First, I want to thank the USDA employees. Certainly, virtually any government decision is certainly not an easy one. This one, I believe, peaks the Richter scale on difficult topics. So I certainly don't envy your position, but thank you for everything that you've all done in reaching out to producers and looking for producer input. Since the topic of confidentiality has come up, the members of Farm Bureau have an interest in the confidentiality of the data, as well as the liability that goes along with that.

And Mr. [s/l Lauver] has already alluded to it, but I'd like just to take one step further. As we understand the program as presented, the federal government would have access to the data held by a third-party—whoever that might be—in the event of disease outbreak or necessity to get to that data. Certainly, in the eyes of Farm Bureau, that data is, indeed, secure, up until the point it's used. And when it's then obtained by USDA for traceability purposes, our main concern is that that data not be subject to the Freedom of Information Act for many reasons: animal type terrorism, as mentioned, demonstrations, harassment, things of that nature.

Even if the producer, at the end of the day, it's shown that there was no disease on that farm, the fact that that data was obtained by USDA or our concern is ... and making sure that those producers, whether they were unfortunate enough to have the disease on that premise or fortunate enough not to have it, just to make sure that they are not subject to terroristic acts or harassment. And then additionally, the member of families of Farm Bureau have concern with liability—of actions taken by those after the animal leaves the premise.

I'll use the instance of a cow-calf operation. After that animal leaves premise A, for example, and goes to premise B for finishing or what-have-you, if a disease is contracted on premise B, that there not be any—that we have assurances that there's no reach-back capability to premise A for liability concerns. Thank you.

LM: Thank you for your comments. Kim, right here, and then right here.

KO: Okay.

BS: Gee, speaking of all this confidentiality that they keep promising us, it seems to me that USDA is talking out of both sides of their mouth when they talk to horse centers. They keep telling horse owners, "Oh, if we tag our horses and your horse is ever lost or stolen,

this will help you find it." But a lost or stolen horse is not a disease, so if this information can only be accessed in the event of a disease, how are you going to help me find my stolen horse? It's like, it's one thing to say, "Oh, well, in the event of a natural disaster and there are several states of horses running loose and we've rounded them up and now we want to try to find their owners," which I believe you could also do without this, but that might be—you might say, "Okay. Well, we can access a database for that." I might give you that.

But if I, as an individual, have a stolen horse, how can anybody access that database? That's not a disease concern, so I think you're lying to horse owners to get them on board with this.

LM: Here.

RM: Thank you. One thing I wanted to mention—my name is [s/l Roy Moore]. I don't know your name—you just mentioned about a CAFO. John? He seemed like he was pressured into putting his home address into premise, which he lives at that premise. He lives at that residence, which is a concern. Some of the things, too, you look at—and that was a feed company, I do believe. A lot of the feed companies—CAFOs—same deal—they're getting people to register their premises whether they want to or not. Co-ops—same way. ... railroad.

I know Sam, back here, talked about Farm Bureau. I know when we first discovered Bill 865, Farm Bureau was 100 percent behind mandatory premise registration in Pennsylvania—being NAIS. Couldn't get any information as to where the grassroots came from. So we're starting to look at think and any student that is a critical thinker is going to say, "Wait a minute here. I can't farm here anymore. We have CAFOs, we have contract farms. If I want to do anything, I have to be a contract farmer. I have to register my premises because somebody wants me to..." those types of things. We got into a lot of things in discussion of the high school.

Pretty interesting, and hopefully, you don't take that like I'm talking against you, Sam, because I see it as the whole incident—it's not just Farm Bureau. I quit the American Angus Association, National Cattlemen's Beef Association because they were going to be controlling the databases. I personally lost probably thousands of dollars, which is no big deal. I need personal freedom. I think I need personal freedom from my kids—I have three little kids.

LM: Thank you.

FS: Speaking about these premise ID numbers that have been issued in this so-called 33 percent of voluntary registrations, we've already heard about the people who were signed up without their knowledge. I have a friend who was a small animal veterinarian. I asked him a couple weeks ago, I said, "What do you think about this?" He says, "USDA issued me a premises ID." He said, "I tried to contact them and tell him." He only does dogs and cats, but he now has a premises ID that, I guess, you include in your one-third of voluntary registrations. And we're not talking livestock.

Just an example of how efficient USDA is. Do you think that if we all signed up, you'll then know who owns what?

LM: I wanted to ask: There's some of you that—well, there's a new—Yeah, I was getting ready to say, "We'll go start with you." But if there's some of you that haven't said anything yet, I would like to encourage you—not to—if you don't have anything to say, fine, no pressure. But I want to make it easier for you, too, if you are so inclined. This gentleman over here, and then back to him. Okay. We've got—

KO: Okay. Here you go.

FS: Oh.

KO: There you go.

LB: What I have to say isn't really deep, but I think it's because I think food is so important, just like I think mother—healthy babies are healthier when their mothers who are give birth to them are healthy. And I want to know that my farmers—the ones through whom I get my food—are as happy as they can be, even when they're very busy. And I want the USDA to maybe take some lessons in psychology and find out what can make our farmers happy. If the farmers all now about NAIS, why aren't they lining up at the door? If they don't think it's going to make them happy, then it's your responsibility as an organization—not you in particular—

LM: I understand, I understand.

LB: —to show them how happy they can be and how life will be more beautiful. If you can prove that to them and we, consumers, can see that our farmers are happier and healthier because of it, then I'm all for it. But if it's a burden, we have enough stress in our lives, and so—and farmers are not your ordinary people. They already are broke out of a

system, especially the small farmers. They're not in the corporate world. They're out there; they're in control. And you have to figure out—you may be able to do this with some drone in a corporate office, but don't do it to my farmers. We've already ruined enough lives with this whole culture that we have. And I'm [s/l Lucille Bellukien]. [s/l Lucille Bellukien.]

LM: Okay. Thank you, Lucille.

LB: Private citizen, I hope.

RM: And I'm back again. A couple other things that—and it's not just an attack on—

FS: Would you say your name again?

RM: [s/l Roy Moore.] It's not an attack on any just one organization. Some of these are put in there—giving blood money, basically—to participate in NAIS. I'm sure many of them want controlled databases; some of them don't. One of them is a National FFA Association. I know I send kids—we send dues in every year—15 dollars a kid now—to the National—I'm not sure if that's 15 total for National, but it's pretty much money. At any rate, when I found out that the National FFA took, like, 600,000 dollars to promote NAIS—took 600,000 dollars of our taxpayer money to promote it—I said, "Whoa. Wait a minute. Something's wrong here."

And I was already on the bandwagon with NAIS because I had been at several meetings—Neil Hammerschmidt and a couple others. And I thought, "Something's wrong if we can't give students critical thinking, and they're putting NAIS to a contest of how many premises they could register—private property, now—to kids. Going out, running around the neighborhood, trying to register premises, and giving this information back, not knowing a whole lot. Young students, very similar to what would happen in Germany, Russia, and those places, I feel.

There's a major problem there—total major problem. Even if it's for disease control, those kids don't know enough about the situation, the farmers don't know enough about the situation on the most part, and they're getting them to register people's private property. There's something major wrong with that whole scenario. Some of these organizations, obviously, are looking to control the databases, which would be multi-millions of dollars over years. I know I didn't have enough time to belong to all these organizations—to go to all these meetings—and work for the good of the organization to try and get them off of that mode.

So I basically quit. I quit some of the organizations because I knew I didn't have enough time. I called the National FFA office—Larry Case, National FFA advisor. He never returned my call. I kind of considered him a little bit of a friend because I actually had roomed with him a couple times at some national board meetings. To this day, two years later, I have not received a phone call back. I called the American Angus Association, and basically was yelled—my wife heard over the phone—he was yelling at me. And I wasn't speaking any other tone than what I'm talking now.

I said, "Look. For 20 years, I spent my time breeding Angus cattle—artificially breeding them myself. Getting a herd up to the—some of the best bloodlines in the country, and promoting this—sorry, if I'm getting a little long—promoting this with some of the students at school, saying, "Hey, that's an organization to join." I had to back away from that because I no longer believed that. And there's other organizations just like that—it's not just the American Angus Association or anything like that. But when they take money, they need to promote it. It's like a string—they're on a string—so they're going to promote it. They're going to get a lot of money, and I'm sure there's a lot o bonuses being paid out, in my opinion. Thank you.

LM: Thank you. You did your best. Sir, and then you.

KO: Did you—?

MS: Yeah.

KO: Okay. I'll get you next.

DV: I'm [s/l Dan Vaughn], and I have a dairy farm in Hartford County, Maryland, an i like to refer to myself as a dinosaur because I'm a first generation farmer. Nobody in my family farmed except some distant relative out n Iowa. And I started 30 years ago with nothing, and I've got half of it left still. But I try and listen to what everybody had to say and write down a few notes and a few things, and some of the things that I wanted to explain about myself, I guess, first of all, I have—I milk 35 cows, I have 100 hens, I have a dozen hogs. I have a couple of goats, I raise free-range broilers. I just got crazy enough to start screwing around with honey bees. I don't use any commercial fertilizer; I use only my compost and manure and purchased poultry manure from our fertilizer. I use rotational grazing—I've done that for 30 years. I didn't know it was fashionable until over here recently.

All of the things that I do are probably some other invention. I've learned how to do these things just because I didn't have the money to—I didn't go into a situation and buy a farm. I had no one to work into a farm. I had to do it all by myself. I had a lot of help from my friends; I had a lot of help from my family. There's no such thing as a self-made man, don't get me wrong on that. But I sell stuff directly to the consumers—I sell cheese and eggs. I sell raw milk if you have a cat—for pets, you can come and buy milk for your pet.

But one of the things that I'm hearing today that I think it's great that there's so many of us that are interested in the small direct consumer—the direct marketing aspect—of farming today, and we all seem to be on the same page. We're against any government intervention, whether it be this animal identification or just anything at all, because the federal government has proven they know how to do one thing, and that's go bankrupt. I can take you home to my house. I can show you the records on the farm that I—I just recently inherited a farm from some wonderful people that I helped, and now they're helping me and my children.

But in 1958, they paid them 1,500 dollars to bulldoze the creek banks down, clear all the underbrush, and straighten the creek so it ran straight through the property. Now, the same people—this little conservation service—have come back to me, and they want me to put a 30-foot buffer on either side of the creek and plant trees. You don't know what the heck you're doing—it's just that— Tell the federal government, "You don't know what you're doing. You've lost all touch with reality."

Remember too, this is the same organization that brought you kudzu, Johnson grant, Ruby Ridge. Now, the next point: This is the same agricultural idea. This man sitting here has a cage layer operation. He is just as important as me or the lady with the horses. We all are in this together. This country and the world cannot be fed by us guys on the small scale. We can't produce enough eggs, we can't produce enough pork, we can't produce enough beef to meet the needs of the nation and the world.

I believe that his chickens are as healthy as mine. They have to be, in order for him to make money. He's not going to put his chickens at risk because they are producing the egg that he sells. I don't know. Maybe this person down here doesn't like the chicken the egg came from confined layer operation. Wonderful. Have them come buy them from me, but there's nothing wrong with his eggs. I wouldn't be afraid to eat his eggs. We've got to have both, and we all have to work together.

I buy poultry manure from a guy like him, and that's what I use on my fields to promote the way I want to live. It takes all of us. He's not our enemy, she's not my enemy, you're not my enemy. The federal government is trying to be my enemy—they're not supposed to be, but they're trying very, very, very hard to do that. When we look at the comment here about the cost, the speaker said that it was like one percent of the cost of the beef—retail prices of beef—is the cost of the tag and the implementation of the program.

Well, there again, USDA's out of touch. The retail costs of beef—we don't get that. We can't recoup that cost. If we put a five-dollar tag in a beef cow's ear, if I sell a bull calf—if I put a five-dollar tag in that ear, that doesn't benefit me at all. That is a direct cost. You can say, "Well, the guy at the end of the line can recoup it. He can add five dollars if he wants."

We can't. We have no way to recoup any of our increased expenses or time. The—now I lost my train of thought. This fellow back—oh, he left. Yeah, he did—the Farm Bureau guy. He thanked you people for coming, and I thank you for coming, but I thank these people for coming more. You're just doing your job—we paid you to do this, okay? So I don't have a great feeling of honor that I'm getting a chance to speak to you. You should be honored to be speaking to us, okay? You work for us, we pay your bills, we expend tons of money trying to make this country a free and safe place to live. And it is right now, but we're losing it fast.

And one of the ways we're losing it is by pitting each other against one another—create a crisis. Say that he's the poisoning of the environment. Say that I'm poisoning the environment when I was—I mentioned to Willa from Sunnywell that I was upset on Earth Day—I didn't get a chance to burn a bunch of car tires. I wanted to do that to say hello to the Earth Day, but I didn't get my opportunity. I was too busy. And you mentioned about making quotes. Well, Thomas Jefferson said, "When the government controls agriculture, we shall all want for bread."

FS: Uh-hunh (Affirmative).

MS: I like that quote.

DV: Remember that. We shall all want for bread. The—

FS: Can you say that one more time slowly.

DV: When the government controls agriculture, we shall all want for bread, and that was Thomas Jefferson who said that. So as a final thing I'm going to say about is keep fighting, keep complaining. You guys keep listening. And like I asked you earlier on, what do you produce? Nothing. You're asking me to pay you money to feed you, and I'm not going to do it. It's as simple as that—I'm not going to do it. Thank you.

KO: Thank you.

WS: Hello, I'm Wayne Shingler. I've only been a farmer for a couple of years. Before that, I was a police officer trained in hostage negotiations and crisis intervention. And I'm seeing the strong parallel between this debate and the same dynamic you see in a suspect barricade situation. On the one side, you've got the big authorities saying, "Do it our way, or we're sending in the SWAT team." And on the other side, you have the scared, trapped, desperate person who they think it's either going to be an Orwellian police state or they're going to get out of it somehow. And the more that hope that they're going to get out of it fades away, the more desperate they become.

In the 1990s, we saw this kind of thing where the cultural conservatives started feeling disenfranchised and put on the outside. Well, what happened: We saw malicious separatist groups, and the government responded heavy-handed and we got ... Ruby Ridge out of it. Response to that was Oklahoma City. I don't think we need to go this way over food. We don't need to turn our farmers into militant rebels or anything. So I think Lucille was talking about keeping farmers happy. Why aren't the famers lining up for this program? USDA needs to study some psychology a little. We have a big, broad middle ground between mandatory police state kind of stuff and no NAIS at all, but I'm not hearing either side broaching any of that.

I mean, I'm against it. I would like to see it not happen, but if USDA wanted to reach out to me, what they would have to do is basically put forth a plan that tells me, "Look, all your fears—there's nothing to them. You're going to either be exempt or there's basically going to be no penalty for noncompliance unless there's actually a disease and you can be held liable for mismanagement." We have so many possibilities for variations on the actual policy. There are so many different levels—sizes of producers. We shouldn't make a one-size-fits-all solution.

In Ohio, for example, if you producer under—I think it's 1,000 chickens, you can process them on your own farm and sell them. More than that, there's the next step up. You have to go to a state inspector processor. More than that, I think 10,000 or something like that, it's USDA. We can have the same kind of [s/l graduated] policy structure with NAIS

where maybe at the bare minimum, everyone who farms is going to get a number. Nothing happens with the number unless there's a disease tracked back to them—that unless you're constantly moving livestock back and forth by the millions, you don't have to report something every day or every 48 hours or whatever it is.

I think USDA has been disingenuous and not addressing our concerns about what the penalties will be if this is made mandatory. I mean, that's why we're all here is because there's talk of this being mandatory. If it was just voluntary, who cares? But at the same time, if there's no penalty unless you've actually done something wrong—like knowingly spread a disease, failed to report a disease you knew about—and even then, it might be a slap on the wrist, that's a little less painful.

So that's what I've got. I just think if USDA wants to get people on board, they need to try to step into the middle and reach out to us.

LM: Understood. Thank you, Wayne.

KO: Thank you very much.

SM: Sandra Miller. I've been looking at this, basically, from an East Coast point of view, and as more people have spoken here today, I'm starting to draw on my experience from ranching in the West. Is the federal government going to be required to issue themselves a premise ID for Bureau of Land Management and Rangelands? There are literally thousands of farmers and ranchers in the West who they do not have a premise. Their animals are fed on public rangeland, whether it's either owned by the federal government or the state.

Something like 38 percent of the state of Idaho is public rangelands, and I have worked extensively with NRCS and the Bureau of Land Management on programs where they have brought in cows—cattle—and small ruminants to graze those lands. There's grazing rights, and a lot of these ranchers—they buy stock, they bring it into public land, the range it for a season, and then they sell it. And how is this program going to be applied to them because literally, there are millions of animals on public lands? And there is no personal premise. That's the first issue.

The second issue is that increasingly, livestock is being used as a method of brush control and fire suppression on publically owned properties and privately owned properties. For example, I just saw on the news the other day that the tech industry giant Google is using a herd of goats to take down the brush on the hillside of their Silicon Valley headquarters.

Are they going to be required to have a premise ID now that there are animals coming to their property on a regular basis and performing a service? There are so many options in regards to animal movement.

I own a herd of animals that move throughout properties throughout the year that are not agricultural properties. They may be removing brush for vacant lots; they may be removing poison ivy for a building site or for a private citizen; they may be clearing out a sensitive area of kudzu. Thank you, kudzu's not all bad. They may be clearing a—and they do perform agricultural issues where taking out multiflora rose from a certified organic pasture or something like that. But not all of the premises where the animals will be housed, fed, bred are going to be the owner's property or it will be in agricultural use. So these questions need to also be addressed by this program.

LM: Thank you, Sandra.

KO: Thank you.

LM: We've got this gentleman, this gentleman. Did I just see your hand, sir? Then you're—

KO: Okay.

LM: Yeah, Levi Miller. I hardly know where to start, but let's go back 1600s. I'm not a historian. When our country was started, this nation was created under God to be free. Free of what? Freedom of liberty, religion, happiness. The Constitution defends that. Our founding fathers would be appalled—very appalled—to know that we have to come to a meeting like this—to know that the government has done so wrong that we have to even have a listening session like this—

MS: True.

LM: —that the people—that the ones of the people are not heard are not done. This country has been such a great place to live, and I had high hopes for my children and future generations. Currently, right now, I'm shaking with emotion. Just the thought of NAIS has taken the joy out of living—

MS: Right.

LM: —and the unknown future is so discouraging to look at our family growing up and fearing for what they may have to see, all because we allowed it to happen—not because

we wanted the government to, but I guess we allowed it to happen. But still, here we are today. I thank you for coming to hear our comments, but I do not have any feeling that the USDA is hearing what we said.

LM: Before you pass it back, if I could ask you if you could identify more specifically what about NAIS that most concerns you—that would be helpful to capture. But if it's hard to pull off, I don't want to put you on the spot, but if you can identify.

LM: That's okay. No, you're fine. I don't know if I can—I don't know if I can single out any single element of NAIS. This could be another five-minute discussion, if I make it that. But it's just the fact that it shows that our government is so far gone that everything is just so awry. And trying to single out anything about NAIS—it's the cost, it's the freedom of religion. That really bothers me. But the cost—the burden on farmers is already so great that it's impossible for us, really, to survive farming.

And now, we're supposed to incur more costs in more time with bookkeeping or recordkeeping. It just doesn't make any sense; the whole system doesn't make any sense.

LM: All right.

KO: Thank you.

LM: You had your hand up, and then you did.

KO: I'm going to go here first—he was next.

LM: Yeah, yeah. Him and then him and then two more on this row.

MS: It has been mentioned about how they're going to implement NAIS in the West Coast. Why are we worrying about that? If they have large ranches, why worry about how NAIS is going to—how they're going to implement in the West Coast. It's more important that we put the far out here in the East Coast so they don't have to suffer like we have to on this end. The first has to stop on the East Coast so the people at the West Coast don't have to go through all these aches and pains that we're going through today. It has to be stopped, period.

LM: But if you could suggest something towards that end, what would you identify most? Just off what you're talking about.

MS: Trespassing private property.

LM: Okay.

MS: That's the bottom line.

LM: This gentleman was next, then him, then her, then her.

KO: Okay. Yes, sir.

LM: Thank you.

DD: One gentleman said that—anyway, my name is [s/l Darrel Dickinson] from Barnesville, Ohio. We raise registered cattle, Eastern Ohio. One person said that USDA needs to study psychology. I think they have studied psychology, but they realize that they're going to get by with this. We could be 100 percent against it, and they're not going to stop. They know that 90-somewhat percent of the producers oppose NAIS, and it doesn't have any effect on them. We've sent these things in—email, we've written Congressmen, we've called them. They don't return our calls. It's not election year—they're not going to return calls 'til just before election year. So I don't want USDA to have any better psychology. I'd like for them to go to Las Vegas and learn about hold 'em and fold 'em.

When everybody's against you and it's not going to work and you're just going to have a battle, you just fold it. All the farmers here know that they're ready to plant their crop to get their seeds, they're fertilizing—everything's ready to go, and it doesn't rain. Lands dry. You don't plant seed. There's just times when you have these great ideas—grandiose as they may be—and it just isn't going to work, so you just drop it. You just drop it and don't murder your neighbors.

Anyway, I was just looking at some numbers here at the state of—Department of Agriculture in Pennsylvania has received 2,127,411 dollars from USDA as, in my opinion, a bribe to sign up people in Pennsylvania for NAIS. And then they say that 71 percent of the people in this state are signed up. Hey, well, the cost they're paying to buy people into this is unbelievable. If you had something that was good and everybody wanted it, they'd line up and do it free. They're spending—one state now, USDA has given them a bribe to sign up their people and go door to door every way they can do it. It's cost them 11,301 dollars per person signed up enrollment in NAIS in their state. And there are some states higher than that.

They're paying a huge price to sign up these people because they don't want to do it. And they've got—like, if you look at the total number of people out there, they've got under 10 percent of the people signed up, even with all these people that are written in that didn't want to do it. And actually, you can get out of that, too, if you wanted to. Some comment was about large and small producers. I'm really sympathetic towards small producers, but our ranch is one of the 500 largest red-shirt cattle ranches in the United States.

And so if somebody says, "Well, you're a large producer," and you know what? The Department of Agriculture's Secretary in Ohio told me, "Well, this won't bother you. You're a large producer." I said, "Hey, have you lost touch? Who are my clients? My clients are entry level people." I start 75 new people in the cattle business every year. They borrow money to buy an 800, 1,500 dollar animal to start a herd with me. And if I had to tell them, "No, wait. You've got to go buy a computer system, a reader, your software, your scanner, your carrying bag. You've got to learn to use a computer, whether you've ever learned to use one or not, and you're looking at up to 2,500 dollars for basic equipment, plus the experience to learn how to do it. And then you're going to face enforcement if you do it wrong, where there's a penalty or a fine if you enter it wrong."

I would lose all the 75 people area every year. I can't talk them into doing that. The odds are too bad. I would lose my entry level people. My entry level people this year are the people I'm going to sell three and four cattle to in three years. So I'm looking at 75 people. I do all my advertising for 75 entry level people. That's all—that's the people NAIS will kill is my entry levels. So when they kill my entry levels, the 42 years that our family's been in this business—my father and our children—we figure we'll lose the ranch in four to five years, as hard as we can work at it with what repeats we've got and so forth. And we've got other people who are going out of business because they don't want to mess with NAIS.

So the magazines are not running opposition NAIS articles in their cattle magazines because it's so negative, people don't want to hear about it. They're scared to publish negative articles and opposition articles. So the large versus the small is not a good argument because it hurts us all. It's going to get everybody. So then we're told that a disease could break out in the United States and just devastate the nation overnight. One lady mentioned that hoof and mouth isn't a disease that is fatal; the cattle live, and all those cattle—we saw with the dozers in Europe that they were dozing and burning. All those cattle were humanly consumable. Hoof and mouth is a skin disease. It's some boils and some—it's a bad case of dandruff.

We've been lied to about hoof and mouth. Hoof and mouth doesn't kill people, doesn't kill cattle, and they're perfectly consumable and the meat's fine. So much of this stuff is just—I like to be lied to professionally. I've been cattle trading and buying and selling all my life. If somebody lies to me about something, I want a good lie. I want it well-planned and conceived. So we have interstate transport laws, so every time I send something from any state, I have to have a registration—I have to have a vet inspection. We have to send certificates with that, so that's already done.

I think the cure for this—she says, "What's the solution?" The solution for disease is the development of vaccines, test, and cures for these disease, not to beat up on the farmers, but we've got some—the biggest disease in the nation is Johne's—200 million dollar loss a year in the dairy industry for Johne's. USDA doesn't give a flip about a valid test for Johne's or a valid vaccine. Zip. They have proven they have no interest in disease in this country because they look the other way at the only disease that's causing dairies to go belly-up all over the country.

LM: I need to tell you I've got about five people waiting after—

DD: Okay. Let me wrap up here.

LM: Yeah.

DD: You see how many people opposed—the percentage opposed? I wonder if it's 100 percent of the people opposed, would you still do it? We were, like, 90 percent you see here. And the fourth component we tell—everybody thinks it's just three components. The fourth is enforcement. You saw today, the police standing at the doors so that we didn't get out of line—enforcement. They thought we were going to riot today. They forget that we're just hardworking, peaceful people, but they suspected that we were going to riot today and they were going to kick us out of this place.

So I want to thank you for listening. The longer you listen and don't do anything, the better I will love you.

LM: So if it was down to just him—

DD: Thank you.

MS: Yes, sir. And her, then I think to you, then I—okay.

JL: It's [s/l John Lauver] speaking again. I have a major concern about the cost. Most farms—in Pennsylvania, at least—are familiar with nutrient management plans. That was not to be very costly. 1997, I spent 350 dollars to have a nutrient management plan written for my farm. Three years later, it was mandated that if they update, it cost me 700 dollars. Last year, we did a few different things, but it cost over 5,300 dollars to write the plan. We're just over 10 years into this. We've gone up more than 10 times. Cost is a big issue. Poultry was shown as being costing somewhere between 700ths of a cent and two cents per bird.

Spent fowl is bringing about two cents per bird on today's market, so we're talking about the identification system wiping out the wholesale value of those spent fowl. So cost is an issue already, and will become a much greater issue before 10 years are up. Cost already is expensive. It will become prohibitively expensive. One more issue on impact on small farmers: I see it being a major impact all-around, keeping small farmers from even considering beginning helping those who are in the business decide to get out. The impact is tremendous.

What could be done about that? I think there are large farms who see a need for this. Keep it with them. I think there should be things like exceptions to NAIS—something like if you're marketing one beef per week on average, say 52 a year, I think that's a reasonable exception. If you're doing that much or less, they should be exempt from NAIS. If you're producing five sheep or five goats or five swine per week on average, they should be exempt from NAIS. The costs are prohibitive. It's not unrealistic. It would eliminate an awful lot of paperwork that would be required for a few animals. Thank you.

KO: Thank you. Thank you for this solution-oriented comment. Who was next, Larry?

LM: She was—right there.

KO: Thank you.

FS: Mine probably should really be last, but I'll throw it out and you can come back to it. But I just want to know what the Secretary of Agriculture and the USDA is going to do with this today. This is the first of seven sessions across the country—

MS: 13 now.

FS: They've added six more.

FS: Oh, okay. So 13 sessions. I don't know how the next 12 will go, but I can guess that it's going to go a lot like this. And—pardon? We have over—I think we could probably agree that we have an overwhelming opposition to mandatory national animal identification system here. And some of our suggestions that are probably some of the better ones would include exempting small farmers, letting the larger industry take care of it themselves, but—

MS: I oppose.

FS: You oppose? But the overwhelming response is: "We don't want this." Now, I think we all understand that this is maybe a conciliatory session. I don't really believe anything is going to change, but I want it to, as we all do. And that's why we took the time out of our busy days to be here today. So I'm just asking that Secretary Vilsack and the whole USDA listen to our voices and understand it's not just a little portion of America that doesn't want this, but it's a very large majority that don't want to see this happen. And what are you going to do about it?

DV: Yes.

LM: I would say towards that end though in providing your comments about not wanting it. The more you can provide detail and identify specifics as to why would be helpful, as they interpret things. Yeah, I know you've been trying to do that, but just keep that in view the whole time. Just "I don't like if—"

DV: No, that's—

LM: Adding more detail to that. And I know you've done that. I'm not saying you haven't. I'm just trying to keep it in view.

DV: Yeah, but I'm sorry to interrupt. That's a very important point you've got to think about. We don't have to come up with a reason why. My name's [s/l Dan Vaughn] and don't forget. We don't have to sit here and come up with a reason why we think this is icky or bad or not good for health-wise. This is wrong from a moral standpoint to all of us, end of discussion. We have lots of other little sidebar reasons, we have—but the basic bottom line is it is morally wrong, period. It is constitutionally wrong, and so we don't have—we're not going to sit here and keep giving you excuses.

We're starting to beat a dead horse here. I'm getting ready to go. I've got to get home and I've got cows to tend to, like a lot of us do. But the point is, you've heard from a huge spectrum of people—consumers, bigger operators, little operators, people who have just a couple of chickens, this lady has horses. We have every kind of animal—the sheep guy. We're all against it, end of subject. We don't need to keep coming up with little, bitty ideas, okay? And again, it is from our guts, and we are the ones that have to do it, and we're the ones that are telling you no, no, no. Thank you.

MS: Can we take a vote on this?

LM: Wait a minute. Wait a minute. We're right here next.

KO: Hang on a second. I want to give the mic to the next person who's entitled to speak. Here you go.

FS: Yeah. How about we attack all the USDA officials and have them report to us where they go? Okay. I'm going to try to hit on a couple topics quick, which I think are major issues, and then I'm also going to give you one alternative, which is a good one that I think everyone in this room would agree with, except for USDA.

First, it's been brought up before, major trust issues. A couple of years ago, before this started, I didn't give a damn about USDA. I don't take money from you; I don't have to deal with you. Others are buying USDA certified beef in the store—I didn't really care. Now, I don't trust you as far as I can throw you. Actually, I probably trust you ... I can probably throw you pretty far at this point. USDA has a strange idea of definitions. I'd like to hear your definition of voluntary. I'm not—again, not you personally, but it seems that USDA's definition of voluntary includes coercion, underhandedness—signing up people behind their back. That's one of the things that causes a trust issue is that they don't mean what they say.

One more or two more things.

LM: One second.

FS: Okay.

LM: Excuse me. Excuse me. We'll come back down with the mic in a minute if there's—

FS: Okay.

LM: Thank you. Go ahead.

FS: Sorry. I thought you were trying to cut me off.

LM: No.

FS: And I'm on a roll. One of the other big concerns about all this is we know the real reason behind this has nothing to do with our animals. It has everything to do with World Trade Organization, OIE regulations. I believe it was Bruce Knight who was quoted saying at a meeting in Canada—it was some cattlemen's meeting. When asked why the USDA wanted NAIS so bad, the answer was: "They want to be in compliance with OIE regulations by 2010." I don't know about the USDA, but the rest of the people in this room do not take orders from the United Nations. I do not pledge allegiance to the United Nations. I think we ought to get out of the United Nations.

FS: I think it's World Trade Organization.

FS: World Trade—it's all part of the same thing. It's all part of the same thing. World Trade Organization, those trade packs do not overrule our Constitution. That's already been decided by the Supreme Court. You cannot override the Constitution, which is what this thing does. Finally, Secretary Vilsack would like an alternative? R-CALF USA has issued an eight-point alternative to the NAIS. It is practical. It would actually help this country, and it wouldn't violate anybody's rights.

I have a copy of it here, but I'm sure he's probably already been made aware of it because I'm certain R-CALF gave him a copy and they have it on their testimony. It is called the Eight-Point Alternative to NAIS by R-CALF USA. That is something I think everybody in this room could live with because it won't hurt us, but it will keep this country safe as far as trading livestock between countries. Unfortunately, nobody will get rich off of it, so USDA probably won't do it.

KO: Thank you.

LM: Wait. This young man right here, and then this—you had your hand up again, right?

FS: Yeah.

LM: Okay. Take your time.

FS: I'm [s/l Maura]. I will not participate in a NAIS. I have my rights. The Constitution of the U.S. is at my back.

LM: Thank you.

KO: Do you live on a farm? Do you want to explain where you're representing? No? Okay.

LM: Oh, I'm sorry.

KO: Okay. I'll get you next.

LM: I'm sorry.

SM: I'm going to stand up to make this point known. We are in a listening session today with the USDA. However—and they've asked for us to explain—but I've had a very unique view of our nation's legislature this year, and one thing that I have heard repeatedly from our elected officials is they don't need explanations. They want to know our opinions, period. It's a yes or a no. Our congressmen and our legislators are extremely busy people, and they work off of numbers. And you can do more by voting. How many people in this room are registered to vote? How many people actively vote? You need to vote.

You need to vote for your elected officials because when your name is on that roll, you call their office, and you say, "I—" I call them up. I say, "I am Sandra Miller, and I live at 173 Jumper Road in Newberg." And they will look, and they'll say, "Yeah, you're one of our constituents. What do you want?" "I want you to vote no on this." And that's all you need to tell them, and they keep tallies of this stuff, and they listen to their constituents. They don't listen to the different agencies and things like that. It's if you want to make a difference—if you honestly want to make a difference—on how your business is conducted as a private individual, you need to let your legislators know one way or another. It's a simple telephone call. It could be a fax. It could be—

Don't send letters. They don't even take—they barely take letters anymore, thanks to the anthrax scare. It takes almost six weeks to get a letter to your elected official. You need to use a fax machine or a telephone. You call them up, you say, "This is who I am. I am registered to vote in your district. Yes or no," and that's all you need to do. That is the most powerful voice that we have, and we've already shown that here in Pennsylvania, especially with our milk labeling issue.

KO: Thank you.

LM: Thanks.

KO: I'm going to—

LM: Yeah?

KO: I'm going to let her—

LM: Yeah, that's right.

KO: —because she hasn't spoken yet and then I'll give the mic to you.

LM: We have her, and then to you, Willa.

LT: Thank you. I'm [s/l Laura Tarbit]. I was born basically on the farm, and I've done some type of farming all my life. And yes, my kids are from the farm. I recently, fortunately, had occasion to meet with several of my legislators and they assured me that the best way to get your concerns heard is to meet with them face-to-face. So I just wanted to add that your comments. There's the face-to-face, and then you follow up with the emails and the phone calls and keep it before they're noticed.

KO: Thank you. Here's another one that hasn't spoken yet.

LM: Willa was—

KO: Well, she hasn't spoken yet, so I'm going to—

WL: Oh, that was my comment.

LM: Okay.

WL: Thank you.

KO: Oh, okay.

JM: I'm [s/l Judy Mudrock], and I'm from New Jersey. And I think I'd like to say something about the few hundred people in New Jersey who get their produce and their meats from the farmers here in Pennsylvania. And we basically do this because we don't want to eat the crap from the supermarket, if you want to know the reason why we want to support the little farmers. I'm also a Swiss citizen. I'm a U.S. citizen and a Swiss citizen, and I'm in close contact with the Swiss Federal Research Institute and another research institute over there, and they are watching what's going on here. And they are sadly chuckling—laughing—what's happening to the health of America.

And the New Jerseyians, speaking for them—I just lost my thought. But anyway, I am in contact with them, and they know the crap that the cows are being fed here, and nobody's doing anything to change this, which is very sad. And that's really in the hands of the government to make changes—that the cows are being fed properly.

LM: Understood. I didn't know—

JM: Thank you.

LM: —you were going to add more to that. I think this—didn't you have your hand up at one point? Okay. Then—

KO: It was back up here.

MS: I really don't need the mic, but—

KO: Well, the transcription won't catch it if—

MS: Oh, okay.

KO: —you don't.

MS: All I'm worried about today, too, before anybody leaves is I'd like to see a vote who's in favor and who's against simply that. And no—

LM: We're talking about concerns and—

MS: Well, I think that is a concern, is it not?

LM: But having a voting and a weighing out against ...

MS: Well, just a show of hands.

LM: We started out with it's not a pros and cons against NAIS.

MS: Oh, okay.

LM: Okay.

TM: Okay. I think just two things. One, I think one of the things—and this is for the group, not necessarily—but I think we need to be putting this message out as to how important our food issue is to the other people in our communities. I mean, we're here, most of them aren't, and I don't think that they understand exactly what's at stake. The other thing is, I think talking about trying to figure out how to fix this NAIS program is sort of like arguing what color paint you want to put on a car that's riddled with body cancer. I think we ought to junk the car and just forget about it, and go onto something productive.

FS: Amen.

MS: Amen.

FS: Amen.

LM: Tom, if I could ask you, though—not to put you on the spot again—in your mind, what would be the more productive thing if you have a definite thought on—

TM: Well, I guess at this point, starting with nothing would be fine with me. And then we can go from there if there's something that's relevant that we need, but at this point, we have a system that, up to this point, is working. And we don't need to create something that's a problem.

LM: Okay. Back to this gentleman, and then up to you, Willa. I'll guide it there, too.

WL: Okay. Thank you.

MS: Just talking about specific solutions, I think a good start would be a farmer's bill of rights. Let's see some guarantees that our livestock are not going to be destroyed or seized unless it's first been demonstrated there actually is a pathogen there that's a danger. We don't want it done on speculation. Let's have some kind of guarantee that if our livestock's

destroyed, we're going to be compensated fairly. That would just be a couple points to start with, but I think that would be a good step in the right direction.

LM: Thank you, [s/l Peter].

WL: I think it's wonderful that you're asking what are our suggestions for a solution. Some find quotes are coming out here today. I've heard this one somewhere: The health of a nation is determined by the condition of its soil. We don't have healthy people, we don't have healthy animals, we don't have healthy plants. Disease is God's way of letting us know that we're not doing it right. So let's just get to the cause. You know—you guys, USDA—and I'm not speaking to you. Bless your heart for being here.

LM: Thank you.

WL: How about the Department of Agriculture really focuses on—? How did we get where we are, and spend just a little bit of time looking at how we got where we are, and then let's get real focused and let's take off running in the direction of how we're going to get back on track. Stronger medications, stronger vaccines, stronger policies, stronger this and stronger that are not the answer. The health of a nation can quickly and easily be determined by the condition of its soil. Go back and read senate document—what is it, dear?—364? What is it—senate document—? I should know it. Back in the 30s, there was a statement of alarm that was shared through the Congress of this United States about the condition of our soil in the 1930s. We already knew we were headed down a path. There's a path that seems right to a man, but the end there of is death. We're dying. We are dying.

MS: As a nation.

WL: As a nation, we're dying. The world is dying. The planet is dying. Why are we spending any time and any money trying to figure out with more high-tech, high-cost Band-aids? Folks, let's take off the blinders. It's time to wake up. God loves us. He is not going to let us destroy ourselves, each other, and his whole creation. All of these trials and tribulations that our animals have, that the people have, and that the plants have is a loving heavenly father screaming, "I love you."

How many of you here are parents? Parents, parents, parents, parents. Okay. As a parent, if you see a small child running towards a busy street, what does a loving parent do? I'll tell you, and I'm not even one. A loving parent runs, a loving parent screams, and a loving parents grabs. And that's child can kick, pull your hair, bite, and just do

everything they can think of to try to get loose, and a loving parent says, "No. I love you too much." Do you know what I'm hearing in our world today? I'm hearing it everywhere. I'm hearing loving heavenly father, a creator that created us in his image, and wants us to be blessed and to be blessing to each other. I hear him screaming, "No. I love you too much."

LM: Thank you, Willa.

MS: You asking for solutions or alternatives. Increased focus on animal health at the level of their living conditions. I was hearing about a specific animal—a cattle disease over here, which has been underemphasized. It has received insufficient attention. I can't remember the name of it, but it was—

MS: Johne's.

MS: I'm sorry. What?

MS: Johne's.

FS: Johne's.

MS: Johne's. How's that spelled?

MS: J-o-h-n-e apostrophe S.

MS: Oh, okay. Well, whatever. Invest in that. Invest in—there's a tremendous amount of cutting-edge science about soil. You are talking about soil as being the basis of health, and that's known throughout sustainable agriculture. It's even accepted by the USDA. I think Tom Vilsack believes that soil is a basis of health. And I wish that the—probably the several thousand or maybe several tens of thousands of dollars it cost the USDA and all of us to get together here—if we spent that on figuring out a little bit more about soil health and what can build it—what practical measures can reliably improve the microbial diversity and activity of the soil. And we've got so much microbial phobia going on in this country around food safety and around animal health, the truth is, if your soil's got more bugs in it, the bad bugs have less of a chance of biting your animal or making you sick.

FS: Amen.

MS: And so if we were—if we spent this several tens of thousand dollars today contributing to the research on what will actually improve the health of the soil—and there's a lot of good ideas out there and there's a lot of half-warmed research and there's some snake oils. I'll admit it, I'm not the believer of every single fringe theory about how to improve the soil, but I think that there is so much that needs to be addressed out there that that will reduce the need for an NAIS for certainly of a trace-back of diseases for small local farms. When we can really help those farmers—I mean, there are a lot of small farmers out there who could really use some good practical assistance on improving their soil. I have seen eroding soils, I've seen bare subsoil, and these aren't big CAFOs. These are small farms. And the USDA is beginning to help the rest of us address those problems. So if we dropped the NAIS, we've got 200 million dollars more that we can use to help farmers know how to better take care of their soil.

MS: Yes, yes, yes.

FS: Amen.

FS: Vaccinate animals.

FS: Yeah.

LM: Thank you, Mark. And I'm starting to get a little hoarse. Kim and I are going to change roles, and she's going to facilitate for a while. I'm going to—and there's a gentleman.

MS: Other alternatives—we have very effective programs currently. At least two individuals this afternoon and one this morning talked about the scrapies program. Very effective—the majority of the sheep producers are happy with that or at least working with that. That was done outside of NAIS. In the poultry business, I went through avian influenza as a teenager with my father in the 80s—went through it two times. Since that, being a producer myself, we have effective programs.

The outbreaks in the 90s were not nearly as devastating as that in the 80s because we developed programs. Those programs are still in existence. They're outside of NAIS and they're duplicating an already-effective program, using what we currently have. We ditched two numbers to use the premise ID number just recently here in Pennsylvania. We had identification numbers. We had things that worked. The system hasn't been broken. Let's use what we currently have. It is effective. Thank you.

KO: Thank you.

BS: And speaking about disease control programs and with my knowledge of the horses, as I said before, EIA is a rare disease. The reason it's rare is because horse owners do test for it, and a positive reactor to this test either has to be quarantined for life or put down, and we're aware of that. And so that's why it's not a common disease. However, if you're going to start tying issuing premise IDs into EIA testing, I'll stop EIA testing, and then you're putting me and the horses that my animals come in contact with at more risk. You are going to help create a bigger EIA problem by tying premise IDs into a testing for a disease, and I think that's probably true for just about any disease testing program. If people opt out of disease testing because they don't want a premise ID tied to it, there's going to be less testing and a greater chance of causing a problem.

KO: Pass the mic next to you. Thank you. Thank you.

MS: One further note on that: That's exactly the reason why a group of us farmers locally here have stopped testing for TB and brucellosis.

KO: Thank you.

FS: you keep asking for a solution, and you've been told the solution. The only solution is to do away with NAIS. FDA keeps talking about the safety of our food, the safety of our animals, and the disease that comes into the country from other countries is the problem. What you need to do is control what comes into our country, not the people in this country. If you go forward with NAIS, what will happen? We will lose farms—apparently, large farms, not just small farms. When we lose these farmers, we will starve. Your children, your grandchildren will starve to death. It will be the end of this country as we know it, so there is no other solution but to stop it. That's it. It is a control program.

Your documentation, I've highlighted, control is in there; surveillance is in there; IDing the farmer and the animal. It's all about knowing where everything comes from to control this food supply, and it is the WTO—the World Trade Organization—the UN implemented situation. We are a constitutionally secure country, and if we don't stand up for that and our rights, we are going to lose and we are going to be exactly where Germany was, and we're going to starve like Stalin starved millions of people.

KO: Thank you.

MS: Good.

KO: Any other comments? The lady behind you wants to speak.

FS: To add to what she said, the security of our food supply in this country was already well-protected. This country has the safest food supply in the world, and the world recognizes that. They want what we have. All of this has been—has direct ties with UN appointed officials. The security of this country depends on not the centralization of our food production and our food warehousing and distribution system; it depends on the decentralization represented by each of these people here today. This NAIS system will squeeze out many of us—it's already begun. I'm already telling my children, "Look for a new career."

When we read legislation that has components of NAIS represent in it with horrendous disciplinary procedures such as 1,000 dollars per day per animal, a flock of chickens will wipe out your whole property—not premise, property. We are earners; we are not stakes holders. I think that there may be some people here that don't understand the term "stakes holders." In horse racing, you have a stakes race. You have a third party—a disinterested party—that has no horse in the race to hold the stakes. Do not call me s stakes holder.

KO: Thank you very much for your comment.

DD: [s/l Darrel Dickinson.] Mr. Hammerschmidt, some people have credited you with being the main warhorse behind the push on NAIS. And obviously, you spent years studying and researching it, and you've attended this all day today. I talked to one of your associates, Mike [s/l Mulendorf] or something that's president of the National Federal Veterinarians Association. Do you know who I'm talking about?

NH: Mike Gilsdorf?

DD: Gilsdorf. That's the guy. He told me that he was in the early think tank sessions that you and him and many were involved in thinking about NAIS and all the good things it would do. And he told me when I visited with him, he says, "All the good things about this looked good." He says, "We had no idea of the magnitude of the cost it would involve in it, and the opposition affected by the cost." And I appreciated his candid—he told me that it was a sincere thing to start with this idea, and he just had no clue that so many people would be against it.

And I appreciate that, but anyway, you're credited—right or wrong—and I appreciate you being here, but what is your reaction when something like 90 percent of the people oppose it—to something that, obviously, you thought was a very good idea and very good for us and for the nation. I mean, could we get some comment from you on that, please?

KO: I don't think it's appropriate to put Neil on the spot. The design of this session is not for—

DD: Hey, he won't—you can't put him on the spot. This is a bright man, ma'am. Don't discredit him.

KO: It's not that Neil's not bright. It wasn't the design of this session for questioning Neil, that's all.

DD: Well, I'd really like to—I'd to hear some words from Neil.

KO: I understand.

DD: I respect his opinion.

KO: I know you do, and I'm sure Neil appreciates that. However, what I'm saying is that's not the design of this session. Look to Neil, Neil looks like he's okay to respond, however it's not the design of this session. Neil, do you feel comfortable?

NH: Oh, sure.

KO: All right.

FS: ...

KO: Yeah, Neil's a little hampered by his—

NH: No, I really do appreciate all the feedback we've gotten today. Yes, I've learned a lot from different parts of animal agriculture that I didn't know as well as I do now. So I appreciate all the comments and information we've obtained today and over the last several months. Certainly, at the end of the day, the new administration or Secretary Vilsack is going to provide direction on what he sees in regards to traceability programs for disease programs. We have many people that we work with, and I'll certainly support

the direction that the administration follows. I do think there is a lot of comments that many of you have made that gives us good information on focus where the issues are.

I do have the opportunity to work with the other parts of agriculture, and I know there's thousands of animals moving from the Southeast part of the United States to Oklahoma, Kansas, and Missouri different parts of the year. And there are extreme animal movements that today, we do not have the capability of responding timely to in a disease event. So we have some opportunities where the risk is minimal. We're hearing you. If the risk is minimal, what is there to trace? If there are parts of animal agriculture where the potential impact of disease spread and risk is real, focus on that, and that's certainly what we've got to continue to look at. Where are the priorities in a disease risk management program?

And that's the message I'm taking back is make sure we focus on where the issues are, not straight across the board where somebody said one size doesn't fit all. Well put. We've got to continue to look because there is diversification in animal agriculture. I wish everybody—and I'm not a veterinarian—I wish everybody had the opportunity to work as a state veterinarian sometimes. We all might look at some of the issues they deal with day in, day out a little bit differently, too.

So I think it's important that all of these discussions continue to hear—you made some tremendous points about, "Yeah, these are our perspectives. There's perspective here, there's perspective here." We've got to consider all the issues and certainly make sure that we have the opportunity to move forward with disease control programs that work. If there are ones today that work, let's make sure they're in place when we need them and move forward.

KO: Thank you, Neil. Thank you very much.

SM: Sandra Miller. In these listening sessions, you're asking for possible solutions. And as I said here when I listen to people speak about different things, the one thing that you brought up is being a state veterinarian. And the one thing we have here in Pennsylvania is we have a very strong state veterinarian association and the Pennsylvania Agricultural Diagnostics Laboratory System—PADLS, as they call it. And as a producer, I was fortunate to learn about this program early on after moving home to Pennsylvania and deciding to farm. And I think that money would be very well-spent to make sure that all states have a state diagnostics system in place that is as good as, if not better, than Pennsylvania's—although I don't know how you get better.

I've worked extensively with them through unexplained deaths of either my livestock or wild life on my property as well, and each time, they've been very professional. They work across different agencies. They work with the Game Department in dealing with the wild ... There's a thing here with some deer on it, and it talks about the migration of wildlife and how it spreads disease. The funding for this program would be better spent on the front lines, and I think that the state diagnostic labs with the state veterinarians are doing an excellent job.

And we should bolster them and continue to allow them to do their jobs because they are making a significant difference in any sort of disease identification within our agricultural communities, as well as our wildlife communities. So that would be my suggestion to Secretary Vilsack is to focus on your state veterinarians because rather than having a master database that connects everybody with an animal tag together, if you connected your state veterinarian databases and allow them to talk to each other and allow them to communicate on an interstate level, I think that that would be just as effective as a singular private entity at this point.

KO: Thank you.

FS: Speaking of veterinarians, the veterinarians I've used on a regular basis, I've always had a good relationship with. I like them as people; I like the way they handle my animals. What USDA is proposing is having my veterinarian work for you by giving you my information, turning it over to you, which means my veterinarian is no longer my veterinarian—he's yours. And if my veterinarian is not working for me and he's working for you, can I have him send you my bill? Because really, what you've been saying up 'til now is our animals are part of the national herd. Veterinarians all have to hand over their client information. Well, I don't like having a wedge driven between me and my vet, and really, I think you ought to pay everybody's vet bill if you're going to have them do that.

KO: Thank you very much for your comment. Are there any more comments related to the seven questions that were posted in the Federal Register regarding cost, liability—let's see—animal identification, traceability—let's see. Anyone else want to speak, make a comment, have a solution to offer?

FS: I think we're all tired.

KO: Are we tired? Have you beaten that dead horse? All right. Well, on behalf of Secretary Vilsack, I'd like to thank everyone for coming today, and we really appreciate all your comments and all the solutions you've offered to the NAIS program. Yes, sir?

MS: One last question: What is the deadline for public comments to be submitted to the website?

KO: You know—I don't believe there is a deadline. There is no deadline, and continue to send in your comments and solutions to the USDA website. And we're going to continue this listening tour to the next six locations, and there are six more that have been added on. And the results of these listening sessions will be posted on the Web in the near future. We're not able to tell you exactly when because the majority of us are on this tour, so until we get finished, we're not going to have a chance to put them together and put them on the Web, but they are going to be available. They've all been recorded—all your comments—

LM: We have to—

KO: Yes?

LM: We have to—

MS: Do you happen to know the states and the dates or the locations and dates of those six new sessions?

FS: Of the next six?

MS: Yeah.

KO: I do, and it's in my workbag. I can rattle off the states. Yes?

LM: If I could add one thing on there: I did hear that by hook or crook, they're adding more listening sessions, as you mentioned, but August 1 will be the tentative—

KO: Do you have those, Larry?

LM: —cutoff for all comments and things—

KO: Excellent.

LM: —related to that.

MS: ...

KO: Okay. I do. Let's see. Oh, no. Gary. I want the new six. Oh, no. That's them. Okay. No, that's the original. I want the new six.

MS: Oh, I don't know if I have it.

KO: Okay. I can rattle off the locations. How about that? The dates are in my bag. South Dakota, Florida, Missouri, North Carolina, New Mexico. How many did I give you?

FS: I know South Dakota really wanted to ...

KO: One, two, three, four, five. No, that's on the current one. These are the new ones.

MS: South Dakota, Florida, Missouri, North Carolina, New Mexico.

MS: New Mexico is on the current one.

KO: That's the current one. You guys are mixing me up. South Dakota, Florida— No, that's—

MS: Southern California.

KO: Yes, California.

MS: Riverside, California.

KO: Riverside, California. And I know some of the cities. Jasper, Florida. Raleigh, North Carolina, Riverside, California. I think it's Albuquerque, New Mexico. I think it's Jefferson City, Missouri. Is it Rapid City?

MS: Rapid City.

KO: It's Rapid City.

FS: Rapid City [inaudible].

KO: Absolutely. That wasn't the purpose of this at all.

FS: Because that was a concern when we all came here.

KO: We knew that. We've been reading the blogs.

FS: We all want to know what the ... thing is. ...

FS: [Inaudible.]

[Unable to hear comments.]

MS: Hey, just one more comment. Two years ago, I was in a similar meeting—of course, not as many people knew about it at that time. The USDA had public comment period that I emailed and I emailed, and I asked questions if they ever—the comments—whoever received and I never saw the comments from two years ago for the public record. Was there any ever sent out? I know it was 2006—somebody help me, maybe. But there was a public comment period by NAIS with USDA that you could send in on a computer, and I tried to get the information from the USDA out of the Maryland office—never got a response.

LM: I don't know myself. Perhaps one of our NAIS staff knows where the comments from 2006—

MS: Comments?

MS: There was a public comment period for NAIS maybe two years ago.

MS: Are you talking about the proposed rule that we just went out with that just closed in April, or are you talking about the—?

MS: It was a public comment period on the thoughts.

MS: On the thoughts.

[Unable to hear comments.]

MS: We had listening. We received comments when we went forth with our proposed draft strategic plan, and then the business plan. All of these things that we have, have been an ongoing comment period, and we've been taking the comments all along and taking them into account.

MS: I never saw the comments ...

MS: I can't vouch for the 2006 ones, but any regulation—proposed regulation—that happens or anything where they're taking public comments, they're always available on www.regulations.gov. They will list—you can go during the comment period or afterwards and see—there will be Bob Smith and he wants this, and Shirley Jones wants this. All those comments are always listed for every single U.S. government regulation.

FS: What about this meeting? Will we be able to follow ... somewhere online? I mean—

LM: Yes, there will be results from each of the listening sessions. There's transcripts that are being made of all of these. What form they will take—is it a composite of all the breakout groups or is it specific transcripts and when they'll be posted—they're still—like, somebody said—

FS: There should be something—

LM: —there will be something, and I would look to the NAIS website over time to find those.

FS: With these meetings, we're not going to be home much in the next couple weeks, so bear with us—

FS: So it's like, we hope it'll be there at some point in time?

FS: Yes. No—

FS: Before it's mandated?

FS: And if it's not, please ask. It should be.

LM: For all the people with the blue dots, we appreciate your forthcomingness and willingness to participate a lot. Sometimes, it's hard to get people to speak up and to say, but you've been very forthcoming, so we appreciate your candor. Thank you.

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