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TO REVIEW BIOSECURITY PREPAREDNESS AND EFFORTS TO ADDRESS AGROTERRORISM
THREATS

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HEARING

before the

COMMITTEE ON AGRICULTURE,
NUTRITION, AND FORESTRY

UNITED STATES SENATE

ONE HUNDRED NINTH CONGRESS

FIRST SESSION

JULY 20, 2005

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TO REVIEW BIOSECURITY PREPAREDNESS AND EFFORTS TO ADDRESS AGROTERRORISM
THREATS

WEDNESDAY, JULY 20, 2005

U.S. Senate,
Committee on Agriculture, Nutrition, and Forestry,
Washington, DC.

The committee met, pursuant to notice, at 10:02 a.m., in room SR-328a, Russell Senate Office Building, Hon. Saxby Chambliss, chairman of the committee, presiding.

Present or submitting a statement: Senators Chambliss, Roberts, Thomas, Dayton, Cochran, and Salazar.

STATEMENT OF HON. SAXBY CHAMBLISS, A U.S. SENATOR FROM GEORGIA,
CHAIRMAN, COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The Chairman. Good morning. I welcome you this morning to this hearing to review the efforts by public and private entities to increase biosecurity and agroterrorism preparedness. I appreciate our witnesses and members of the public being here to review this very important topic as well as those who are listening through our web site. Agriculture is a significant sector within the U.S. economy, accounting for 13 percent of the U.S. gross domestic product and 18 percent of domestic employment. A deliberate attack on the U.S. food supply and agriculture operations would cause severe economic

loss from farm to plate.

As we have seen with naturally occurring plant and animal disease, these losses could be particularly severe where States where animal and crop production is connected and largely responsible for the majority of economic activity. For example, three states, Arkansas, Alabama, and my home State of Georgia account for 31 percent of the chickens produced in the United States. North Carolina, Iowa, and Minnesota account for 53 percent of hog production; and five others, Nebraska, Missouri, Oklahoma, Texas, and California produce 35 percent of the cattle. Four States, Illinois, Iowa, Nebraska, and Minnesota produce 54 percent of the corn; and three of those, Illinois, Iowa and Minnesota, produce 39 percent of all soybeans.

Current Federal efforts to prevent and respond to a terrorist attack are governed by two main Presidential directives. We will hear testimony from representatives of the Department of Agriculture, Department of Homeland Security, and the Food and Drug Administration outlining existing efforts and capabilities and what we must do to deter, detect, and respond effectively to an attack. I am particularly interested in hearing a status report on the implementation of Homeland Security Presidential Directives 7 and 9 and what, if any, additional authorities are necessary to prevent and deter a terrorist attack on the food supply.

While the Homeland Security Act of 2002 and the Bioterrorism Act of 2002 increased biosecurity efforts, it is clear that more needs to be done. This hearing will serve as a useful dialog as this committee works with Senators Burr and Enzi and members of the Health Committee in drafting follow-up legislation to the Project Bioshield Act passed and signed by the President last year.

And while we are talking about that, I want to take a minute to commend the leadership of Senator Burr in this respect. He was a colleague and friend of my mine in the House. He was a leader during his House days, and now he has brought that same leadership and that knowledge and experience to the Senate and is providing real positive direction on this issue.

As we will hear, the responsibility to counter an agroterrorist attack spans the various agencies with different regulatory functions; however, a new partner and often overlooked component in any response is the integration of national and local law enforcement agencies. A recent symposium on agroterrorism hosted by the Federal Bureau of Investigation highlighted the need for our nation to respond quickly and to ensure local producers and first responders are a part of any national response plan. I welcome our colleagues from the law enforcement community to the Agriculture Committee and look

forward to your testimony.

As anyone in agriculture knows, farmers, ranchers, extension agents, and many others are an integral part of detecting and responding to any disease outbreak, whether naturally occurring or deliberate. The second panel highlights this important partnership between public and private sectors, and we will hear what is being done to increase our preparedness at the local level in coordination with farmers and ranchers, the scientific community, and industry. No effort to prepare for an attack can be successful without a healthy and strong public-private partnership.

This will be the third hearing in the Senate since 1999 devoted to biosecurity and agroterrorism. My friend and colleague, Senator Roberts, who is with us this morning, held the first hearing in 1999. I think it is fair to say that he recognized early on the need to address the issue and, in his capacity as Chairman of the Senate Intelligence Committee, has continued to highlight the need for direction relative to this issue.

The events of September 11, 2001, propelled the Government into action and forced the Federal agencies to re-think the threats facing agriculture and the need to take steps to prevent agroterrorist attacks. Later, Senator Talent, also a member of this committee, highlighted the importance of the topic at a hearing before the Homeland Security and Government Affairs Committee chaired by Senator Collins almost 2 years ago. I look forward to working with members of this committee to make sure that this aspect of homeland security receives the attention and the resources it deserves. To do otherwise would place a critical sector of the economy at risk.

Before we proceed, I would like to request unanimous consent to insert testimony submitted by the Environmental Protection Agency for the record, and without objection, that will be done.

[The EPA statement follows:]

The Chairman. I would ask my colleagues, Senator Thomas, Senator Roberts, if you would like to make any opening statement at this point.

Senator Thomas. Mr. Chairman, I thank you for having this. This is an important issue. I have no statement. I am anxious to hear the testimony.

The Chairman. Senator Roberts.

Senator Roberts. Mr. Chairman, thank you. I also would like to hear from the witnesses, but I do have an opening statement.

STATEMENT OF HON. PAT ROBERTS, A U.S. SENATOR FROM KANSAS

Senator Roberts. Let me just say thank you for your very kind remarks and for holding this hearing. This is one of the most important issues that we face in agriculture, and it is true back in 1999, as Chairman of the Armed Services Subcommittee on Emerging Threats, we held it so important that it we held it in the Armed Services Committee. That was the first hearing on the topic, and at that time, our president of Kansas State University testified on the real need and urgency to really try to accelerate the research and response to efforts in this area. I argued at the time that this was a topic we couldn't ignore because it was simply too easy a target and would create absolute havoc and chaos in our food supply and our ag markets if it were to occur.

You know, at first, quite a few people wanted to ignore the issue or at least they didn't want me to talk about the issue. I know on one visit to western Kansas, I had a farmer come up to me and say, Pat, you have got to quit talking about all this agroterrorism stuff; you are scaring the dickens out of people here and you are hurting the markets. Actually, he put it a little more colorfully than that, but I think you get the picture. That was the reaction I got until the tragic events of 9-11. Obviously, we started to pay a lot more attention after that.

We have since learned that several of the 9-11 hijackers had agriculture training. I think four of them--no six, and we know that they had an interest in crop dusters. It is my belief those crop dusters may have never been intended for people, but possibly could be used on agriculture. The threat is real. We know the former USSR had worked to try and simply weaponize many agriculture diseases, including foot and mouth disease and glanders and wheat rust, just to name a few. In many instances, these stockpiles still remain in loosely guarded facilities. That is what the non-limiter program is all about, and we don't know whose hands some of it may have ended up in.

We traveled to Ordzhonikidze in Russia to take a look. That was one of the centers where if you looked at what they were making, it gave a real true picture, I think, of what President Ronald Reagan said in terms of the evil empire in terms of what they were making in terms of stockpiles. By the way, you didn't open up any refrigerator doors and take a good look or take a breath. Then they invited you for lunch, which made you think a little bit.

I sit here today as Chairman of the Senate Intelligence Committee, and I can tell you that while we have no details of a specific threat against the food and agriculture sectors, as my colleague who sits in and is a valued member of that committee knows, but an attack is certainly possible, if not

probable. It is so easy to do. In many instances, in the case of foot and mouth disease, it takes little, if any, scientific training. You just put a handkerchief under a diseased animal in Afghanistan, put it in a zip-lock bag, put it in your suitcase, come to the United States and drop it in any one of our feed lots, and we are in a lot of trouble.

[Telephone interruption.]

The Chairman. That is the Kansas State fight song, in case anybody missed that.

Senator Roberts. Actually, I tried to put the Marine Corps hymn on there, but I haven't got it done yet. And my wife is not going to be pleased that I just cut her off. She is, in fact, the speaker of my house.

I am pleased since 9-11 we have made major strides in this area. We have created new diagnostic networks. We have increased research. Most importantly, our intelligence agencies and also our relevant food and agriculture agencies are talking to each other and sharing information. We have come a long way.

A terrorist attack on the ag sector, as you know, Mr. Chairman, need not be large in scale to have a devastating impact on our markets. Simply put, we cannot allow that to happen, and that is why I thank you again for holding this hearing today. So thank you and I look forward to the testimony of our witnesses.

The Chairman. Thank you, Senator. We are now joined by Senator Dayton.

Senator Dayton, do you have any opening comments you wish to make?

Senator Dayton. I wish I could slim down the way this table did. Other than that, no, but you fooled me.

The Chairman. Thank you. We are glad you are here.

Our first panel this morning consists of the following individuals: The Honorable Charles Conner, Deputy Secretary of the United States Department of Agriculture.

Chuck, I am glad we got you confirmed because you have been a busy guy and you have spent a lot of time over here with us, which we appreciate and we are glad to have your expertise and your knowledge here this morning.

Maureen McCarthy, Director, Office of Research and Development from the Department of Homeland Security. Dr. McCarthy, welcome.

Mr. John Lewis, Deputy Assistant Director, Counterterrorism Division of the Federal Bureau of Investigation. Mr. Lewis, welcome.

Dr. Robert Brackett, Director, Center for Food Safety and Applied Nutrition from the Food and Drug Administration. Dr. Brackett, we certainly welcome you here this morning.

We will certainly insert your full statement in the record, but we will turn to each of you now. We will start with Chuck and move down this way. Any opening comments you wish to make, we look forward to hearing from you.

Chuck.

STATEMENT OF CHARLES CONNER, DEPUTY SECRETARY, U.S. DEPARTMENT
OF AGRICULTURE, WASHINGTON, DC

Mr. Conner. Mr. Chairman, thank you for this opportunity to be here today. I appreciate the invitation and the opportunity to represent the Department of Agriculture on this very timely hearing.

Today, the committee raises an important issue, food and agricultural security. It is an issue that the U.S. Department of Agriculture considers essential to our mission. We seek to provide leadership on food, agriculture, natural resources, and related issues based on sound public policy, the best available science, and efficient management. In light of the recent global events and the growing focus on the security of our food and agricultural systems, we appreciate the opportunity to provide you with an update on USDA's homeland security-related efforts.

I have summarized at your request, Mr. Chairman, my testimony to 5 minutes, but I would ask unanimous consent that my entire testimony be included in the record.

The Chairman. Without objection.

Mr. Conner. This year, agriculture exports, as you know, are projected to reach approximately \$59 billion, thereby making 2005 the third largest export sales year in our history. Our nation's food system contributes almost \$1.24 trillion or over 12 percent to our gross domestic product, and it employs approximately 17 to 18 percent of our entire workforce, as you have noted, Mr. Chairman. With such a large stake in our nation's economy, agriculture and the security of our agricultural sector is our No. 1 concern.

As a department, we face many challenges in protecting this important infrastructure. The food and agriculture sector is particularly vulnerable to threats because agribusiness is not constrained by political boundaries and, as we all know, diseases and pathogens do not acknowledge State or national borders. The collective nature of the global food system is our strength, but it is also a disadvantage in the event of an attack or natural disease outbreak. Additionally, one of the agricultural sector's greatest contributions to the quality of life is the fact that our products flow quickly and easily via interstate commerce. Contaminated products, whether

intentionally contaminated or unintentionally contaminated, could spread a pest, disease, or other agent very quickly and have a devastating effect on our economy.

Since September 11, 2001, USDA has made great progress to focus and expand our mission to include security for the first time. What has not changed is our conviction that the threat to agriculture is very real. We believe that the department is playing a critical role in protecting the nation's food supply. Chairman Chambliss, our intention is to be proactive in maintaining a safe food supply and excellent detection mechanisms for animal and plant diseases and to be on the forefront of research and development to identify, contain, and eradicate animal and plant threats before they are able to have a major impact on our agricultural systems or our nation's economy.

USDA remains committed to sustaining the strong relationships we have established with our partners on the Federal level as well as with the State and local governments. Our work with the Department of Homeland Security, the Department of Health and Human Services, and other agencies is absolutely paramount. Additionally, we have taken broad measures to educate producers, processors, and consumers on the importance of identifying and preventing security threats. We realize that protecting America's food supply is a momentous task, and that is why we value the opportunity to work in partnership with other agencies, governments, including this committee, suppliers and consumers on maintaining a secure food supply.

My submitted testimony will also highlight the advances that the department is making to implement both Homeland Security Presidential Directive 7 as well as 9 from our focus on surveillance and monitoring diseases and outbreaks to response and recovery following an incident. USDA is thoroughly implementing the HSPD directives. We will continue to work closely with other agencies to ensure that we have the safest agriculture and food supply in the world.

The Chairman. I thank you for holding, again, such a timely hearing, and after my colleagues' testimony, I would be happy to respond to questions the committee may have.

[The prepared statement of Mr. Conner can be found in the appendix on page 44.]

The Chairman. Thank you very much, Mr. Conner.

Dr. McCarthy.

STATEMENT OF MAUREEN McCARTHY, PH.D., DIRECTOR, OFFICE OF
RESEARCH AND DEVELOPMENT, DEPARTMENT OF HOMELAND SECURITY,
WASHINGTON, DC

Ms. McCarthy. Good morning, Chairman Chambliss, Senator Harkin, and distinguished members of the committee. I am very pleased to appear before you today to discuss the progress the Science and Technology Directorate of the Department of Homeland Security is making in close cooperation with our other agency partners to increase the Nation's ability to prevent, protect, against, and respond to acts of bioterrorism against our agriculture and food supply.

Last week, Secretary Chertoff announced a six-point agenda to enhance the department's ability to manage risks, prioritize policy, share information, and conduct operations with a strong focus on preparedness. We must accomplish our mission with a continued sense of urgency. Our enemies constantly change and adapt. So we as a department must be nimble and decisive. We are adopting a risk management approach which integrates threats, vulnerabilities, and consequences to prioritize our actions and assess our performance.

A major initiative of the department is the integration of activities that increase the Nation's preparedness against present and future threats. Protecting the Nation's agriculture and food supply is a critical element of these efforts. Our work must be guided by the understanding that effective security is built upon a network of systems that spans all levels of government and the private sector. DHS does not own or control all of these systems. We must set a clear national strategy and design an architecture in which separate roles and responsibilities for security are fully integrated amongst the public and private stakeholders.

We must draw on the strength of our considerable network of assets, functioning as seamlessly as possible with other Federal agencies, State and local leadership, law enforcement, emergency management personnel, first responders, the private sector, our international partners, and the general public. Building effective partnerships must be at the core of every mission of the department.

The Science and Technology Directorate is responsible for a broad range of agrodefense, research, development, test evaluation, and facility operations. These include accelerating the development of new veterinary countermeasures, establishing new university centers of excellence for agriculture and food security, and developing in close coordination with USDA a plan to provide facilities for farm animal disease and zoonotic defense, diagnostics, forensics, training, and countermeasure develop.

The S and T Directorate in partnership with USDA has developed a joint strategy and program for farm animal disease

defense with an initial focus and emphasis on the development of veterinary countermeasures for foot and mouth disease. Within this strategy, ARS from USDA leads the basic research and early development of diagnostics, vaccines and immunomodulators. Promising countermeasure candidates are then transferred to DHS for targeted advance development in cooperation with industry. The overall goal of this work is to expedite the transition of new validated diagnostic tools to the national animal health laboratory network and new vaccines and immunomodulators to the national veterinary stockpile.

A significant achievement of our agricultural security preparedness program was the establishment of two new university homeland security centers of excellence. Through these homeland security centers and their extensive networks, we are engaging both the research and education capabilities of the Nation's academic community to protect our agricultural security and food infrastructure.

The Plum Island Animal Disease Center is a unique and critical facility for the Nation's foreign animal disease defense. To facilitate overall coordination of the programs and operations of Plum Island, a board of directors has been established which is chaired by DHS and has the administrators of both ARS and APHIS as members. In 2004, Plum Island celebrates its fiftieth anniversary. The facility is now well beyond its originally planned life span and is in need of recapitalization. This year, we are conducting a conceptual design study for the next generation of a biological and agro facility. This process involving gathering requirements and developing options for the state-of-the-art facility that will support the Nation's critical mission to protect our agriculture infrastructure well into the twenty-first century. The study is being done in collaboration with USDA and HHS.

The Secretary is committed to enhancing our preparedness and protecting the critical agriculture infrastructure. This is a high-priority mission for the department and one we conduct in strategic partnerships with our colleagues from USDA, other government agencies, and the private sector.

This concludes my prepared statement, and with the committee's permission, I request my formal statement be submitted to the record. Mr. Chairman, and all the members of the committee, I thank you for the opportunity to appear before you and would be happy to take any of the questions you may have.

[The prepared statement of Ms. McCarthy can be found in the appendix on page 58.]

The Chairman. Thank you, Dr. McCarthy. Your statement will be put into the record.

We now turn to Mr. Lewis.

STATEMENT OF JOHN E. LEWIS, DEPUTY ASSISTANT DIRECTOR,
COUNTERTERRORISM DIVISION, FEDERAL BUREAU OF INVESTIGATION,
WASHINGTON, DC

Mr. Lewis. Good morning, Chairman Chambliss, Senators. Thank you for the invitation to come today and discuss with you this topic of agroterrorism.

Since the tragedy of 9-11, the FBI has necessarily sharpened its focus on unconventional methods of future terrorist attacks, including a potential for some manner of terrorist event aimed at our food or ag sector, but mainly the previous and much publicized terrorist events including the Oklahoma City bombing, 9-11, Madrid, and now just recently London. We must make it our business not to let these series of events create for us something of a pattern that might preclude the type of proactive activity needed to prevent the next event.

Most people do not equate terrorist attacks on people, public transportation, and buildings with attacks on plants and animals. We understand this threat to be real and we know the impact can be could be devastating. Our gathering here this morning is important. It sheds light on an area of our work that, frankly, is not all that often the leading topic around the terrorism discussion table.

The absence of any direct attack on our food supply does not minimize the possibility that such an event could occur. We know from the body of intelligence collected to date that al Qaeda is aware of our agriculture industry along with other potential targets. To counter this particular terrorism threat, whether from an international or domestic terrorist, we are actively engaged and growing more so with our counterparts, not only across government, but across industry to share information, technology, and resources. Let me touch on some of these areas.

One of the ways we are collaborating is through an entity known as the Agricultural Intelligence Working Group. Members of this group from across the U.S. intelligence community and beyond meet regularly to exchange information and ideas about food security and how best to maximize our combined skills, technology, and resources. The FBI is also a member of the National Bioforensic Analysis Center. This center is one of four components of the National Biodefense Analysis and Countermeasure Center. We are working with multiple Federal partners in the area of case attribution, that is identifying and exploiting any signatures or characteristics of a

biological agent.

The second group identified is a scientific working group on microbioforensics led by our laboratory division down in Quantico. It is engaged, again, with our Federal partners in multiple areas of research, the results of which all can be used 1 day to improve the tool set we rely upon to carry out our counterterrorism mission.

In addition to partnerships that begin here inside the beltway, we are expanding our partnerships to include those in industry. We are reaching out to farmers, cattle ranchers, food producers, and distributors, among others. In the Counterterrorism Division here at FBI headquarters, we are directing the formation of a program called Agri-Guard as well as the formation of agroterrorism working groups nationwide. The Agri-Guard program will be modelled after our existing Infraguard initiative. The Infraguard initiative was started back in 1996 and today serves as a virtual and secure link with a vetting national membership of approximately 12,000 representatives of companies throughout the U.S., representing not only the computer industry for which this was started, but beyond.

Using the Infraguard technology backbone, we are moving forward today to create this very same informational exchange within the food and ag sector. We have the money and resources now dedicated to this task, and we are working with our Federal partners to maximize the degree of coordination that both the States and industry expect from us.

Beyond this initiative, just in the past several year weeks, I communicated with our 56 field offices and directed each to establish formal agroterrorism working groups within their respective territories. This directive will lead to a more formal and recurring meeting of key figures from the food and ag sector in each of the 56 field office territories. Although some of this is already in place in certain areas of the United States, my intention is to strengthen and to a degree standardize our partnerships across the country. We are working with our Federal partners and looking forward to recognizable progress in this area by bringing together on a regular basis for the purposes of prevention, awareness, intelligence, investigative response, and crisis management, State-level groups whose membership will include the State Secretary of Agriculture , for instance, the State's chief veterinarian, leading law enforcement figures, public health officials, and pertinent representatives of the food and ag sector.

If I may depart just for a moment, I can tell you that from the State of Georgia as well as from your State, Senator

Roberts, we have outstanding participation from across the food and ag sector, and, frankly, we could use those as models to push out to the rest of the country for how to bring these groups together.

On another front, the FBI has partnered with DHS, USDA, FDA, and private industry to conduct site surveys of specific and significant food and ag sites throughout the United States. I call this program the Strategic Partnership Program. The aim of this initiative conducted closely with our industry counterparts is to bring together subject matter experts whose analysis of a specific site can lead to the identification of potential vulnerabilities that could represent the opening a terrorist might exploit to plan for and carry out some sort of attack. This project is also intended to educate and raise a level of awareness of area law enforcement, lead to the development of intelligence collection strategies around these sites and/or vulnerabilities, and to facilitate discussions and planning to develop mitigation strategies for early detection, deterrence, disruption, interdiction, and prevention. The sites will include the entire production cycle from farm to fork.

Finally, the FBI today operates 105 joint terrorism task forces geographically dispersed throughout the United States. As you probably know, each of these are comprised of municipal, county, State, and Federal law enforcement personnel. These JTTFs are the focal point for counterterrorism efforts here in the United States and respond to all manner of threats.

The JTTFs in each field office are aided by highly trained WMD coordinators, weapons of mass destruction coordinators. Each of these WMD coordinators maintain their own liaison network within law enforcement and public safety personnel and in their respective territories, and it is through this network that all manner of information passes. The WMD coordinators are, in turn, closely connected to our headquarters-based WMD domestic terrorism section where substantive multi-discipline scientific guidance and expertise is available 24-7. If we don't have the scientific guidance resident at FBI Headquarters, our WMD team maintains an excellent array of partnerships across the community, including those folks seated here today that we can get answers from.

We also operate the hazardous materials response unit and 27 strategically located hazardous materials response teams throughout the United States. These response capabilities significantly enhance our ability to collect samples and effectively support threat assessments when needed.

Farmers, ranchers, food distributors and producers are as much a first line of defense as our efforts need to be. If a rancher sees unusual symptoms of illness in a herd, if a food

distributor notes suspicious activity in one of their distribution centers, we must be able to rely upon rapid and effective coordination so that all of us, including those here at the table who may be potentially involved, have the head start we need. All of us here are working to improve that.

Our goal is to impress upon those in the food and ag sector, and, frankly, those of us who need to work closely with them, of the need for increased cooperation, increased awareness, and the recognition that given the prevailing threat conditions, we need to chart in a more collaborative course. We have been met with excellent cooperation from all areas of the food and ag sector where we have been recently. I am very optimistic that as we work here to improve our own positions, the food and ag sector is ready, willing, and able to fully cooperate with us and where needed improve theirs.

Thank you, sir. I would be happy to respond to any questions when they come.

[The prepared statement of Mr. Lewis can be found in the appendix on page 67.]

The Chairman. Thank you, Mr. Lewis.

STATEMENT OF ROBERT BRACKETT, Ph.D, DIRECTOR, CENTER FOR FOOD SAFETY AND APPLIED NUTRITION, FOOD AND DRUG ADMINISTRATION, COLLEGE PARK, MARYLAND

Dr. Brackett. Good morning, Chairman Chambliss and members of the committee. I am pleased to be here today with my colleagues from the United States Department of Agriculture, the Department of Homeland Security, and the Federal Bureau of Investigation. FDA appreciates the opportunity to discuss our food counterterrorism activities.

A great deal has been done in the last few years to enhance the safety of our food supply. FDA has worked with food safety agencies as well as law enforcement, intelligence gathering agencies, and the private industry to significantly strengthen the Nation's food safety system across the entire distribution chain from farm to table to better protect our food supply against deliberate and accidental threats. This cooperation has resulted in greater awareness of vulnerabilities, the creation of more effective production programs, new surveillance systems, and faster outbreak response capabilities.

FDA is the Federal agency that regulates everything we eat except meat, poultry, and processed egg products, which are regulated by our partners at USDA. FDA's responsibility often extends to live food animals and animal feed, and FDA is also responsible for ensuring that human drugs, human biological products, medical devices, and radiological products, as well

as veterinary drugs are safe and effective and that cosmetics are safe.

In our food safety and defense efforts, FDA has many partners: Federal, State, local agencies, academia and industry. We are working closely with our Federal partners such as USDA, DHS, Homeland Security, Counsel to the White House, Department of State, the Central Intelligence Agency, and the FBI, but I want to especially emphasize our close working relationship with our sister public health agency, CDC, Customs and Border Protection at DHS, and USDA's Food Safety Inspection Service. FDA is working closely with DHS and other Federal agencies to implement the President's Homeland Security Presidential Directives, HSPDs. The President has issued HSPD-7,-8, and-9 which identify critical infrastructures, improve response planning, and establish a national policy to defend the agriculture and food systems against terrorist attacks, major disasters, and other emergencies.

The HHS and USDA Secretaries or their designees exercise key responsibilities as sector-specific agencies. DHS serves as the coordinator of the food and agricultural sector with HHS and USDA as co-leads for the food sector, and the USDA is the lead for the agriculture sector. This collaborative effort combines expertise from several Federal agencies as well as that of State and local officials and the private sector.

Over the last past 3 years, FDA has been busy implementing the Public Health Security and Bioterrorism Preparedness and Protection Act of 2002. The Bioterrorism Act provided the Secretary of Health and Human Services with significant new authorities to protect the Nation's food supply against the threat of intentional contamination and other food-related emergencies. These authorities improve our ability to act quickly in responding to a threatened or actual terrorist attack as well as well as other food-related emergencies.

I would like to mention just a few of the provisions of the Bioterrorism Act. Section 305 of the Bioterrorism Act requires registration of foreign and domestic food facilities that manufacture, process, pack, or hold food for consumption by humans or animals in the U.S. Thanks to this provision, FDA for the first time has a roster of foreign and domestic food facilities that provide food for American consumers. In the event of an emergency, the registration information will help FDA quickly identify, locate, and notify the facilities that may be affected.

Section 307 requires the submission to FDA of prior notice of food, including animal feed, that is offered for import into the United States. This advance information enables FDA, working closely with CBP, to more effectively target

inspections at the border to ensure the safety of imported foods before they move into the U.S.

Section 306 authorizes FDA to access certain records when the agency has a reasonable belief that an article of food is adulterated and presents a threat of serious adverse health consequences or death to humans or animals. This enhances FDA's ability to track and contain foods that pose a threat to American consumers from accidental or deliberate contamination of food.

I would like also like to briefly mention a few of our other programs. FDA has issued guidance on the security measures the food industry may take to minimize the risk of food that would be subject to tampering or other malicious criminal or terrorist activities or actions. To increase laboratory surge capacity, FDA has worked in close collaboration with the Food Safety Inspection Service to establish the food emergency response network to include a substantial number of laboratories capable of analyzing food for agents of concern. To enhance coverage of imported food shipments, FDA has expanded FDA's presence at ports of entry, increased surveillance of imported food, increased domestic inspection, and enhanced our laboratory analysis capacity. We have conducted extensive scientific vulnerability assessments of different categories of foods, determining the most serious risks of intentional contamination with different biological and chemical agents during the various stages of food production and distribution.

FDA has established an Office of Crisis Management to coordinate the preparedness and emergency response activities within FDA and with our Federal, State, and local counterparts. We have embarked on an ambitious research agenda throughout FDA to address potential terrorist threats.

In conclusion, due to the enhancements being made by FDA and other agencies and due to the close coordination between the Federal food safety, public health, law enforcement, and intelligence-gathering agencies, the United States food supply and the defense system is stronger than ever before; however, we are continuously working to improve our ability to prevent, detect, and respond to terrorist threats.

Thank you for this opportunity to discuss FDA's counterterrorism activities to protect the food supply. I would be happy to respond to any of your questions.

[The prepared statement of Mr. Brackett can be found in the appendix on page 71.]

The Chairman. Thanks to each of you for those opening comments.

The Government Accounting Office released a report in March

reviewing efforts to protect agriculture from terrorist attacks. While the report acknowledges the efforts and progress currently underway at USDA and DHS, it cites certain shortcomings that need to be addressed. Can each witness address what your respective agencies are doing to address the conclusions and recommendations in the GAO report, what corrective actions are being taken in regard to the conclusions of the report?

Dr. McCarthy, I am particularly concerned about the dramatic drop in the number of agriculture inspections following the transfer of inspectors from APHIS to DHS. Has DHS determined the reason or reasons for the decline in inspections, and what is being done to correct the problem?

Mr. Conner, the report also notes the inability of the national veterinary stock pile to respond to a threat like foot and mouth disease within 24 hours. What are the limits to the development of the stockpile and what is needed to address animal disease issues to ensure an outbreak does not spread across a large geographic area and cause catastrophic economic loss?

Ms. McCarthy. Thank you, sir, and we will certainly give you a more detailed description of the corrective action plans to the response to GAO for the record, because I would like to get those facts straight for you, and we have taken that report very seriously and have many actions that are undergoing across the department to respond to that.

In particular on your question of inspections, and I will get back, again, the more specific details for you on the record, the approach that the Department of Homeland Security is taking on the inspections, though, is a risk-based approach. So we have increased the inspections on what we consider to be high-risk cargo coming into the country, and that has resulted in potentially less inspections on what we consider to be lower risk things coming into the country. The specifics on the number of inspections that are done at any place, I will certainly get back to you on the record, but I can tell you that the department as a whole has taken the issue of risk management at its core for everything that we do, and that is part of what is driving the changes in the inspection protocols at the borders.

Thank you.

Mr. Conner. Mr. Chairman, we take the report and the recommendations of the GAO very, very seriously. I think one of the issues they identified for the Department of Agriculture was our stockpile of vaccines, and the issue that we have there is that the department acknowledges that we do not have large stockpiles of the user-ready vaccines, particularly for issues

like foot and mouth disease. What we do have, though, are significant stockpiles of the products that are necessary to develop the particular vaccines that will be used in the event that we would have an outbreak.

I believe, Mr. Chairman, that the department is confident that we have contracts with manufacturers where in the event that we have a particular strain of hoof and mouth disease outbreak in a particular region, we are prepared to analyze that strain very, very quickly and determine the precise vaccine that would be necessary to manufacture that vaccine. We believe our contract specifies that within two or 3 days, you know, we have the ability then to receive the production of the vaccine tailored to that particular event, which can vary. Not all vaccines are applicable to every particular outbreak, and so we have the parent material. We have the contracts in place for the production of the vaccine that become necessary, but then let me also stress that the vaccine part of the control of this outbreak is an important aspect, but it is not the only aspect, and obviously the department continues to rely upon our traditional methods of quarantine and depopulation as the first line of defense in the event that we have a particular outbreak, be it hoof and mouth disease or some other incident.

The Chairman. Mr. Lewis, Dr. Brackett, do you have a comment on the GAO report?

Mr. Lewis. Mine is going to be very brief, sir. I am not familiar with this report, but I am going to get a hold of it, and if there is any corrective action required at DOJ or FBI, I will certainly get back to you on that and do so promptly.

The Chairman. Thank you.

Mr. Brackett. Mr. Chairman, although the report dealt primarily with agriculture issues, we looked very closely to find out what parts that we can take lessons from. Several things, one of which is that we do participate on the steering committee on the national veterinary stockpile and although it is primarily being concerned with biologics and vaccines at this time, our Center for Veterinary Medicine, which has oversight over drugs and devices that might be used with animal diseases, is looking to see how that might fit in the future.

Also an important part has to do with communicating what we have learned from the many exercises that we have done over the years, including such things as Top-Off-3, and we are in the process of writing up our lessons learned and contributing that to the DHS web site so that the other agencies can see what our perspective has been on that particular issue.

The Chairman. OK. Dr. McCarthy, you made mention of the work at Plum Island, which I think we would all agree with you are very much outdated, particularly with respect to the new

types of potential biological agents that we need to make sure that we protect our food system from.

Mr. Conner, I will have to tell you there is some apprehension. I have a feeling that Senator Dayton is going to ask you about why we were not able to determine the BSE issue more quickly than we were able to in recent weeks or, actually, recent months, and I am a little bit concerned about the fact that since September 11th, we have spent billions and billions of dollars on the issue of homeland security, but yet we don't have a lab in the United States of America that is capable of making an instantaneous decision on BSE, which is a fairly common disease in livestock. So I am a little bit concerned about where we are going relative to updating Plum Island, building a new lab, or whatever the answer may be to this issue.

And I would appreciate it, Dr. McCarthy, you and Mr. Conner, addressing that a little more in detail.

Mr. Conner. Well, Mr. Chairman, I will go first. On the issue of Plum Island, I will defer to Dr. McCarthy on that, but I will just simply note that since the transfer of that facility from APHIS over to the Department of Homeland Security in 2003, we have had excellent cooperation with DHS on this. They consult with us. We still have mission areas occurring within the Plum Island facility and the relationship and working together has been a great, and I will let her more specifically address future plans they may have for Plum Island.

On the issue of anticipating Senator Dayton's concern, Mr. Chairman, I will just say the decision to go to Waybridge for the verification, the tests that were completed there, I believe we have the facilities within our laboratory system in this country to conduct the same tests that were conducted in Waybridge, England. In terms of a final call, if you will, in this situation where just for review of the committee, we did have the IHC test, which was negative, and the Western Bott test on the same animal showing positive some months later. We felt in this particular case given the experience that Waybridge has had in this issue because of all of the BSE situations in Europe and in England, which are many times the magnitude of the problems that we have seen here in North America, that we felt it would be best for them to be sort of the referee in the case of this situation where we had two conflicting results.

But I don't believe there was actually any testing done by Waybridge that could not have been conducted in the U.S. if we would have chosen that option, but we felt it was best to go to the one institution that has probably had more experience with

this than any place else, and I am thankful that our institutions here do not have a lot of experience in this situation as Waybridge has had.

The Chairman. HSPD-9 established national policy to protect against terrorist attacks on agriculture and food systems. Specifically, the directive calls for both FDA and USDA to develop vulnerability assessments for agriculture and food sectors. What is the status of these respective assessments and how are the conclusions reached in them helping your agencies develop technology intervention and countermeasures to potential threats? Mr. Conner? Dr. McCarthy?

Ms. McCarthy. Thank you, Mr. Chairman. I will touch on the response to HSPD-9 in the context of the previous question on Plum Island as well, because one of the recommendations out of HSPD-9 was to assess the Nation's facility capability to respond to not only our current agricultural mission responsibility, but what we may see as future emerging needs, particularly with agroterrorism.

We at the Department of Homeland Security in close partnership with USDA have taken the issue of ensuring that the Nation maintains the critical national assets that it has in order to be able to be responsive to both the research, the diagnostics, and the operations that are necessary to protect the agriculture of this country. As a result of the studies that we have undertaken in the past and the assessment that we have undergone with state of the facility at Plum Island, we have underway right now internally a study that will conduct--a feasibility study that will be conducted to assess the requirements the Nation has for agriculture security and in particular the merging of those requirements from agricultural protection and into zoonotic diseases.

We are working right now, we are working with the conceptual study, gathering the requirements in partnership not only with USDA, but also with our colleagues from HHS to determine what is needed in this nation in order ensure that we have that base for the future, the next 50 years. Plum Island has served us well, don't get me wrong, but the facility itself is not really what this is about. It is understanding the capability the Nation needs.

In that respect, we have taken the recommendations of HSPD-9 very seriously and have worked on that particular one in very close partnership with our colleagues from USDA and HHS. We were also tasked in HSPD-9 to reach out to the academic community, and to that end, we have created two university centers of excellence focused on agricultural security. The National Center for Foreign Animal Disease and Zoonotic Defense is led by Texas A & M and is very engaged with our work on

developing agricultural countermeasures for not only foot and mouth disease, but Rift Valley Fever, avian influenza, and brucellosis.

We also created the National Center for Food Protection and Defense which is led by the University of Minnesota, and they are very engaged in assessing the vulnerabilities of our food supply and developing mechanisms for modeling and also understanding protection of the nodes in our food supply. We have been engaged extensively with USDA in our joint research and development strategy to enhance the ability of the research community to respond to the emerging needs that we have in agricultural terrorism.

Thank you.

Mr. Conner. Mr. Chairman, I think I would just echo what my colleague has said, but to put a fine point on it from the Department of Agriculture's standpoint, I am advised we have completed seven assessments through our Food Safety and Inspection Service. I believe four assessments have been completed by APHIS, and I think we are working cooperatively on some others with FDA, obviously for the purpose of then sharing the results of these assessments across not only mission areas within USDA, but the various agencies that are involved in this.

The Chairman. Senator Thomas and to my colleagues, with just three of us here, we will be a little liberal with the 5-minute rules, unless somebody has a time crunch.

So Senator Thomas.

Senator Thomas. Thank you, Mr. Chairman.

I guess I have not been involved in this as closely as many have, but we have always had drug inspections to make sure that they are safe. We have had food inspections always. We have always checked things that are imported. Foot and mouth disease is not anything that is new. So I guess I am saying what are the most vulnerable areas? What is new? What are you doing differently? This is on bioterrorism. It has been awfully general, as you said, things that we have been doing forever. What are the highest priorities now that are different than what you did five to 10 years ago?

Mr. Conner. Well, I will start out.

Senator Thomas. You have reacted a little bit to what is being done differently because apparently we are in a different time, but you said a lot of it is not new.

Mr. Conner. Well, I will start and then turn it over to my colleagues, Senator Thomas. I will speak only from the Department of Agriculture's perspective. What we are doing at the Department of Agriculture is, indeed, new. It is not a same ole-same ole that has been dressed up in now a homeland

security package, if you will. The work that we are putting into these assessments, particularly working with the private sector in terms of making these assessments and providing recommendations on how they can help us in protecting the safety of the food supply, I mean the government is not----

Senator Thomas. You have been doing that for years.

Mr. Conner. Well, we have been involved in the safety of food in terms of inspection for pathogens, those kinds of situations. What we haven't been involved in is assessing the vulnerabilities of these particular institutions involved in food production, and I can give you a couple of props here, Mr. Thomas, just in terms of activities that would not have been part of anything the Department of Agriculture was doing before.

For example, we have recently published, and I believe shared through the American Trucking Association, guides to security practices for transporting agricultural and food commodities. This is not about safety in the traditional sense of is there e. coli on the meat or something like that. This is about making sure that once those products are put on your truck, that there is no chance of someone or something somehow contaminating those products. This was not done before. This was not a traditional role of the Department of Agriculture.

Through our web site, we have done a number of things. I just brought, again as a prop, brochure, the Threat to the American Livestock Industry that we are publishing. That, again, is not about the traditional methods of contamination, but about how you can make sure that the product that you are sending from farm to table is secure and that there is not an opportunity for those kinds of contaminations, be it intentional but possibly unintentional as well. That type of communication out to the local level has just not been a traditional role of the Department of Agriculture as well.

So certainly, yes, we have always had communication with local people, but it has not been focused upon these threat matrixes as we now have, and this is all new activity for us. I point to the amount of money that has been spent at Ames, Iowa in that facility for upgrading so that we are on the cutting edge in terms of rapid detections of these. I point to the networking that we have among all of our laboratories to share information so that if something is detected in Ames, Iowa, that almost instantaneously a laboratory in North Carolina is aware of that so that they know what to be looking for. All of that kind of instantaneous type of communication and coordination was not present before. So it is new from our standpoint.

Ms. McCarthy. Sir, I think you make a very good point,

which is the fact that we are leveraging off of a huge base that this country has invested in for many, many years to protect the agriculture of the Nation, no question about it. I think what has happened in particular from the Department of Homeland Security's perspective, is we come with the sense of urgency of what must be done faster, what things must be accelerated and why.

In particular, let me touch on one point, and that is the issue of understanding the difference between a potential natural outbreak and an intentional introduction, for instance the possible intentional introduction of foot and mouth disease into this country. If it is intentionally introduced in multiple places around the country, the potential economic impact could be much greater. Our responses could be overwhelmed much more quickly. So we need to be able to understand whether or not there are different types of responses. We need to be able to apply our tools in ways that haven't been done before because of the sense of urgency.

It is also the matter that it may hop over borders. So the fact that we have FMD-free borders surrounding us may be not the paradigm we are working with now. If the material can, indeed, be put in a plastic bag and carried over from a foreign country and introduced, then our protection strategies may not be as robust.

So we come with a sense of urgency. We come with the notion that we need to accelerate alternative response mechanisms. We also come with the notion that we merge in intelligence, and that is new. We hadn't been in that business in the agricultural business quite as much, and we work very closely now with our partners particularly in the law enforcement community.

We have established for the first time an agricultural forensics capability. That is different from just diagnostics. That is the ability to do forensics in such a way that our law enforcement colleagues could use that information in a court of a law in a prosecution so that we could actually understand quickly who possibly perpetrated an event if it was intentional. That is an additional set of capabilities that we have brought to bear since the sense of urgency came into place with agroterrorism.

Thank you.

Mr. Conner. Senator Thomas, if I could just add one additional comment to my earlier statement as well, I was reminded that we have worked with FSIS-regulated industries to develop model food security plans for those individual plants, and I believe as of early May of this year, our Agricultural Marketing Service agency that is involved in the substantial

procurement of those commodities for various uses within the Department of Agriculture is only procuring commodities from those plants that actually have the security plans in place. Again that is a relatively recent change for us.

Senator Thomas. Thank you. I guess we need to make it a little more clear to everyone that if this is a different situation, we need to be doing something a little unique and a little different than we have been doing in the past and not simply talk about doing the investigation of drugs and food and everything we have always done. That doesn't seem to show that need for change.

I appreciate it. Thank you.

The Chairman. Senator Roberts.

Senator Roberts. Thank you, Mr. Chairman.

My first question is to Chuck. Chuck, welcome home.

Mr. Conner. Thank you, sir. Thank you.

Senator Roberts. It is good to see you and we appreciate you here for the first time since your confirmation and your swearing in. My first question to you is who is in charge of the food security policy down at the department? I know that Mr. Stump is the head of your homeland security activities at the staff level. Jim Moseley has gone off to Afghanistan and is doing good work over there. I know Secretary Johanns is very interested in this. Is it you? Who is the lead dog?

Mr. Conner. I will just tell you that the Secretary of Agriculture is closely involved in this effort, Senator Roberts, and I think that that is reflected in the time that he took to go to Kansas City this past May for the International Symposium on Agroterrorism. He was out there with you participating in that, and the Secretary is certainly in charge of this. We have an important team where I play a role in that as well, Jeremy Stump, and we have----

Senator Roberts. So you are sort of a troika?

Mr. Conner. Well, it is a big task, Senator Roberts.

Senator Roberts. OK. Are you, the Secretary, and others receiving intelligence briefings that you need, and if so, how often do you receive these briefings?

Mr. Conner. I believe we are. I think the briefings are available to us weekly, and if we need more than that, that is available as well. So I certainly have no complaints at this point.

Senator Roberts. Dr. McCarthy, your testimony today mentioned several of the divisions within the Department of Homeland Security that are involved with food and agricultural security. I am going to ask you the same question. Who is the head of the policy over there at DHS? Is it the Secretary? Deputy Secretary? Under Secretary You? Who do we talk to?

Ms. McCarthy. Yes, sir. Well, as you may have noticed in the Secretary's plan for reorganization, he has culled out specifically a policy office, which he is in the process of establishing right now. The Secretary, though, I can tell you personally takes the issue of agricultural security very seriously, and that is one of the major sectors of protection that we have deemed as a high-priority sector that needs to be protected.

Our information analysis, currently our information analysis an infrastructure protection division of the department is responsible for coordinating the agricultural security interface that we have with the public and private sectors through the government and sector coordinating councils. They coordinate all the dialog that we have. We in the Science and Technology Directorate support them and support the Secretary through our ability to do research and development and through our operations of the facilities, and obviously in the border protection, the inspection work is done in the borders, but we work very closely with our colleagues in NIAIP because they have the lead in communicating and coordinating the activities, not only inside of the Government, but with the public and private sectors.

Senator Roberts. I don't want to call an acronym. I want to call somebody. Is that you?

Ms. McCarthy. Sir, you would have to call--I would recommend you call the Secretary of Homeland Security.

Senator Roberts. He is a pretty busy fellow.

Back in 2002, I joined an exercise held by the department called Crimson Sky. That was sort of a misnomer because it followed the experience of Great Britain in regards to their problems with their livestock herds. They used that method in regards in incinerating the animals, which is probably the worst thing you could have done, as we found out.

There wasn't anybody else in town, so I played the role of President in this exercise, and it simulated the intentional introduction of foot and mouth disease in five different locations. By the way, the person who did that was from Iraq, at least in the exercise. The impact was incredible. In 6 days, if you do not detect the disease, that is when this or the effects of the disease first become obvious, and then it is too late. All of our exports stop. People in the cities discovered that their food doesn't come from grocery stores, and panic set in. The markets went crazy.

Basically, we had States calling out the National Guard. That is when we had the National Guard in the States, not over in Iraq and in Afghanistan and everywhere else, setting up all sorts of border situations so livestock in Texas couldn't go to

Oklahoma; Oklahoma couldn't go to Kansas; Kansas couldn't go to Nebraska; etc., etc. It got pretty rough except everybody finally realized that all of the States were involved and we had to do something.

As President, I stopped the movement of all livestock. The Secretary of Commerce said you couldn't do that. So I fired him, and it felt very good. But it was absolute chaos and not only for 1 year and not only for livestock, but every crop. So if you talk about a real problem, that was a real problem.

So, Chuck, can you tell me are you still conducting these kind of exercises? You probably don't want to have me play President, but at any rate, are we doing the exercises that we need to do in conjunction with your compatriots up there on the panel, and has that impacted the way you do business?

Mr. Conner. President Roberts----

Senator Roberts. No. That is Brownback. That is not me. Go ahead.

Mr. Conner. First of all, we did appreciate the role that you played in that. I think that was a very important simulation for us and we learned a great deal from that. I would just harken back to some of the experiences and, again, what we learned from that just in terms of the importance of quarantine and the role that that plays in an event like this, and I think others mentioned earlier the GAO report, this focus upon the vaccines. I think one of the problems you have with relying upon the vaccines to control situations like this is the fact that it does not do much for you in terms of international.

Senator Roberts. We had to terminate almost every herd in America. I mean that was the end result. It was an incredible experience when you really finally got down to the final answer to stop what was going on. We had to call out the National Guard and call out the military. Quite frankly, we ran out of ammunition. It was a mess, and then you had PETA on television, and I can't describe the utter chaos that happened.

Mr. Conner. I was there, if you recall, sir.

Senator Roberts. It was something that I had quite not expected all of the ramifications to happen. If we have that, we don't have the vaccines to do that.

Mr. Conner. No.

Senator Roberts. We had to dig ditches miles long out of the water supply to get rid of the animals, and it was just absolutely devastating, which really gets back to the intelligence factor and are we getting enough intelligence.

Your prepared testimony discusses the Food and Agricultural Government Coordinating Council as the Department of Homeland Security, USDA, and HHS, along with Federal, State, and local

officials, and I know that the DHS is the lead agency. How often do you meet?

Ms. McCarthy. Well, sir, there is actually a meeting with the full coordinating council next week.

Senator Roberts. Good.

Ms. McCarthy. And the subgroups meet regularly. There are lots of discussions that go out across the community both internal to the Federal Government and also across into the private sector.

Senator Roberts. Chuck, your prepared testimony talks about rapid test kits, and there is a lot of that in some legislation. I know Senator Cochran has been very interested in this. Can you tell me do we have the rapid test kits? I am talking about livestock here. Have they been distributed to the States? Are they located at the State labs? At the universities? At law enforcement, so on and so forth? Is there training? Where are we with that?

Mr. Conner. Well, I think the rapid test kits are an important part of that, Senator Roberts, and I may need to supplement and get some APHIS people to give you the precise answer just in terms of their development, but let me just say the simulation, Crimson Sky situation that we had, underscored for us the importance of that rapid communication and knowing that if you get a positive hit somewhere in America, that information needs to be out there and distributed to our laboratory network very, very quickly so that we can get those containment measures in place before it does what happened in the simulation and gets too far away from us.

That has been a big part of what we have done with the additional resources that have been given us, is to improve this rapid communication and coordination among our labs so that we know almost instantaneously when something like this happens and then provide the appropriate notification to our colleagues at Homeland Security. FBI has been tasked to work with our I.G. so that they are involved in the event if it is a law enforcement-type issue.

Senator Roberts. That is after he reads the GAO report? Right?

Mr. Conner. That is right.

Senator Roberts. All right. We have heard a lot lately. We even had a vote on the Senate floor regarding the distribution of homeland security funding, high threat versus lower threat areas, city versus rule. That is what it was about.

So, Dr. McCarthy, what priority is given to threats that are related to food and agriculture security when making these designations? Do you weigh in on that?

Ms. McCarthy. Yes, sir, we do, and I can tell you the

risk-based approach that we are taking right now looks at the integration of threats, vulnerabilities, and consequences. We are concentrating heavily, though, on things that we think can have a catastrophic impact to the country, a national scale impact. So threats to the agriculture are things that we take very seriously. Actually, many of those wind up falling in the catastrophic category. Catastrophic doesn't include not only casualties to humans, but it includes potential economic impact or societal disruption.

So right now, the department has embarked on integrating a very solid rigorous risk-based approach to looking at those things that fall into the most catastrophic category, and those are the highest priority items that we are looking at, and there are all elements of the agricultural sector that are very important. Obviously, our big concern with foot and mouth disease reflects that.

Senator Roberts. I am glad to hear that.

On the Intelligence Committee, we are reminded daily in the national press that the al Qaeda is seriously looking at soft targets, and when we do the analyzing, first the collection and then the analyzing, we usually weigh intent and capability in trying to determine where best to focus our counterterrorism resources. Dr. McCarthy, do you believe we have enough information to determine the true threat?

You mentioned the Agriculture Intelligence Working Group. Can you tell me how often that group meets?

Ms. McCarthy. Sir, I would defer to my colleagues from the FBI to answer the issues specifically on intelligence.

Senator Roberts. OK.

Mr. Lewis. It is a once-a-month meeting, sir.

Senator Roberts. All right. I will push for twice.

The last question that I have, and I am very happy that the Chairman has returned, tomorrow the Intelligence Committee is going to hold a confirmation hearing for Vice Admiral Redd to be the first confirmed Director of the National Counterterrorism Center, and this is going to be--already is--the primary entity in the U.S. Government responsible for both the strategic operational planning on counterterrorism and food security. Obviously, this is a very critical issue, as you have all have indicated.

Do you, and you meaning the USDA and FDA, currently have representatives assigned to the National Counterterrorism Center, and if so, are there plans to expand your agency's presence there?

Ms. McCarthy. Sir, yes, we do, and we work very closely with them on a regular basis, and we will more engaged with them, obviously, with the implementation of the WMD commission

reports and the stand-up at DNI.

Senator Roberts. I thank you for your response.

And I have gone on for about 8 minutes, doing a soft shoe while you went to wherever you went, Mr. Chairman.

The Chairman. Would you like a blow by blow?

Senator Roberts. I think that is classified, sir, if you will remember.

The Chairman. Senator Dayton has left us.

Senator Cochran.

Senator Cochran. Mr. Chairman, thank you very much for organizing the hearing. I am here to thank the witnesses for their witness efforts to help us identify the threat that could be posed to our agricultural resources by bioterrorism and to emphasize the importance of research in figuring out ways to better protect the food security of our country.

I compliment all of you for your efforts to work across department jurisdictions and include the private sector as well as public sector agencies in this national effort. We appreciate the work that you are doing and we hope that through this hearing, we will learn more about how we can more helpful in supporting your efforts. If it means passing new authorizing legislation, then I am sure the chairman will call us together and put that challenge before the committee. If we are talking about appropriating funds that are necessary for new research facilities or for the empowerment of universities or other research capabilities in our country to do a better job in this effort, we would like to have the benefit of your advice and counsel in that way as well.

Mr. Chairman, I have some specific questions which I will simply ask that we submit for the record. One thing I will ask, though, and that is about the facilities at Plum Island. I know that the capabilities there are limited, and what is your assessment of this facility in terms of its capacity to meet our national needs in regards to these potential threats?

Ms. McCarthy. Thank you, sir, and we certainly are grateful for all the support that your committees have given us as well. As I stated earlier in my statements, we have assessed, obviously, the Plum Island Animal Disease Center, which is a facility whose lifetime, it has exceeded its useful lifetime as a facility. The Nation needs that critical capability. It needs the ability to have both the research, the diagnostics, the forensics, the training, and all the capabilities we need out 50 years in order to provide the Nation with a base to be responsive to the agricultural missions and the agriculture security mission that we are all in.

We have undertaken this year a feasibility study that will look at the requirements potentially for a new facility,

merging those requirements with the requirements for mission responsibility from the DHS, from our colleagues at USDA, and from our colleagues at HHS, and we are building facility options from that set of requirements. So we take this very seriously and we take it as a national responsibility that the Nation needs to assess what it needs. We need to be able to provide the base that allows us to not only do the missions that we have done historically for the last 50 years, but also the missions that we have into the future.

Thank you.

Senator Cochran. Thank you, Mr. Chairman.

The Chairman. Senator Salazar.

STATEMENT OF HON. KEN SALAZAR, A U.S. SENATOR FROM COLORADO

Senator Salazar. Thank you very much, Chairman Chambliss and, in his absence, Ranking Member Harkin. Thank you for holding this hearing on the issue of bioterrorism, because it is very much an important part of providing homeland security as well as making sure that we are protecting agricultural and rural America.

I recognize the huge contribution that agriculture makes to our economy in this country and in my own State of Colorado, and I know that without agriculture, much of what I call the forgotten America would go by the wayside. So I appreciate you putting a focus on the issue of agroterrorism.

And picking up on the comment from outgoing HHS Secretary Tommy Thompson, last year he said that we were extremely vulnerable to an agroterrorism attack, and in his statement about the threat, he said that it worried him, quote, every single night. I believe that he was right to worry.

I have an opening statement that is much longer, and I will submit that for the record, Mr. Chairman, if there is no objection, and I have a couple of questions that I would like to ask.

The Chairman. Your statement will be inserted without objection.

[The prepared statement of Senator Salazar can be found in the appendix on page 93.]

Senator Salazar. This is a question for Deputy Secretary Conner and for Dr. McCarthy, and that is a question on how we are coming together in the integration of DHS and the agriculture inspection services. I am trying to work my way through reviewing Secretary Chertoff's analysis on how the DHS organization is going and the recommendations that he has on how we ought to move forward with that. I recognize that whenever there was a major overhaul of government in the way

that we have overhauled our government to deal with the challenge of homeland security, that there are very, very significant management challenges that we need face.

Here on this particular issue, my understanding is we had some 3200 inspector positions that we had at USDA, that those inspector positions have been moved over to DHS, and my question is how is that integration going with respect to what these inspectors are currently doing? A question that is part of that as well is I believe there was an authorization to hire an additional 500 inspectors, and I would like a report on where we are, on the status of the hiring of those inspectors, all coming down, basically, to the question do we have enough horsepower within DHS, men and women power, to be able to deal with the inspections at our ports and making sure that we have the readiness to be able to have those inspections done on a timely basis.

Ms. McCarthy. Yes, sir. Thank you very much.

I do hope that the reorganization plan that the Secretary presented last week helps clarify some things, because it should give you insight into the importance he is putting on very specific functional areas, less so on the management structure, how the department is managed, but more so on the fact that there is an attention and a high priority put on given functional areas, and one of those functional areas is border protection. So you will see the department align itself so that all of us who participate in things that have to do with border protection are working together in a more seamless fashion. So it doesn't matter whether it is somebody out of my office that is doing research and development or it is somebody out of the intelligence unit or somebody out of Customs and Border Patrol or one of the other organizations. We will be working on teams that are focused on those functional areas.

The border protection integration took place within the Customs and Border Patrol part of the department, and in the new organization, that has stayed together. So each port is responsible for doing that integration, and it is coming along, and I will certainly take back for you the question for the record of where we are on the hiring of inspectors. I can tell you it has been a challenging job internally for DHS across the board to recruit and retain the qualified people that we need to do in many of the jobs, but I can tell you that we have taken the integration of border security as a topmost priority in the department, and the Secretary is very committed to pooling the resources not only from the traditional elements that came into the department initially, but merging additional capabilities against those mission responsibilities into the future.

Senator Salazar. If I may, Dr. McCarthy, a follow-up question in terms of the qualifications of the individuals that you are hiring or who are already on board to provide this kind of security, what kind of people are you looking for when you are trying to provide us the kind of border security that we want from the potential entry of some agroterrorist material that would come across our borders?

Ms. McCarthy. That is a very fair question, sir, and I will take back the question for the record on the specifics of the qualifications because I am not in that business, but I do know that they have held a very high standard of bringing people in and making sure that they were properly qualified and properly vetted for the positions that are involved, and I will be happy to respond to you in writing on the specifics of the qualifications for those inspectors, sir.

Senator Salazar. Just a follow-up, Mr. Conner, for you in terms of the USDA, to lose 3200 employees from this agency that has significant responsibility of making sure that we are protecting our consumers and our agricultural products, what kind of impact has that had to the historical pre-9-11 function within USDA?

Mr. Conner. Well, it has not removed, if you will, Senator Salazar, our role in this process within this matrix. We continue to have jurisdiction on meat, poultry, and egg inspection. We have a significant role in that process for imported product, and that extends way beyond just simply at the point of entry into the United States. Our Food Safety and Inspection Service personnel are located in the foreign countries that are shipping the product to us before it even is destined for the U.S. There has to be a certification that the standards used in that production are equivalent or as strong as what they are in the U.S. We certify that equivalency and then audit at the point of processing in the foreign country.

So our role begins and, as well, our FSIS inspectors are present. Every container of these products that does enter the country, you know, is visually inspected to make sure that it shows no signs of tampering or anything at that point. I believe we have just added 26 new people at our ports of entry for that specific purpose.

So it has by no means eliminated our role, and we take this whole issue of equivalency and assurance of the meat, poultry, and egg product coming into this country quite seriously.

Ms. McCarthy. With respect, sir, if I might add one thing, I would encourage you to view Homeland Security as the steward of the homeland security mission. The fact that people move between one agency and another does not negate the fact that we have a national mission, and we are the stewards of a national

mission, and our responsibility is to provide the Nation with the best capability and we work closely in partnership in a different way than this government has ever done with our partners in the Federal Government and also the State and local and private sector.

Mr. Conner. If I could add, Senator Salazar, as well, actually, I believe in the legislation APHIS continues to set the policy for the employees that are under the jurisdiction of the Department of Homeland Security as well. So it is a strong cooperative relationship.

Senator Salazar. Thank you very much, and Mr. Chairman, just one concluding comment, and that is for those of us who come from rural States, and all us who sit on this committee I think have a special place in our heart for the rural communities. When I travel in my own State of Colorado and I go to the small communities and see the water tanks and the grain elevators and the potato warehouses, and I see those all over my native valley in the southern part of Colorado, I think it is just important for us to continue to look at the challenges that we face in homeland security, because it will be one of our major challenges for this twenty-first century and making sure that we are putting the right kind of resources and the right kind of attention out in those wide expanses of America.

So I think this hearing dealing with agroterrorism is particularly important in addressing at least a part of that issue. So I appreciate you holding this hearing very much.

The Chairman. Well, thank you, Senator, for your keen insight and your interest in this issue, and I think in Chairman's Cochran's Appropriations Committee, we appropriately dealt with the exact issue you are talking about, and that is where to put the resources. We simply can't forget rural America, and I think we did that in the homeland security bill last week.

Mr. Lewis, I want to kind of switch gears a little bit here. I know you testified before the Environment and Public Works Committee recently relative to ecoterrorism, and it is my recollection that over the last several years, we have had some incidents relative to ecoterrorism such as the physical destruction of some facilities in the western part of the country as well as some environmental groups who are really extremist-type groups who have done things such as putting blades in trees and not allowing our loggers out there to harvest trees and whatnot. I know that we have identified those groups. I assume we are continuing to monitor those folks. Have the number of these instances decreased in the last several years?

Mr. Lewis. Ecoterrorism, sir, is the No. 1 priority of the

domestic terrorism portion of our counterterrorism division. It is so because when you look at the last 10 years of activity from the ecoterrorists, what they have run up in terms of numbers of incidents and dollars worth of destruction far exceeds anything else going on in this country in terms of domestic terrorism or domestic base.

With respect to this issue here today, we have seen very limited incidents, two I think in the last five or 6 years, not of any substance at all. They are much more oriented today toward things like housing developments, condominium developments, animal releases. SUVs, of all things, are on their scope. Because we characterize this back at headquarters as part of the domestic terrorist program, it sits on the JTTFs just like international terrorism matters do all across the country. It gets the same push in my every single field office as does international terrorism matters. I think that is important. It is on the radar all across the country.

Let me also tell you that up here, not only with the committee that you have mentioned, but the Senate Judiciary which I have testified before and most recently talked to staffers on, there is an interest, and I hope it continues, in amending legislation that I think we need to strengthen the toolbox that we use to take to these people. At the present time, I would consider the threat of agroterrorism from this side of the domestic terrorism problem to be minimal, based on what we know today. There is an awful lot going on in this country in this area from an investigation intelligence collection standpoint. I can't go into that, obviously, during this type of hearing, but we have a very good lens, I think, through which we look to see what is going on around the United States, what they are interested in, and what we see as their planned activity over the next several months.

The Chairman. Thank you.

Senator Roberts.

Senator Roberts. Dr. Brackett, we can't let you leave without a question. You mentioned in your testimony you have issued some specific guidelines, security guidelines, for the milk industry. I want to know what kind of response you have received from the industry and how well they are working with you to address your concern. I think there has been a little push-back on behalf of the producers.

Mr. Brackett. Well, Senator Roberts, actually we have been working very close with that particular industry at their request, I might add, to help them in several different ways, first of all, to the develop the guidance documents that you refer to, but also to share with them what we know about what their potential vulnerabilities might be and how they might

take actions to avoid that. What we are hearing is that, for the most part, the industry, processing industry, is adopting much of the guidance. It is a process. It is in process. On the production side, I think that that is coming as well, and I do know that the associations that represent the dairy farmers are working with them to try to assist them in adopting some of the guidance documents that we provided on specific issues or specific parts of the guidance documents that are relevant to them.

Senator Roberts. So it is a good news situation?

Mr. Brackett. It is. There is always room for improvement, and we are working with the industries and with the associations to help do that, but we have gotten good response from them, we think.

Senator Roberts. We talk about the livestock industry. If you really want to look at something where we talk about a soft target or whatever kind of target it is, you know, obviously milk would really be one that somebody could choose.

Chuck, I have one final question. A lot of people are concerned in the world health and agriculture arena that we have not received any complete information from China in regards to the true scope of the avian influenza outbreak in that country. So on the issue of this nature that could have a major consequence for both animal health and also human health, who is the lead agency? Is that you or the Department of Homeland Security? FBI? Or is it, again, a concerted effort, working closely together, of course?

Mr. Conner. DHS would be the lead on this, working with us is my understanding, Senator Roberts.

Senator Roberts. Well, I have a suggestion. Back in 2002, you used some of your supplemental funding provided by Senator Cochran to establish what is called plant disease and animal health monitoring networks, and there are labs located at several universities, and I want to give you kudos, because it is my understanding that this network was used to quickly diagnose the discovery of the soybean rust last week in the U.S., and you alerted all the producers and they knew about it and they watched for it and they could treat it if, in fact, it happened. We really limited what could have been a real tough problem.

So my plea to you is take a look at these labs and these networks, more especially with something like this avian influenza, which according to some could be absolutely a very serious outbreak not only for this country, but for around the world.

And I thank you for your efforts in that regard and I thank the panel.

The Chairman. Let me also thank you for being here this morning and providing great insight and educating the members of the committee on this issue. Some of you have already been told that you have written questions that will be coming to you. There may be others as well. The record will be held open. I would ask that you get us your responses as quickly as possible. Again, thank you for your service to our country.

The Chairman. We will now move to our next panel. The next panel consists of Dr. John Sherwood, head of the Department of Plant Pathology at the University of Georgia in Athens; Dr. James A. Roth, Director of the Center for Food Security and Public Health at Iowa State University; Mr. James Lane, Ford County Undersheriff, Dodge City, Kansas; Mr. Mark J Cheviron, Corporate Vice President and Director of Corporate Security and Services at Archer Daniels Midland Company in Decatur, Illinois.

Mr. Roberts, I understand you have an introduction.

Senator Roberts. Mr. Chairman, we have heard a lot today from our Federal officials on this topic. As you know, one of the most important topics in this fight is that to deter and to detect one of prevention. An important player in this role would be our farmers, our ranchers, our agribusinesses, our veterinaries, and law enforcement at the local level.

We had a hearing before 9-11. The Intelligence Committee, the Armed Services Committee, and we have even had appropriators there. It was that important. We asked 41 agencies in the Federal Government who is in charge, are you ready in regards to international security and any kind of a terrorist attack. Of course, everybody said they were in charge and they were ready. The last person to testify was in charge of the Sheriffs Association, and he was from Arapaho County, Colorado, and he said, Well, boys, all these feds are here already, but it is going to take you 72 hours to get out to Arapaho County, and I just want to tell you one thing: Until you all get there, I am in charge.

So I think that is an important point to make, and I am proud to say that one of the most significant undertakings in this area has been undertaken by the Ford County, Kansas Sheriff's Office and the Kansas Bureau of Investigation and also Kansas State University, and they have been led by the Ford County undersheriff, James Lane.

The chairman just asked me, James, if we have an oversheriff as well as an undersheriff. You can speak to that.

James is with us today. His efforts have led to a substantive research report funded by the National Institute of Justice. This report has just been completed. I believe it includes many recommendations that will be a blueprint for

other law enforcement folks around the country.

I am not going to steal James's thunder, so I will not go into all the details of their efforts, but I say that group has done just remarkable work. I am very proud of the effort of James and my home county, and, more importantly, I am very proud to say that he comes from Dodge City America, and I thank you, Mr. Chairman.

The Chairman. I'll tell you, Mr. Sheriff, any secrets you want to share with the committee about the Chairman of the Intelligence Committee while you are here will be welcomed.

Senator Roberts. James, you know that is all classified.

The Chairman. Gentlemen, thank you all very much for being here to dialog with us on this very critical issue, and, Dr. Sherwood, I won't go into a formal introduction of you, but obviously you probably noticed my hand over my heart when I said you were from the University of Georgia. We are very pleased to have you here, and we will start with you and come right down the row.

All of your statements will be submitted for the record, but we would appreciate and look forward to any opening comments you have. Dr. Sherwood.

STATEMENT OF JOHN SHERWOOD, PH.D., HEAD, DEPARTMENT OF PLANT
PATHOLOGY, UNIVERSITY OF GEORGIA, ATHENS, GEORGIA

Mr. Sherwood. Thank you, Mr. Chairman. Thank you for inviting me here today to comment on biosecurity preparedness and efforts to address agroterrorism threats posed by plant diseases that impact the food, feed, and fiber of our nation.

My name is John L. Sherwood, and I am professor and head of the Department of Plant Pathology at the University of Georgia. I am also representing the American Phytopathological Society, or APS, the premier organization of scientific leaders who work to keep plants healthy. Our member scientists are employed in universities, private industry, and agencies within the State and Federal Governments.

The U.S. has been blessed with vast tracks of productive land, but at times plant diseases have had significant economic and social impact. Today, plant pathologists are facing soybean rust and sudden oak death among other diseases that affect the vitality of our fields and forests. As with the diseases affecting animals and humans, new diseases of plants are regularly encountered here and abroad.

Positive steps to protect U.S. crops have been taken. Examples are the National Plant Diagnostic Network, the regulatory activities toward mitigating exotic pathogens by APHIS and State Departments of Agriculture. The EPA approval of

Section 18 requests to provide expanded management tools to minimize the potential impact and damage caused by soybean rust, and the establishment and revitalization of crop biosecurity panels or centers within various government agencies.

Four key components of an effective approach to mitigate acts of crop terrorism and maintain safe and productive crop systems are strategic anticipation of potential threats, prevention of a bioterrorist attack, preparedness to respond to an attack, and coordination of these strategies. The foundation of security is identifying potential threats through strategic anticipation. Each year, plant pathologists in the public and private sector prepare to thwart diseases that may affect our nation's plant production systems. Fundamental to any aspect of plant biosecurity is understanding the biology of how plants get sick. This is why support of basic and applied research in a competitive grants process is essential for the security of our nation's feed, food, and fiber production system.

Prevention efforts must be directed toward securing the Nation against pathogens not yet in the U.S. Currently, much effort is spent on regulating pathogens that are widespread and endemic in the U.S. These pathogens pose no more threat in regard to biosecurity than they annually cause in naturally occurring epidemics. Such natural epidemics may be devastating in a given locale during any growing season, but extensive regulation of such endemic pathogens limits the ability of the scientific community to investigate and develop appropriate management strategies and results in squandered resources.

Effective communication between Federal agencies and scientific societies such as the APS will provide a solid foundation to prioritize these needs. As 100 percent prevention is impossible, we must be prepared for the introduction of pathogens. The recent establishment by the USDA CSREES of the National Plant Diagnostic Network that is dispersed among the land grant universities is working to establish coordinated efforts in APHIS, State Departments of Agriculture, and private seed companies to minimize the impact of plant diseases.

The elements for an effective national response plan and crop biosecurity are coming into place across State and Federal Governments. While the greatest consideration must be given to threats that directly impact human and animal health, we emphasize that long-term human and animal health is dependant on sustainable agriculture production systems in the U.S.

As I indicated, there are many activities underway. What appears still to be lacking today as a scientist from outside the Government, and the biggest void to assuring success in all our efforts is effective communication, coordination, and

strategic planning among the many entities that are charged to protecting plant health. Following 2 years of planning and solicitation of stakeholder input, in the fall of 2004 the APS released its proposal for the establishment of the National Center for Plant Biosecurity (NCPB) within the USDA as a Federal coordinating office staffed by Federal employees and administrated at the level of Office of the Secretary of Agriculture to coordinate efforts in crop biosecurity. The NCPB will function as a visionary strategic planning and coordinating entity, link Federal agencies and staff responsible for plant biosecurity, and not duplicate efforts underway.

This proposal has received wide support and endorsed by many scientific societies. The NCPB will provide a strong framework and leadership for anticipating, protecting, responding to, managing, and recovering from disease outbreaks as mandated in Presidential Directive HSPB-9.

In conclusion, the geographical expanse and economic importance of the U.S. agriculture enterprise creates a vulnerability for the intentional or unintentional introduction of plant pathogens that could directly affect crop yield and the viability of our crop production systems in our fragile rural economies. New investments in infrastructure and resources necessary to protect and maintain plant health will have significant social and economic impact both in the immediate future and for generations to come.

[The prepared statement of Mr. Sherwood can be found in the appendix on page 96.]

The Chairman. Dr. Roth.

STATEMENT OF JAMES A. ROTH, DVM, Ph.D, DIRECTOR, THE CENTER FOR FOOD SECURITY AND PUBLIC HEALTH, IOWA STATE UNIVERSITY, AMES, IOWA

Dr. Roth. Thank you, Mr. Chairman and members of the committee, and thank you for holding this important hearing today and for the opportunity to testify before you.

I am the Director of the Center for Food Security and Public Health in the College of Veterinary Medicine at Iowa State University. Our center's mission is to increase national preparedness for accidental or intentional introduction of disease agents which threaten food security or public health. I would like to thank Senator Harkin for his vision in providing funding to establish the center so that we can work to carry out this important mission.

U.S. agriculture is highly vulnerable to the accidental or intentional introduction of foreign animal diseases. Many of

the foreign animal diseases are zoonotic, meaning that they also infect people, and can cause serious public health problems. Agents against animals have been considered as a component of nearly every nation-sponsored offensive biowarfare program.

Significant progress has been made in recent years to better prepare U.S. agriculture and public health. The national animal I.D. system is being developed. Expert working groups have been convened to establish research and vaccine development priorities. A number of States have organized or are working to organize animal emergency response teams. Veterinary diagnostic laboratories are networking to enhance national capacity and to better share information, and Congress has nearly completed funding for the modernization of the National Center for Animal Health in Ames, Iowa. These activities need to continue.

Despite the progress, the U.S. continues to have inadequate infrastructure for prevention, detection, response, and recovery from foreign animal and zoonotic diseases. The national academies are finalizing two reports that detail current needs for prevention, detection, and diagnosis of animal diseases and for veterinary research facilities and training. The significant challenges that I will focus the rest of my testimony on are the vulnerabilities and needs I consider the most important for protecting public health, animal health, and U.S. agriculture from disease threats. These priorities include the rapid development of vaccines and anti-virals for high-priority foreign and zoonotic diseases, correcting major deficiencies in the laboratory capacity for animal health research and disease diagnosis in the U.S., and strengthening the human resources needed to prevent, prepare for, respond to, and recover from a devastating foreign animal or zoonotic disease.

Homeland Security Presidential Directive-9 calls for the creation of a national veterinary stockpile. Rift Valley Fever, Nipah Virus, and avian influenza are especially significant threats because of their contagious nature and the fact that they can cause serious illness and death in humans. A relatively modest investment could result in the development and production of vaccines for these three diseases for the national veterinary stockpile. Animal vaccines can be developed for a small fraction of the cost of developing human vaccines and can be approved for use much quicker and with less risk than human vaccines.

Project Bioshield calls for \$5.6 billion over a 10-year period for the development of vaccines and therapeutics for use in humans. A portion of that funding should be designated to

develop vaccines and other preventatives for zoonotic diseases in animals. This will effectively reduce exposure of humans to these diseases, provide protection much sooner than is possible through the development of human vaccines, and reduce the need to vaccinate humans.

The second area I want to address is the deficiency in laboratory capacity for foreign animal and zoonotic disease defense. As has already been discussed today, the Plum Island Animal Disease Center does not have adequate capacity for the foreign animal disease research and diagnostic needs of the Nation. Planning should begin immediately for replacement of Plum Island animal disease center facilities, including biosafety level four facilities, and funding for new facilities should be appropriated as soon as soon as possible. I was very pleased to hear earlier today that that planning is beginning.

There are no biosafety level four facilities for livestock disease research in the U.S. I am currently coordinating a project to develop a vaccine for the Nipah Virus, a biosafely level four pathogen which causes serious illness and death in pigs and in people. Our collaborators in Canada are using their biosafety level four facility to test the vaccine in pigs because the U.S. does not have facilities for this research in food animal species.

The third major deficiency is a shortage of personnel trained in veterinary medicine. There is a serious and acute shortage of veterinarians in rural agricultural areas, in Federal Government agencies, and in disciplines such as public health and food safety. There is also a critical shortage of DVM-Ph.D research scientists and teachers to train future scientists, especially in high-priority areas of veterinary infectious diseases. Funding of a National Veterinary Medical Services Act, which was signed by the President in 2003, but not funded, and the Veterinary Workforce Expansion Act of 2005 is critical to developing the human resources needed for foreign animal and zoonotic diseases defense.

Thank you for your commitment to protecting U.S. animal agriculture, and I will be happy to attempt to answer any questions.

[The prepared statement of Dr. Roth can be found in the appendix on page 101.]

Senator Roberts. Thank you.

STATEMENT OF JAMES LANE, FORD COUNTY UNDERSHERIFF, DODGE CITY,
KANSAS

Mr. Lane. Senator Roberts, I am honored to provide testimony concerning the threats of agroterrorism and ongoing

effort to protect American agriculture. Thank you for this opportunity and also thank you for your earlier comments.

My remarks today will be from the local law enforcement perspective. I will offer the committee an overview of the agroterrorism preparedness activities that are occurring at the local level in the State of Kansas. Further, I will speak briefly about our experiences, interaction, and initiatives with State and Federal officials, and I want to emphasize that we are never satisfied with our current level of preparedness as this is a continuing process.

The threat of agroterrorism is real. From recent events, we know there are forces that are seeking to harm America in any possible manner and that our agriculture is particularly vulnerable. We know that those who seek to harm us constantly change their tactics. We cannot overlook the threats to agriculture and our food supply.

In 2002, a group of local committed agriculture leaders volunteered to join our community's first responders to develop a comprehensive plan in response to threats of terrorism. This group of leaders recognized the importance of preventing an attack on our base. This coalition continues to assess any animal and public health issues that pose a threat to our community. The Ford County Sheriffs Office, Kansas Bureau of Investigation, and the National Agriculture Biosecurity Center at Kansas State recently completed a 2-year research project that was sponsored by the NIJ. Senator Roberts referred to this project a little earlier.

Previous writings and research identified the dire consequences of agroterrorism, but information related to law enforcement's roles and responsibilities were virtually non-existent. This project establishes a baseline for law enforcement to better understand the livestock industry and define its role in working together in the common cause of prevention. Further research is required to answer many of the unanswered questions related to this topic.

During the research project, several proactive initiatives were developed for law enforcement to specifically protect agriculture from criminal threats, including acts of terrorism. Local, State, and Federal agencies, including USDA and FBI, and industry participated in the research activities. The overall conclusion of this research project centered on the fact that terrorism, regardless of its former origin, is a local crime and preventive issues should be developed by local law enforcement in partnership with the livestock industry. Recently, a consortium of State and local animal health law enforcement emergency management and academia officials met in Kansas City to discuss strategies and prevention and emergency

response issues related to agroterrorism. Representatives from South and North Dakota, Nebraska, Kansas, Oklahoma, Missouri, Colorado, and Iowa were present for this important planning session with the overall goal of sharing information and developing strategies that will work beyond State boundaries.

Our Agri-Guard program is the community policing strategy with the goal of bringing sheriffs and industry leaders together to encourage reporting of and education for front-line industry personnel in suspicious activity. Because of the interdependence of the industry, this program reaches across all facets of ag from pre-harvest to post-harvest stakeholders. Many States have shown interest in this concept developed by front-line industry personnel and local law enforcement.

You made mention of the ISA conference held in Kansas City, the International Symposium on Agroterrorism, and I think that offers a step toward the global initiative on preventing and responding to agroterrorism with that endeavor.

Across-the-country planning activities such as field exercises, other training, and communication is occurring. These food chain homeland security efforts must continue with a high degree of urgency. Further, because of the potential consequences associated with an interruption of the food supply, we cannot become complacent. Most importantly, all communities must understand that they are not immune from such an event.

Local first response agencies are far better equipped to respond to a WMD event because of funding from the Office of Domestic Preparedness. Agencies who just a few years ago could not offer their personnel protective equipment can now do so. In my perspective, the importance of intelligence information being thwarted from the ground up and the from the top down is critical. The local deputy sheriff responding to a report of suspicious activity thwarted by an alert industry professional is equally likely to identify and prevent agroterrorism as is the development of intelligence information at the national or international level. Lacking too, the industry must realize the importance of reporting such activity and being an equal partner in protecting itself.

In closing, I testified before a congressional field hearing at Abilene, Kansas in 2002. Significant process has been made since that hearing, but there are many threats and challenges that have yet to be addressed. In my opinion, the costs of response are far too high and our focus must be on prevention. From the most simplistic initiatives of preventative policing to the most complex of disease surveillance and food safety technology, the need for prevention cannot be overstated. Federal grants and homeland

security funding must be available to promote local preventative initiatives, research, and technology to protect against acts of agroterrorism. To eliminate confusion, miscommunication, and redundancy, it is essential that a national homeland security strategy addressing the threats of agroterrorism be developed and coordinated.

It has been an honor for me to represent local law enforcement in presenting this testimony. Thank you, and I will answer any questions.

[The prepared statement of Mr. Lane can be found in the appendix on page 105.]

Senator Roberts. Mark, it is ADM's time.

STATEMENT OF MARK J. CHEVIRON, CORPORATE VICE PRESIDENT AND
DIRECTOR OF CORPORATE SECURITY AND SERVICES, ARCHERS DANIELS
MIDLAND COMPANY, DECATUR,
ILLINOIS

Mr. Cheviron. Good morning, Senator Roberts. I would like to thank you and the other honorable members of this committee for inviting me to address this issue.

I am Mark Cheviron, Corporate Vice President and Director of Corporate Security for the Archer Daniels Midland Company. Archer Daniels Midland, or ADM, is an integrated agricultural processor. We buy farm products, corn, soybeans, wheat, oats, cocoa, and produce food ingredients like edible vegetable oils, flour, animal feeds, and renewable fuels along with other industrial products. In order to produce and sell more than \$36 billion worth of products each year, we rely on over 250 processing plants, more than 500 grain elevators, and a workforce of 26,000 employees worldwide.

Keeping our facilities secure and our people safe is my job. I have held this position for over 25 years. The threats I confront have changed over this period. While I used to worry primarily about threats of theft, fraud, vandalism, and workplace violence, I must now also be concerned about bioterrorism, and I am glad that you share that concern. America has made progress in hardening our defenses of traditional terrorist targets, military bases, government facilities, and commercial air travel. Only recently has our country turned its attention to better protecting crops, livestock, and the other products that flow from the farm communities.

As President Bush has said, ``agriculture ranks among the most crucial of our Nation's industry, yet its reliability and productivity are often taken for granted.'` Protecting ADM from agroterrorism is my responsibility, but one that I cannot do

alone. Business and government must work in partnership, and with each day, this partnership strengthens. We are grateful for the assistance we have received through the collaboration with organizations represented on today's first panel as well as with our local authorities. We are moving in the right direction, but more can be done.

Let me outline four areas in which I see room for improvement. No. 1, agroterrorism is an international problem, infinitely more comprehensive than any one company or industry. In order to be better prepared, the private sector needs better access to counterterrorism units of the Federal Government which has the means and the expertise to identify emerging threats. I may know the most effective way to mitigate these risks for ADM, but I can only address these if I know the risks. Federal counterterrorism experts can help the private sector understand potential threats which will guide our development of effective and efficient countermeasures based on those risks. We can enhance our overall level of preparedness by working together and maximizing our collective strengths.

Number two, a bioterrorist attack on our food supply can have a significant effect even when the amount of contaminant is small. The best response discovers and isolates a contaminant before it permeates and travels throughout the food chain. Today, the technology for detecting these threats is inadequate.

Number three, certain food security regulations which are knee-jerk, theoretical, uncoordinated, and counterproductive. Everybody agrees that agroterrorism is a complex problem, but regulatory approaches that proscribe across the board infrastructure changes or one size fits all procedural requirements are doomed to fail.

Number four, in order to win this war on terrorism, we need to enhance the exchange of information and expertise between the public and private sectors. This is harder than it sounds. We need to think through what restrictions are absolutely necessary to protect business and to protect sensitive government information and then devise a system that works for all interested parties. Information sharing is the key. It seems obvious, but in reality it means that timely and accurate information must flow both ways unimpeded and without hesitation.

Finally, we would welcome the designation of a single point of contact in the government for reporting suspicious activity. No time should be lost trying to determine who should be called when suspicions are raised.

Thank you, Mr. Chairman and honorable members of this committee, for allowing me to speak to you today. Agricultural

processing is ADM's business. Ensuring the reliability and safety of our nation's food supply is everyone's business. We are proud to be your partner in the war against terrorism.

This concludes my testimony. I would be happy to answer any questions you may give me.

[The prepared statement of Mr. Cheviron can be found in the appendix on page 114.]

The Chairman. Gentlemen, thank you very much.

Dr. Sherwood, let me start with you. As you know, USDA is developing a national plant disease recovery system that will implement control measures and Develop resistant seed varieties; however, you propose the establishment of a national center for plant biosecurity in the secretary's office. Do you see the two proposals as complementary, or are they duplicative? Would it be more efficient to have one agency like ARS or APHIS handle all plant biosecurity rather than establish a new entity? And what does last year's detection of soybean rust tell us in terms of our preparedness to respond to a sudden outbreak of plant disease?

Mr. Sherwood. Why don't we start with soybean rust, because that leads to a good reason why APS and myself support the establishment of a National Center for Plant Biosecurity. Last year at this time, we were working toward finding that person that Senator Roberts has repeatedly asked for, who do I call, and it was very difficult to find within USDA who was the person who we were supposed to call that was responsible for coordinating everything in regards to soybean rust.

I think currently, the present structure for the National Plant Disease Recovery Act being embedded within an agency is that essentially here you have another example of an add-on to an agency. Many of these agencies already have very directed missions. Certainly within APHIS, it is a regulatory mission. Within ARS, it is a research mission. Within the Department of Homeland Security, it deals with areas of security.

What I think is we need an office above the agencies, particularly within USDA, that would be able to coordinate these efforts, and so it would be that office one could call when there is potentially an outbreak of another plant disease such as soybean rust.

The Chairman. All right. Dr. Roth, you heard me talk or quiz the previous panel relative to the facilities in this country from an infrastructure standpoint that can respond quickly to an outbreak of any sort. In your testimony, you cite the need for biosafety level three and biosafety level four facilities as well as the need to replace the Plum Island Animal Disease Center. As you well know, the swift detection and diagnosis of disease is critical to preventing and/or

limiting its spread, and this lack of research capacity greatly diminishes our efforts to detect, diagnose, and prevent disease outbreaks. Given the great exposure of these facilities, how would you prioritize our physical infrastructure needs in research and development?

Dr. Roth. I would agree with the other panel members that replacing Plum Island is a very high priority. The new National Centers for Animal Health Facilities in Ames, Iowa will have extensive biosafety level three capabilities. It is not allowed to be used for certain foreign animal diseases that need to be done currently on Plum Island. We have no biosafety level four facilities that are adequate or any that will house large animals in this country, and I would put that as an extremely high priority. It takes a fair amount of time to design and build those facilities. So we need begin that very soon.

The Chairman. Senator Roberts.

Senator Roberts. Thank you again, Mr. Chairman.

Dr. Roth, I wish Senator Thomas could have been here to hear your testimony. I think it was very helpful, because I think I am struck on how you very clearly articulated the danger in regards to some animal diseases that also represent a threat to humans, and I thank you for your testimony. I don't wish you any luck with the Cyclones this year, but that is another subject entirely.

You talked about Plum Island and the resulting impact that it has on research and the diagnostic capabilities. The chairman had stressed this and the need to upgrade or replace this lab along with the need for additional BL-4 labs throughout the country to conduct this kind of animal research. Do you have an estimate of how many BL-4 labs you think we need to in the U.S. to conduct this research?

Dr. Roth. Currently, there are none that can house food animals, cattle.

Senator Roberts. I know that. That is why I am asking.

Dr. Roth. I think one very good one would be sufficient. Canada does have in the Canadian Food Inspection Agency in Winnipeg a biosafety level four facility. They have one room that will hold food animals. That is the only one in this hemisphere that I am aware of.

Senator Roberts. Depending on the research being conducted and the public reaction to that, are there areas where these labs should not be constructed or are the security and control features such at that location that it is not an issue?

Dr. Roth. The security and control features on the biosafety level three and four labs have to operate the way they are designed, and this is entirely possible. We have a number of biosafety level four labs with dangerous human

pathogens in the middle of large cities, and we haven't had a serious accident that I am aware of.

Senator Roberts. But that was my point.

Dr. Roth. Yes, and I agree. These labs are designed to operate safely and contain the pathogens. We have foot and mouth disease in the lab in Winnipeg in Canada just north of the border. As was pointed out earlier, the border is not that much of a protection from animal diseases.

Senator Roberts. I hope we can work this out.

James, your testimony has discussed the Agri-Guard program you established as part of the National Institute of Justice grant, and you described it or I described it as something of a neighborhood watch program for agriculture. You know what has happened over the past several years when I would go out to Dodge and talk to producers and they would tell me to hush about agroterrorism, and I have literally been amazed by the breadth and the depth of the participation in the program in Ford County from the farm level to the processors. How did you get that to work so fast and so well? Could you give us some practical examples? You keep talking about processors and private industry and local law enforcement or whatever, but, you know, I complained about it. You turned it around. How did you do that?

Mr. Lane. I don't know that I have the whole answer to that, but on the surface, I think I can tell you that our community enjoys a great working relationship between all levels of government, and I guess maybe what motivated us to work together was the fact that after the response is over and everybody that comes in to take care of it leaves, we have to live in that community. So I think what it does is it motivates the industry. It motivates us as first responders to reach out. One thing that I am constantly amazed at is that with the politics in the industry, that we can put people from different facets of the industry in the same room together and they don't brawl. They work toward the common good.

I think what we did, and this is not to pat myself on the back, but I think what we did was we kept going to the door and banging on it and saying, you know, we want to work with you however we can, and I think that gave the industry the trust in the first response agencies that we did want to work for a common good. That is the only way I can answer that, sir.

Senator Roberts. Well, I think you have developed a model that could be used throughout the United States. I don't say that you are the only model, by any means, but what can we do to help you implement these programs on a national level? Although I guess that would be the Department of Justice and the previous panel. So I will let that go.

Your prepared testimony mentions the need for a national data base that could be connected to the Federal Terrorist Tracking System. So based on what you heard from our Federal officials today, do you think we are moving in the right direction in that regard?

Mr. Lane. I hope so. I think we have to stress the importance of intelligence information being forwarded from the ground level up and vice versa, but what is more important, I think, is that the people looking at that intelligence information understands what it means. Without a significant ag background or understanding of ag, that intelligence information may not mean anything and we may miss something.

Senator Roberts. I really appreciate that insight.

Mr. Cheviron, you said the private sector needs better access to the counterterrorism units of the Federal Government to which has the expertise to identify emerging threats, and you go on and say I know the most effective way to mitigate these risks for ADM, but I can only address those risks of which I am aware. Would you care to amplify on that in sync with the question I just asked James in regards to the fact are you aware?

Mr. Cheviron. Sir, we are aware of a lot of problems, but again, it is more on a parochial level as opposed to a Federal level. I think that the cooperation we have with the government now, the fact that we are meeting with so many different entities that are working so well together, is helping us understand emerging trends not only in terrorism, but in regular criminal activity. I think that is being shared much better now with the private sector.

Senator Roberts. I am glad to hear that. You, on No. 3, said certain food security regulations which are knee-jerk, theoretical, uncoordinated, counterproductive. You must be talking about the Congress. Everybody agrees that agroterrorism is a complex problem, but some will be required to spend needlessly to meet the mandates that neither efficiently nor effectively mitigate the real risks they face. Give me an example.

Mr. Cheviron. An example would be having a mandate to put a security officer on a dock in Ama, Louisiana to make sure that products going out of the country were safe and having a company pay for that.

Senator Roberts. Why is that unnecessary?

Mr. Cheviron. Well, I think our first priority should be what is coming into the country as opposed to what is going out.

Senator Roberts. I expected that you would say that. All right. So it is not so much what we are shipping out; it is the

risk of what is coming in, and I don't think we have paid enough attention to that, Mr. Chairman, and I know that you have been very concerned about it as well.

Finally, let me make a suggestion. In the intelligence community, we are moving away from the concept of information sharing. Information sharing basically states that somebody owns it and they will share with you, but they have to push that button. You have to pull it from them. You may not even be aware that it is there even though you have a mission or a problem that directly affects you. Information access, however, means that you all work together and if you have the same mission, the same objective, the same problem, the same challenge that Dr. Roth is talking about that you do have access. My only suggestion would be that we need to be talking not only in the intelligence community, but also in regards to private business, information access; and, James, that is what you have been talking about as well. So that is just a suggestion.

You say we have no easy avenue of recovery when this information is released inappropriately that causes hesitation. Senator Chambliss and I oversee 15 different intelligence agencies, not to mention the Department of Defense. That is like a wheel barrel with cats in regards to trying to get them to have access to information and see if we can't pull that out. The thought all of a sudden occurred to me that you have the same challenge in regards to private sector-wide with regards to your trade secrets or your information that is very special you. Do you have any comment?

Mr. Cheviron. No, sir. I think you have wrapped it up pretty well in what you just said. I think that there is some hesitation on private industry, not only with ADM, but the private sector in general, and that is because they want to protect proprietary information that they have developed and they don't want to really share that. They want to make sure that if they do share that information with the government, it is protected.

Senator Roberts. I appreciate that very much.

Thank you very, Mr. Chairman, and thank you for an excellent panel.

The Chairman. Mr. Cheviron, following up on that a little bit, when I put my intelligence hat on, information sharing is the top of my list. We talk a lot within the intelligence community about sharing information among Federal agencies, particularly law enforcement agencies, but what about in the private sector? Is the level of information sharing between the public sector and the private sector where it needs to be? Are we moving in the right direction or are you stone-walled there

from the public side?

Mr. Cheviron. No, sir. I think we are moving in the right direction. I think that there have been improvements, of course, the real basis for sharing information is trust. It has to do with people knowing each other, knowing what they can share and what they can't, and I think that the Government and the private sector are working their way toward sharing information for the common good. I don't think it has to do anything like it used to be with turf, with protecting the information and knowing something someone else doesn't know. I have really seen a change in that in the last three or 4 years.

The Chairman. All right. Well, gentlemen, thank you very much for your participation in this hearing and being here today and helping educate the committee. The record is going to be left open for 5 days. There may be additional written questions that will be submitted to you, and I would ask that you get responses to those questions back to us as soon as possible.

Thank you very much, and this hearing is concluded.

[Whereupon, at 12:13 p.m., the committee was adjourned.]

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QUESTIONS AND ANSWERS

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