

UNITED STATES DEPARTMENT OF AGRICULTURE  
WASHINGTON, D.C.

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ADVISORY COMMITTEE ON :  
BIOTECHNOLOGY AND 21ST CENTURY :  
AGRICULTURE :  
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A meeting in the above-entitled matter was held on  
June 13, 2016, commencing at 9:07 a.m. at 1331 F Street NW,  
Suite 800, Washington, D.C. 20004.

Russell C. Redding, Committee Chair

Michael G. Schechtman, Executive Secretary

**DEPOSITION SERVICES, INC.**  
12321 Middlebrook Road, Suite 210  
Germantown, Maryland 20874  
Tel: (301) 881-3344 Fax: (301) 881-3338  
info@depositionservices.com www.DepositionServices.com

APPEARANCES

Russell Redding, Chair

Michael Schechtman, Executive Secretary

Committee Members:

Alan Kemper

Josette Lewis

David Johnson

Charles Benbrook

Angela Olsen

Laura Batcha

Leon Corzine

Lynn Clarkson

Melissa Hughes

Jerome Slocum

Keith Kisling

Paul Anderson

Latresia Wilson

Barry Bushue

Other USDA Participants:

Douglas McKalip, Senior Advisor, Office of the Secretary

Michael Gregoire, Associate Administrator, Animal and Plant Health Inspection Service

Betsy Rakola, Organic Policy Advisor, Agricultural Marketing  
Service

P R O C E E D I N G

1  
2 MR. SCHECHTMAN: This is the eighth meeting of the  
3 U.S. Department of Agriculture's Advisory Committee on  
4 Biotechnology and 21st Century Agriculture, or AC21, since  
5 the Secretary of Agriculture brought back the AC21 in 2011.

6 My name is Michael Schechtman, and I am the  
7 executive secretary and designated federal official for the  
8 AC21. I'd like to welcome you all to this meeting and to  
9 Washington, D.C., if you've come here from out of town. I'd  
10 also like to welcome our committee members, 17 out of 21 of  
11 whom should be here today; and, also, all the members of the  
12 public who've come here today to listen to our proceedings  
13 and perhaps to provide statements to the committee later  
14 this afternoon. I also welcome our ex officio members from  
15 other federal agencies, who I expect may be here a little  
16 later in the day. Thank you all for coming.

17 Let me note right now that our chairman,  
18 Mr. Russell Redding, who is the Pennsylvania Secretary of  
19 Agriculture, has been called to a meeting with the governor  
20 of his state this morning and so will not be here until  
21 after lunch. As provided for under the Federal Advisory  
22 Committee Act and as also happened in part for our last  
23 meeting, I will temporarily serve in the chair's role until  
24 Secretary Redding arrives.

25 I will also note that we are expecting to have

1 here today a representative from the Secretary's office,  
2 Mr. Douglas McKalip, senior advisor, who is helping to guide  
3 the AC21's efforts. He was away last meeting, out of the  
4 country, and this morning he's been called away to another  
5 meeting, but we expect him probably later this morning or  
6 certainly by, by midday.

7           For this meeting we will also have Ms. Betsy  
8 Rakola, who is to my left, USDA's organic policy advisor at  
9 the Agricultural Marketing Service, again helping this  
10 process by taking notes for the meeting. Thank you so much,  
11 Betsy, and also whispering in my ear.

12           We will have a very full agenda; so we ask that  
13 when the meeting is in session, conversations need to be  
14 limited to those between members. The public will be  
15 invited to participate by providing comments to the  
16 committee and USDA this afternoon between 3:15 and 5:00 p.m.  
17 I think we have at least one individual signed up to provide  
18 comments at the meeting.

19           Members of the public who have preregistered to  
20 provide comments, please be sure you have signed up on the  
21 comment list so we can call you in order. Some members of  
22 the public have submitted comments electronically before  
23 this meeting, and we've prepared a notebook of those  
24 comments. AC21 members and members of the public can peruse  
25 that notebook at your leisure on the documents table near

1 the door any time over the next two days. Please don't  
2 remove it from the table, though.

3           We will be preparing the minutes of this meeting,  
4 and a computer transcript of the meeting will also be  
5 available within a few weeks. We hope to get the minutes  
6 and all meeting announcements up on the web. Now, the  
7 website for -- the web address for the AC21 is pretty long;  
8 so I won't read it out here, but the website can be accessed  
9 pretty straightforwardly by going to the main USDA website  
10 at [www.USDA.gov](http://www.USDA.gov), clicking on Topics at the top left, then on  
11 Biotechnology, and then clicking on the committee name.

12           For any members of the press who may be in  
13 attendance, you're welcome to speak to whomever you wish  
14 during the breaks of our meeting and before or after the  
15 meeting itself. We ask that you not conduct any interviews  
16 or request comments from members while the AC21 is actually  
17 in session. Mr. Redding, our chair, and I will be available  
18 for questions and comments at the end of each day of the  
19 meeting.

20           I'd also like to request that all members of the  
21 AC21, as well as all members of the audience and the press,  
22 please shut off your cell phones and beepers while in the  
23 room. They interfere with the microphones and with our  
24 recording of the meeting in order to produce our publicly  
25 available transcript.

1           For a housekeeping matter, bathrooms are located  
2 on the far side of the elevator, either to the left or to  
3 the right. One other important housekeeping matter, members  
4 and ex officio members, you each have tent cards in front of  
5 your place. Please turn them on end when you wish to be  
6 recognized. Also, for the transcript, please identify  
7 yourself when called upon to speak.

8           In the back of the meeting room, there are tables  
9 with documents on them. Please take only one copy of any  
10 document. Among the handouts is the detailed meeting  
11 agenda. Please note we have breaks scheduled this morning  
12 and afternoon.

13           So let me repeat that we are planning for a period  
14 of up to one and three-quarters hours for public comments  
15 this afternoon, from 3:15 to 5:00. We want to be responsive  
16 to the needs of the public, and we will see, as the meeting  
17 progresses, how we need to structure that time, if there's  
18 extra time.

19           Members of the public, if you have preregistered  
20 to make a comment and you've not signed in already, please  
21 do so at the sign-in table so that we can plan the comment  
22 period and have in order to call the names. You will have  
23 five timed minutes each to provide your comments. For each  
24 member of the public who speaks during the public comment  
25 period, I will need a hard copy of your remarks and an

1 electronic copy so that we can post your remarks on the  
2 committee website.

3           Let me remind the committee and members of the  
4 public of the AC21's overall mandate and its specific charge  
5 for its current work. Under its charter, the AC21 mandate  
6 is, quote, examining the long-term impacts of biotechnology  
7 on the U.S. food and agriculture system and USDA, and  
8 providing guidance to USDA on pressing individual issues,  
9 identified by the Office of the Secretary, related to the  
10 application of biotechnology in agriculture.

11           In November 2012 this committee issued an  
12 important report entitled Enhancing Coexistence: A report  
13 of the AC21 to the Secretary of Agriculture, which contained  
14 a large number of interlocking recommendations, among which  
15 was that USDA should incentivize the development of joint  
16 coexistence plans among neighboring farmers.

17           Since that time our Office of General Counsel has  
18 informed us that we lack the legal authority to specifically  
19 implement that recommendation, but the Office of the  
20 Secretary has followed up on the spirit of that  
21 recommendation with the following new charge, which was  
22 announced at the committee's December 2015 meeting, and that  
23 is: Is there an approach by which farmers could be  
24 encouraged to work with their neighbors to develop joint  
25 coexistence plans at the state or local level? If so, how



1 might the federal government assist in that process? This  
2 is what the committee is now in the process of considering  
3 and has been over the last two meetings.

4           As has been true of all of the previous AC21  
5 meetings, we will have a lot we need to accomplish in this  
6 meeting over the next two days. For this meeting, in  
7 addition to a series of fairly brief updates we will start  
8 off this -- that we will start off with this morning, there  
9 are three objectives: first, to consider work of the three  
10 ad hoc subgroups on the progress of their analyses relevant  
11 to the new AC21 charge; second, to discuss a draft outline  
12 for the committee's next report and selected draft content,  
13 including a draft guidance document for producers and a  
14 draft model for facilitating local conversations around  
15 coexistence; and, third, to continue overall discussions on  
16 the committee charge and planning the completion of its  
17 work.

18           Let me emphasize that we have a very limited  
19 amount of time for the committee to formally meet to  
20 complete its work during this administration. So members  
21 will need to work both cooperatively and efficiently to  
22 articulate the main consensus messages that will be  
23 contained in the final product. There will be just this  
24 meeting and one more in September in terms of formal  
25 meetings, and the intent is to deliver a report to Secretary

1 Vilsack before the election.

2           At our last plenary session, the committee made  
3 very significant progress and identified elements to be  
4 included in an upcoming report which would promote the  
5 themes of responsibility and cooperation in coexistence,  
6 plus some important context to be provided. It is to  
7 include two documents that may be considered almost  
8 stand-alone pieces: one, a guidance document intended  
9 mostly for farmers producing identity-preserved or IP crops  
10 for thinking about their production requirements and about  
11 conversations with their neighbors but also of use to those  
12 -- for those neighbors to think about as well; and, two, a  
13 model for convening and initiating in perhaps a community or  
14 local context conversations regarding farm management  
15 issues, including but certainly not limited to issues  
16 related to pollen movement between neighbors' fields. We  
17 will devote considerable time to discussing those pieces as  
18 well as the overall framework for the full report.

19           For this meeting we have a number of documents,  
20 some of which are old and familiar, but the new ones of  
21 which I hope you will all have received before you left home  
22 for the meeting and have read before today's session. These  
23 are also provided to the public on the document table at the  
24 back.

25           The list of documents are the Federal Register

1 notice announcing this meeting; the meeting agenda;  
2 biographies of the current, all the current members; the  
3 AC21 Charter; the AC21 Bylaws and Operating Procedures; the  
4 previous report produced by the AC21 entitled Enhancing  
5 Coexistence: A report to the Secretary of Agriculture; the  
6 meeting summary from the March 14th through 15th, 2016,  
7 plenary session of the AC21; the new draft charge from  
8 December of last year; a package of meeting summaries from  
9 all the conference calls held intersessionally for the three  
10 subgroups -- these were the two, there were two meetings for  
11 two of the subgroups, two meetings each, and one meeting for  
12 the third subgroup; so the package contains a total of five  
13 summaries -- then a Notional Outline we have drafted for the  
14 overall report to be prepared; the outline focuses on the  
15 proposed elements of the report outside of the two  
16 stand-alone, semi-stand-alone pieces; then the current  
17 version of the draft guidance document entitled Factors for  
18 farmers to consider when you or your neighbor is growing an  
19 identity-preserved crop; this document has been reviewed by  
20 the Guidance Document subgroup, and the full committee has  
21 seen it previously as well; then a very rough first draft of  
22 the other document on a model for convening these local  
23 conversations; this was put together over the past 10 days  
24 by, by me and the chair, using materials developed by one of  
25 our members, North Dakota Agriculture Commissioner Doug

1 Goehring, plus recommendations from the Models subgroup, and  
2 it also incorporates work from the Venues and Conveners  
3 subgroup as well. It is a first attempt to balance a number  
4 of disparate needs and really is a trial balloon for the  
5 committee. You will have received it just a few days ago  
6 and, finally, as per a request made by committee members at  
7 the last meeting, one additional draft portion of selected  
8 text for the final report.

9           There have been several of what I will call  
10 difficult or complex issues which are topics that committee  
11 members have raised as important for the future or important  
12 for setting context or meriting a longer discussion than  
13 would be appropriate in the stand-alone pieces. These have  
14 been expanded upon in this first-cut document again and will  
15 be open for discussion as well.

16           Let me now speak briefly about our agenda. During  
17 this morning's session, after these remarks we will move on  
18 to some updates, some regulatory developments at USDA, then  
19 discussion of ongoing work on the coordinated framework  
20 modernization process, and a few remarks on a new study on  
21 GE crops that was recently released by the National  
22 Academies of Sciences.

23           After our morning break, we will have report outs  
24 from our three subgroups. I believe that Lynn Clarkson,  
25 Laura Batcha, and Leon Corzine will be speaking about each

1 group's work. We can also discuss the overall views of the  
2 committee on the thoughts put forth by the subgroups -- now  
3 articulated, we hope, in draft form and pieces of text --  
4 and how they may fit together. For the remaining portion of  
5 the morning, we will talk about committee procedures for  
6 drafting and reviewing documents and then have our initial  
7 discussions on the draft guidance document for IP producers.

8           Following lunch, we will, I hope, welcome our  
9 morning traveler, Secretary Redding, give him a quick update  
10 and listen to some initial thoughts from him and then turn  
11 to our first conversation on the other stand-alone piece  
12 which I will abbreviate as the models draft. We will then  
13 turn to the first discussion on the proposed overall outline  
14 for the remainder of the report, then on to public comments.

15           We have, as always, a good chunk of time set aside  
16 for the comments -- in this case, one hour and 45 minutes --  
17 and whatever time is not used up in comments we will reclaim  
18 and use for further discussion about the charge and the  
19 topics that may have -- that have already been touched on in  
20 the day's discussion.

21           Tomorrow we'll start with a recap of today's  
22 discussions followed by what is envisioned as a fairly loose  
23 agenda, starting with revisiting topics we've already  
24 covered, the overall document outline and the models piece,  
25 and then we will discuss some new materials you've been

1 provided the first draft of, dealing with the additional  
2 difficult or complex issues.

3           In the afternoon we will discuss what, if any,  
4 additional work might be useful for the subgroups and finish  
5 up with discussions on how we can wrap up the work of this  
6 committee with one more plenary session and with an e-mail  
7 and comment process, but tomorrow's agenda will be pretty  
8 flexible, and we envision finishing up by around 3:45 but  
9 probably earlier.

10           With that, let me see if there are any comments or  
11 questions from members.

12           MR. KEMPER: Mr. Chairman --

13           MR. SCHECHTMAN: Alan.

14           MR. KEMPER: Alan Kemper.

15           MR. SCHECHTMAN: Thank you

16           MR. KEMPER: With all due respect to the  
17 committee, I would ask, if possible, Mr. Chairman, we give a  
18 moment of silence for all the loss of life in Orlando over  
19 the weekend and just respect to them and their families.  
20 Thank you, Mr. Chairman.

21           MR. SCHECHTMAN: Thank you, Alan. I think that's  
22 a very fine suggestion. Thank you.

23           MR. KEMPER: Thank you, Mr. Chairman.

24           MR. SCHECHTMAN: Any other thoughts or comments?

25           (No audible response.)

1           MR. SCHECHTMAN: Okay. Then we will move on in  
2 our agenda, and the next topic are some updates on  
3 regulatory developments, and these are not all actually  
4 entirely regulatory. We'll also talk about some scientific  
5 studies as well, but let me turn first to Michael Gregoire,  
6 who is the associate administrator of USDA's Animal and  
7 Plant Health Inspection Service, who has spoken to you  
8 before. Mike.

9           MR. GREGOIRE: Thank you, Michael, and good  
10 morning, everyone.

11          MR. KEMPER: Mr. Chair, could you use the mic?

12          MR. GREGOIRE: Oh, yeah. Very good. Thank you.  
13 Good morning, everyone. I'm happy to provide you with an  
14 update on biotechnology regulatory developments at the  
15 Animal and Plant Health Inspection Service, and these are  
16 things that have occurred since you last met in the middle  
17 of March.

18                 Since our last meeting, APHIS deregulated two  
19 lines of genetically engineered corn. One was from  
20 Syngenta, and this was corn that has insect-resistance and  
21 glufosinate-tolerant traits engineered into the plant. This  
22 is similar to a line that had been previously deregulated by  
23 the Agency. The second corn that was deregulated was a  
24 product from Monsanto that's resistant to herbicides dicamba  
25 and glufosinate. In both cases we concluded that they were

1 unlikely to present -- to pose a plant pest risk, which is  
2 our regulatory standard for making those determinations.

3 I think now we've probably deregulated somewhere  
4 in the neighborhood of 120 products, and then we have just  
5 three or four petitions for nonregulated status before the  
6 Agency currently.

7 Last week we issued new guidance on the Am I  
8 Regulated? process, which is a process that helps developers  
9 of GE organisms determine whether their product meets the  
10 definition of a regulated article and requires authorization  
11 either through a permit or notification. There was a  
12 stakeholder e-mail that was sent out with that that didn't  
13 provide a lot of information about the details of this new  
14 guidance, but essentially, the substance of the process  
15 hasn't changed.

16 The guidance that was put out last week on this  
17 process provided some details about what data requirements  
18 -- what information the Agency needs when these requests  
19 come into the Agency, and it provided some instructions  
20 about, if you're submitting those requests with confidential  
21 business information, how that needs to be cited, and so on.  
22 So that was put out last week. You may have seen the e-mail  
23 that went out with that.

24 Two recent Am I Regulated? requests generated some  
25 interest in the press. One was a white-button mushroom



1 developed by Penn State and a waxy corn developed by DuPont  
2 Pioneer. Both these organisms were developed using CRISPR  
3 technology, a new plant-breeding technique that can delete  
4 genes without introducing new material.

5 In both those cases, we determined that the  
6 products were not plant pests and do not fall under APHIS  
7 regulation. There was no genetic material from plant pests  
8 inserted into the final genes of those products, and those  
9 determinations are consistent with our responses to similar  
10 letters of inquiry that we've had in the past. As is the  
11 case with all of these letters, we do point out to the  
12 entity that's making the inquiry that they may still be  
13 subject to FDA and EPA regulation.

14 With respect to other biotechnology regulatory  
15 developments, at the time of our March meeting, APHIS had  
16 just recently published a notice of intent regarding our  
17 plans to prepare a programmatic environmental impact  
18 statement in connection with potential changes to our  
19 biotechnology regulations, and in response to requests we  
20 received from a number of stakeholders for more time to  
21 comment on that notice of intent, we extended the comment  
22 period until April 21st, 2016, an additional 45 days. So  
23 there was a total of a 75-day comment period on that notice  
24 of intent. I'm going to tell you a little bit about the  
25 input that we got from the public on that notice.

1           In the notice, we solicited public input on four  
2 alternatives, regulatory alternatives that we're planning to  
3 analyze as part of the programmatic environmental impact  
4 statement and invited possible changes to those alternatives  
5 and what environmental impacts and issues APHIS should  
6 consider as part of the programmatic EIS.

7           So the four alternatives outlined in the notice of  
8 intent was a no-action alternative, which would just leave  
9 the existing regulations in place. The second alternative  
10 involved a regulatory system where we would analyze GE  
11 organisms based on plant pests and noxious weed risk and  
12 then regulate those organisms with documented risks of these  
13 types. A third alternative would increase the scope of  
14 what's regulated and capture more products of biotechnology,  
15 handling regulation through a permitting process, and the  
16 fourth alternative would eliminate separate biotechnology  
17 regulations in APHIS and use existing plant pest and noxious  
18 weed regulations for GE organisms with documented plant pest  
19 or noxious weed risk. So the alternatives sort of covered  
20 the gamut of options for the Agency to consider.

21           We received 126 unique submissions in response to  
22 the NOI. It included two petitions with nearly 12,000 and  
23 more than 20,000 signatures respectively. We also received  
24 more than 9600 identical form letters. The petitions and  
25 form letters, generally speaking, called for process-based

1 regulations, a mandatory safety testing, regulation to  
2 protect non-GE crops, and liability for contamination  
3 issues.

4           The submissions that came in on the NOI came from  
5 a variety of sources, including academic and professional  
6 organizations, trade and industry groups, non-government  
7 organizations, and members of the public. We found that, by  
8 and large, trade groups -- a lot of commenters sort of voted  
9 on the alternative that they like the best or that they had  
10 a preference for -- trade groups tended to support  
11 Alternative 1, the no-action alternative, and oppose  
12 Alternative 3, the broadened scope alternative, with mixed  
13 support for Alternative 2, analyzing based on risk, and No.  
14 4, which would just use other existing plant pest and  
15 noxious weed regulations.

16           Academic and professional groups tended to support  
17 Alternatives 2 and 4 and opposed Alternatives 1 and 3.  
18 Non-NGOs opposed Alternatives 1, 2, and 4 and gave some  
19 support for Alternative 3 but comments didn't feel that that  
20 went far enough. Biotechnology developers expressed mixed  
21 support for Alternatives 2 and 4. Multiple commenters  
22 raised concern that Alternative 4 would create too much  
23 uncertainty in the market, especially in the international  
24 market.

25           The subjects that seemed to garner the greatest

1 interest and comments in the NOI was definitions that were  
2 used; numerous comments about terms defined in the NOI,  
3 including the proposed definition of biotechnology; a lot of  
4 comments about how the Agency would or should implement the  
5 noxious weed authority, including the use of a weed risk  
6 assessment model. Commenters provided varied thoughts on  
7 how we should implement the noxious weed authority. There  
8 was also a lack of familiarity with the weed risk assessment  
9 model Biotechnology Regulatory Services Unit is developing  
10 and having peer-reviewed, so some uneasiness about how that  
11 would work. Third area that got a lot of comments, what  
12 organisms should be subject to review and permitting, a lot  
13 of diverse thoughts and input on those questions, and fourth  
14 was suggestions for exemptions from regulation.

15           So we've been analyzing these comments and working  
16 on a draft rule, which is being looked at within USDA at  
17 this point. We're still working on the draft environmental  
18 impact statement. Once that work is concluded and reviewed  
19 within USDA, it would move to the Office of Information and  
20 Regulatory Affairs in the Office of Management and Budget,  
21 and when that happens, when OMB takes a rule for review,  
22 they notify the public. They have a website that lets the  
23 public know what rules are under review at OMB.

24           So that's a quick snapshot of where we are right  
25 now on the regulations front and some of the things that

1 have taken place in our program since your March meeting.  
2 Michael.

3 MR. SCHECHTMAN: Thank you. I think what we'll do  
4 is do all of the updates and then see if there are comments  
5 and questions. So I will go on, and I will give you two  
6 more updates, one on a report that was just released by the  
7 National Academy of Sciences and then on -- a brief update  
8 on the coordinated framework update process.

9 So on May 17th, 2016, the National Academy of  
10 Sciences released a new study entitled Genetically  
11 Engineered Plants: Experiences and Prospects. This was a  
12 study that the Academy on its own decided to commission a  
13 couple of years ago, a study that was mostly funded by the  
14 Academy itself and a number of independent foundations.

15 The study took a close look at assertions  
16 regarding the risks and benefits of GE crops and at studies  
17 purporting to show such risks and benefits. It's a very  
18 long report, which I won't attempt to provide a detailed  
19 summary of, but I will note a few salient conclusions that  
20 it made. The study committee found no persuasive evidence  
21 of any difference in risks to human health between currently  
22 commercialized GE crops and conventionally-bred crops, nor  
23 did it find any conclusive cause-and-effect evidence of  
24 environmental problems from those GE crops.

25 The report discussed demonstrated environmental

1 benefits accruing from the use of insect-resistant crops as  
2 well as the management benefits and the weed-resistance  
3 issues attached to the widespread use of herbicide-tolerant  
4 crops. It also discussed socioeconomic impacts as well as  
5 claims that the use of GE crops had increased crop yields.

6           With regard to regulation, the report noted that  
7 new breeding technologies have blurred the distinctions  
8 between GE and conventional breeding and recommended that  
9 agencies adopt a tiered approach to risk assessment of new  
10 crops. These are only a few elements of a broad summary of  
11 what the report covered.

12           I will confess that I have not yet read the entire  
13 thing. It is hundreds of pages long. It's available  
14 online, and I will note just one or two other facts about  
15 the overall process: First, the Academy went out of its way  
16 to listen to the comments of biotech critics and also  
17 comments at its public sessions, carefully -- and carefully  
18 recorded all of the comments it had received; it made sure  
19 to address each of the issues that was raised in those  
20 contexts in the final report, and in fact, an appendix to  
21 the report notes the comments that they received and  
22 specifically where in the report they are dealt with.  
23 Second, because of interest in the topic, the Academy is  
24 going to greater lengths than for the typical report to make  
25 the report more accessible to the public. So that's the

1 summary of the National Academy report, and I invite  
2 committee members and the public to take a look, to take a  
3 look at the report at leisure.

4           Now I'll provide you another very brief update on  
5 what's been happening on the White House-led effort to  
6 modernize the coordinated framework for the regulation of  
7 biotechnology. For the sake of members of the public who  
8 are here, I'll begin by repeating some of the background  
9 that I spoke of at the last plenary session in March.

10           So this is an effort that was initiated by a White  
11 House memo in July of last year. The memo called for the  
12 establishment of a biotechnology working group under the  
13 Emerging Technologies Interagency Policy Coordinating  
14 Committee, including representatives from the Executive  
15 Office of the President, EPA, FDA, and USDA.

16           The group has three tasks: to update the  
17 coordinated framework to clarify the current roles and  
18 responsibilities of the agencies that regulate the products  
19 of biotechnology, to develop a long-term strategy to ensure  
20 that the federal regulatory system is well prepared for the  
21 future products of biotechnology, and to commission an  
22 external, independent analysis of the future landscape of  
23 biotechnology products. The White House memo also affirmed  
24 the existing principles on which the coordinated framework  
25 is based.

1           So the first task has been to work diligently on  
2 the description of the current roles and responsibilities to  
3 clarify that information for the public. This has been  
4 important because certainly there are classes of products  
5 that are in existence or under development that may not have  
6 even existed or been thought of at the time of the initial  
7 coordinated framework draft. With respect to that task,  
8 three public meetings have been held -- in the Washington,  
9 D.C., area last November; in Dallas, Texas, in early March;  
10 and in Davis, California, in late March of this year. Those  
11 meetings discussed the update process, case studies on  
12 regulation, and some longer-term issues as well.

13           Developing the long-term strategy is an ongoing  
14 process, and it means providing a plan for looking to the  
15 future, being ready for new technologies and improving  
16 coordination as well as public outreach. This component  
17 will be a general piece that will set up some guideposts for  
18 future efforts and reviews in the years ahead.

19           For the third task, the National Research Council  
20 of the National Academies of Sciences has been commissioned  
21 for the analysis of the future landscape of biotechnology  
22 products and has initiated a project entitled Future  
23 Biotechnology Products and Opportunities to Enhance  
24 Capabilities of the Biotechnology Regulatory System. This  
25 National Academy report, in preparation, is separate and



1 distinct from the one that I just reported on. For this new  
2 study, the panel has been formed, and in fact, three  
3 meetings of the panel have already been held. A report from  
4 the Academy is expected within a year.

5           In terms of the rest of the charge, it is  
6 anticipated that an update on current roles and  
7 responsibilities under the coordinated framework will be  
8 published in the Federal Register sometime this summer for  
9 public comment. Accompanying that update will be a  
10 long-term strategy document looking to work to be done in  
11 the future. The materials that are to be published will  
12 reflect and include all the materials discussed at public  
13 meetings, including case studies.

14           So that is the summary of the coordinated  
15 framework update. So I think that concludes all the  
16 summaries we have for you right now, and we will open up for  
17 public comment -- for, excuse me, for questions from the,  
18 from the committee. Josette.

19           MS. LEWIS: You know, it sounds like, I'm sorry,  
20 it sounds like you're still working through the --

21           MR. SCHECHTMAN: Would you hit the button?  
22 There's a button on the -- over here.

23           MS. LEWIS: Right. I'm out of practice here.  
24 With the APHIS EIS process, to what extent are you actually  
25 looking at the sort of future direction? You've obviously

1 made a couple of rulings on new breeding techniques using  
2 the CRISPR technology, but how much is that sort of  
3 forward-looking new technology applications brought into the  
4 current EIS process that you're undergoing?

5 MR. GREGOIRE: So the question with respect to the  
6 new plant-breeding technologies, in the new regulation, the  
7 EIS is really one of the more important issues that we're  
8 wrestling with as part of the new rule and for which we have  
9 gotten a lot of public input on that, and I expect we will  
10 be having more discussions about how that will be handled  
11 with our interagency partners.

12 The U.S. system is -- I mean, the principles that  
13 guide our regulatory development and regulatory oversight  
14 that are put out by the White House call for a product-based  
15 regulatory system and not a processed-based regulatory  
16 system, but you can't really, or we haven't been able to  
17 find a way to really escape addressing in some way, shape,  
18 or form the processes, because you have to identify for the  
19 regulated community what products it is you want to look at.  
20 We certainly don't want to start regulating products from  
21 conventional breeding. They have a long history of safety.  
22 There's really no need to. So that's an important issue,  
23 one that we're still wrestling with in this process and for  
24 which we got a lot of input on.

25 We've also been in discussions with other

1 countries around the globe in different fora about these  
2 same kinds of issues. Other -- many other countries are  
3 wrestling with these same kind of questions and issues right  
4 now, and then there's a number of countries that are in the  
5 process of reviewing and updating their regulatory systems  
6 as well.

7           So we don't have answers on exactly how that will  
8 be done, just to say it's an important issue. We're working  
9 with our partners here in the U.S. and with trading partners  
10 on that.

11           MR. SCHECHTMAN: Very good, Mike. David.

12           MR. JOHNSON: Hi, good morning, David Johnson. I  
13 had a question about definitions, and -- and I know you  
14 raised it during your presentation, Michael, but my question  
15 is, there's a page on the USDA site. It's called Glossary  
16 of Agricultural Biotechnology Terms. I think it's been last  
17 updated in February of 2013, and I was kind of curious about  
18 what thought goes into the definitions that are listed there  
19 and what plans you have for adding definitions of terms to  
20 go in there. And one in particular that I, I always  
21 struggle with is we use the term GMO on this committee to  
22 mean certain things but in that glossary it just defines it  
23 as an organism produced through genetic modification, which  
24 is very different than how we use it on our committee.

25           And so I think there's always a lot of confusion

1 among people reading reports and participating in  
2 discussions when definitions are different and they're used  
3 different throughout the agencies, even within USDA, and so  
4 I was just curious if there's going to be definitions added  
5 to that glossary. Is that the go-to place for definitions?  
6 I mean, sometimes I go to Wikipedia to read what a  
7 definition is. Sometimes I go to that site, that part of  
8 the site to read what a definition -- and I'm just curious  
9 about how you guys would comment about on how definitions  
10 are put out and where do we go to for definitions.

11 MR. SCHECHTMAN: Do you want me to start on that?

12 MR. GREGOIRE: Yeah.

13 MR. SCHECHTMAN: So I can start on that website,  
14 and the definitions that were put up on the website were  
15 definitions that were reviewed in an interagency way across  
16 USDA, among folks that are involved in biotechnology. But  
17 certainly, you point out, I think, a very important thing,  
18 that if and when there is an update to APHIS's regulations  
19 with a proposed rule and perhaps a final rule after that, we  
20 will need to revisit that page to make sure that it's  
21 consistent.

22 I can say that discussions of the definitions of  
23 those terms, as they relate to scope of regulation, scope of  
24 things that people are thinking about in one way or another,  
25 is a subject that has been a topic of discussion for -- an

1 ongoing subject that's been the topic of discussion for the  
2 28 years that I've been doing biotech stuff with USDA and I  
3 have no reason to think it won't continue. Chuck.

4 MR. BENBROOK: Yeah.

5 MR. SCHECHTMAN: Did you -- oh, sorry. One  
6 second. Did you want to add anything? No. Okay. Sorry.

7 MR. BENBROOK: Well, sort of continuing with this  
8 theme --

9 THE REPORTER: Your microphone is not on.

10 MR. BENBROOK: Continuing with this theme of  
11 definitions, we're all following how both the U.S. and other  
12 countries around the world are addressing gene-silencing and  
13 other CRISPR-related technologies, and it certainly looks  
14 like Codex and most of the markets that we ship our major  
15 agriculture commodities into are -- have either already  
16 decided or are likely to include gene-silencing technology  
17 within their definitions of genetic engineering or genetic  
18 modification, and if that's the case, then clearly that will  
19 emerge as the coexistence issue of perhaps the next decade.

20 And I would, I would simply suggest to my  
21 colleagues on the committee and to the, to the chair that in  
22 our section of our report where we talk about important  
23 issues or difficult issues, we at least tee this up, because  
24 I, I don't think there is widespread understanding in, in  
25 any of the respective communities about what the

1 implications are of the U.S. having a different definition  
2 of genetic engineering relative to Codex, our European  
3 trading partners, and most of our trading partners in Asia.  
4 I think it's a, it's a huge -- potentially, it's a huge  
5 problem, and the -- there's a lot of uncertainty about it.

6 I mean, for example, I'd be interested,  
7 Mr. Gregoire, in your thoughts on this. Is the technology  
8 out there to detect a corn variety that's been modified  
9 through CRISPR? Is it as straightforward as detecting the  
10 Roundup Ready trait or a Bt trait? And I think that that  
11 cluster of issues -- you know, what's it going to take to  
12 detect that and assure a market that doesn't want a  
13 gene-silenced corn coming in? What's it going to take?  
14 What's Lynn Clarkson going to have to do to convince a buyer  
15 that they don't have to worry about that, that circumstance  
16 arising?

17 So I'd like to have some discussion around that,  
18 if we could, and then I'll have a second question, but I'll  
19 hold that.

20 MR. GREGOIRE: So Michael and I have both been  
21 engaged in discussions with trading partners on these  
22 issues. To my knowledge anyway, not too many countries have  
23 actually defined this or determined whether or not these  
24 gene-editing techniques are subject to the regulations or  
25 not. The EU has taken this under consideration for some

1 time, but I don't think they have ruled on that as yet.  
2 Argentina has some guidance that provides instructions on  
3 how procedurally they will look at those sort of things.

4           So I think countries recognize this issue that  
5 you've described and the importance of trying to find a path  
6 forward. We have the benefit of a lot of experience now  
7 with countries having different definitions and regulatory  
8 systems, and so I think there's still a lot of work in front  
9 of us to deal with those issues. It's a tall order to get  
10 countries to come to some sort of common understanding and  
11 approach on that, and I think gene editing you can kind of  
12 looking at as sort of a continuum of techniques and not just  
13 necessarily one, one particular approach.

14           So why don't you edit here.

15           MR. SCHECHTMAN: Yeah. Okay. Yeah. I'll just,  
16 just add a little bit. To my knowledge --

17           MR. GREGOIRE: Testing, yeah.

18           MR. SCHECHTMAN: -- there is no country that has  
19 definitively stated that they are going to regulate these  
20 products as if they were GE or GMO. The Europeans are still  
21 discussing this, and there are certainly some significant  
22 members within the European community that have expressed  
23 the national view that certain of these things they do not  
24 wish to regulate. The Commission is still considering this,  
25 and there's a legal opinion that's in the process of being

1 developed.

2           In terms of testing for these things, there are --  
3 to my knowledge, there are very -- some very exquisitely  
4 sensitive tests that could be devised to find these things,  
5 but those are not tests that are things that would likely be  
6 commercially useful for many of these things that might just  
7 have a single base-pair change, for example. So it does, it  
8 does raise the question of what countries will do if they  
9 put in place a regulation that, that would be difficult for  
10 them to enforce because there's not a good method to look --  
11 it's not clear exactly what would happen under those  
12 circumstances. Alan, then Laura.

13           MR. KEMPER: Thank you. A follow-up question  
14 maybe for Angela or someone from the seed trade, because I'm  
15 interested, Charles, about the CRISPR gene. So basically,  
16 has ASTA any policy on CRISPR technology in relation to  
17 exports or anything like that? I mean, in any of their  
18 policies, do they mention future, you know, products that  
19 may come out? I don't know if anybody in the room, or  
20 Michael, if you have a thought. Thank you.

21           MR. SCHECHTMAN: Do you want me to, or do you want  
22 to -- Angela can add something afterwards. I'll start on  
23 this.

24           MS. OLSEN: Okay. That would be great.

25           MR. SCHECHTMAN: And I know that the American Seed



1 Trade Association is very interested in these technologies,  
2 and I know they've provided comments about the -- about what  
3 they see as the importance of these technologies for  
4 breeding in a whole host of crops, not the -- not just the  
5 major commodity crops we've, we've talked about but also for  
6 lots of vegetable crops, for the interest in sort of  
7 democratizing the availability of breeding, new breeding  
8 tools for other crops. Given how difficult it is to get new  
9 GE crops to market, they would like to be able to speed up a  
10 lot of the breeding processes.

11           You know, for some crops like potatoes and wheat  
12 that are polyploid crops, moving even a simple trait in can  
13 take decades, and this could be a process -- this is a tool,  
14 in their view, that could be used to move in traits from  
15 sexually-compatible relatives that are just hard to move in  
16 because of the biology of the crop that could get them there  
17 more quickly. So they are -- they have expressed a great  
18 interest in the use of these technologies.

19           Do you want to add anything else, Angela?

20           MS. OLSEN: (No audible response.)

21           MR. SCHECHTMAN: Laura.

22           MS. BATCHA: Laura Batcha. I have a, I think, a  
23 question and then -- well, first a comment and then a  
24 question. I'm going back to the issues that Chuck raised on  
25 CRISPR, and Alan, because I think this is sort of a new

1 thing that's coming at us rapidly. So I appreciate the  
2 clarification on international markets.

3 As it relates to the organic standards, the  
4 National Organic Standards Board is currently revising its  
5 definitions of biotechnology, and my understanding is that  
6 every draft of that recommendation has envisioned that  
7 technology being rolled into the excluded methods  
8 definition.

9 So regardless of where the international market  
10 goes, there may be a challenge in the domestic market, and  
11 if a product of a technology, whether you think about it as  
12 a product-based look or a process-based look, is not defined  
13 as biotechnology in APHIS but is excluded in organic  
14 production and there's not a test on the market to determine  
15 whether or not that process has been used to produce the  
16 product and it's not defined as biotechnology, will there be  
17 questions as to whether or not -- the question about whether  
18 or not CRISPR or related technologies have even been used  
19 would need to be legally disclosed, and how do you go back  
20 through the change to get at that information? So I'm  
21 raising that as a domestic issue that I, that I think will  
22 likely be grappled with in the future as well. So that's my  
23 comment on what's happening domestically on that.

24 We did have an interesting, at the last National  
25 Organic Standards Board meeting, a panel on some of these

1 questions around definitions and biotechnology, and there  
2 was an interesting presentation by a scientist on this. I  
3 think, if I got it right, Michael, you called it those  
4 polyploid traits, and what happens when you use it to  
5 accelerate, say, in tree-fruit breeding, then you go back  
6 out and the original product or process is not included in  
7 the, in the generations that are then planted out, and  
8 that's even sort of a more complex, sort of nuanced thing as  
9 well. So I'm flagging that because there was some  
10 discussion in Organic about how to, how to think about that.

11           And then I guess my question is, you know, with  
12 this being something that is new, being grappled with,  
13 right, and being discussed around the world and  
14 domestically, I guess I'm interested in the decision, while  
15 the, you know, new look at Part 340 is still in draft mode  
16 and comments being accepted, the concurrent decision on the  
17 part of APHIS to make a call on two specific proposals for  
18 the white-button mushroom and the, I think you said,  
19 yellow-wax corn and make a determination that it didn't fall  
20 into the definition, so I'm just curious about the thinking  
21 about going ahead and moving those through the system prior  
22 to finalizing and publishing final definitions because the  
23 options were out there for discussion and, I think, part of  
24 it was there in the definition. So help me understand that.

25           MR. GREGOIRE: Okay. So while we're in the

1 process of developing new regulations -- and, frankly, it'll  
2 be years, I think, before a new final regulation is put into  
3 place -- we will operate under the current regulations that  
4 we have. And so this process, this Am I Regulated? process  
5 that we have in the Agency, we look at whether or not the  
6 article in question is a regulated article, and so we would  
7 look at -- so the definition of a regulated article is an  
8 article where either the donor or the recipient organism is  
9 a plant pest, or a plant pest is used as a vector to create  
10 the organism, or if the Agency has otherwise reason to  
11 believe the organism presents a plant pest risk, which means  
12 is it likely to cause physical injury or damage or disease  
13 in other plants and plant products.

14           So that's what we look at when we get each of  
15 these inquiries that come through the system, and in the  
16 case of those two, we looked at those factors in making that  
17 determination, as we've done with every one of these other  
18 inquiries that, that that come into the -- that come into  
19 the system. The bottom line is we have no reason to believe  
20 either of those presents plant, plant health risk, and  
21 that's kind of the bottom line for us on that.

22           MS. BATCHA: Can I do a follow-up? Is that okay?

23           MR. SCHECHTMAN: Yeah.

24           MS. BATCHA: So in follow up to this, this is just  
25 an interesting terrain that we find ourselves in because

1 we're having a lot of discussions about this as it relates  
2 to potentially pending legislation on labeling, as well, for  
3 biotechnology. So if something isn't either required to be  
4 reviewed for commercialization or labeled -- and you've got  
5 that boundary here -- but the boundary for qualifying for  
6 disclosure as not bioengineered is over here, then you've  
7 got this whole new space in the middle. And up until now  
8 we've had one line where you're on one side of the line or  
9 you're on the other side of the line, and now we're going to  
10 have a line where you're on one side or the other and  
11 another line that's over here where you're on one side or  
12 the other. So --

13 MR. BENBROOK: That's life.

14 MR. SCHECHTMAN: Josette. Oh, let me ask, Chuck,  
15 do you have, is your --

16 MR. BENBROOK: Yeah.

17 MR. SCHECHTMAN: Chuck, then Josette.

18 MR. BENBROOK: A very short question, then my  
19 other more substantive one. Mr. Gregoire, in your  
20 introduction you spoke about the CRISPR technology deleting  
21 genes. Did you actually mean silencing genes and isn't,  
22 isn't it an important distinction?

23 MR. KEMPER: That's a good question, Chuck.

24 MR. SCHECHTMAN: I think it's a powerful  
25 technology that can be used in a variety of different ways.

1 So it could be used to actually delete a gene. It could be  
2 used to make a gene not work. It could be used to silence  
3 the expression of a gene.

4           So I think all three possibilities are things that  
5 can be done with the technology, and it is sort of -- when  
6 you say gene-editing technology, as, as Mr. Gregoire said,  
7 it's a continuum of things. There are clearly some things  
8 that -- you could use CRISPR to insert a new gene from an  
9 unrelated species, and that would clearly be something  
10 that's very much like genetic -- like what we've always  
11 considered to be genetic engineering, just using the tool,  
12 but it can also be used to make changes that are of a sort  
13 that could happen in nature, like a single base-pair change  
14 or a, or a deletion.

15           So it's a little hard to talk about exactly what a  
16 specific change will be, but all three are possible, and  
17 they're all things to be thought about.

18           MR. BENBROOK: Well, I would just simply say this  
19 is the time for real focus on accuracy, because we don't  
20 want to set the stage for this new technology based on  
21 imprecise terms and misunderstanding. I just would  
22 highlight that as an important challenge if we want to  
23 minimize problems down the road.

24           But my substantive point and question is, the  
25 federal government is also engaged in a, in a substantial

1 policy review process on the herbicide-resistance management  
2 front. The EPA has put out for public comment a PR notice  
3 on -- actually, two -- on new ways to try to mitigate and  
4 address herbicide-resistance management through the labeling  
5 and approval process for new herbicide-tolerant crops. This  
6 is a quite significant policy statement. I think it should  
7 be noted in our report that herbicide use and  
8 herbicide-tolerant crop issues are an emerging and important  
9 component of the coexistence challenge that exists around  
10 the country and that we should -- people should at least  
11 follow that policy process.

12           And a request of Michael -- the USDA apparently  
13 put out a policy statement as part of that process. I  
14 didn't know about it until I read the full Federal Register  
15 notice on the EPA PR notice, and could you make copies of  
16 that for the committee and have them available tomorrow so  
17 we could read it on the plane? I'm sure it's an interesting  
18 document.

19           MR. SCHECHTMAN: I am not sure that I can get it  
20 tonight. I can get it e-mailed to you. It may not get to  
21 you by plane time, but I can get it to you the following  
22 day, if that's, if that's okay.

23           MR. BENBROOK: Well, you know, I just -- I'd  
24 rather read a hard copy than look at the computer screen on  
25 the plane, but I do, I do want to alert the committee that

1 this other sort of parallel policy process is going on with  
2 some participation by USDA, and it's certainly addressing  
3 one of the important coexistence-related issues that we've  
4 been talking about for five years now.

5 MR. SCHECHTMAN: I'm not exactly sure I can  
6 instantly put my finger on the document. I'm not exactly  
7 sure of the document, but I will, I will track it down, and  
8 I will see to it that the committee gets it shortly  
9 thereafter.

10 MR. BENBROOK: Well, I'll e-mail you the URL.  
11 How's that?

12 MR. GREGOIRE: I can --

13 MR. SCHECHTMAN: You can --

14 MR. GREGOIRE: -- when I go back to the office, I  
15 can --

16 MR. SCHECHTMAN: You can --

17 MR. GREGOIRE: -- because I know you're going to  
18 be here.

19 MR. SCHECHTMAN: Yeah. I'm -- yeah.

20 MR. GREGOIRE: I can have someone track it down.

21 MR. SCHECHTMAN: Well, we'll get it tracked down  
22 and sent out to folks. Josette, and then Leon, is your --  
23 okay. Josette.

24 MS. LEWIS: In thinking about this question that  
25 Laura raised and that we've been discussing for a bit here



1 around new breeding techniques, seems, as I think this  
2 through, one of the challenges that creates this situation  
3 is that APHIS is looking at these within its sort of safety  
4 regulatory framework, the Plant Pest Act and the National  
5 Organic Standards, and labeling of GM foods that's coming up  
6 through various initiatives are more market-based standards.  
7 So there is a distinction as to why there may be different  
8 approaches to these two things. That sort of seems like  
9 that's the crux of our issue here.

10 MR. SCHECHTMAN: Thank you. Leon.

11 MR. CORZINE: Thank you, Michael. Leon Corzine.  
12 I, I was sort of going down that same path that Josette did,  
13 but in addition to that, I guess I've got a question for  
14 Laura, because you mentioned, Laura, that this may not be  
15 able to be tested for especially some, some ways that CRISPR  
16 may be used, and that's a concern of the, for the organic  
17 standards. But I guess the question is, my understanding is  
18 there are a lot of things in the process-based system you  
19 have that there's no way you can test for; in fact, I think  
20 genetic engineering is the only thing you can really test  
21 for and maybe some chemical residue-type things --

22 MS. BATCHA: Antibiotics, right.

23 MR. CORZINE: Okay. And antibiotics, but there  
24 are a lot of things in the process, especially in the  
25 raising of any crops or any products that, until you get the

1 antibiotics, that you don't test for anyway, and it's all  
2 part of the, where you get certified and do your reviews and  
3 those kind of things. So this really wouldn't be any  
4 different than those other things in the process-based  
5 system. Is that right?

6 MR. SCHECHTMAN: Please, Laura.

7 MS. BATCHA: Sure. So clarify a couple things.  
8 Leon, when I was -- the primary thing I was pointing to in  
9 regards to the challenge of the testing is that that may  
10 become more germane if the product isn't defined one place  
11 as biotechnology and therefore not disclosed and able to be  
12 verified through a process-based system, so a little bit  
13 different scenario there.

14 And then many, many substances are subject to  
15 analytical testing under investigation when there's some  
16 reason to believe through the relationship between the  
17 certifier and the client that there's a noncompliance to the  
18 practice standard that's processed-based, and analytical  
19 testing would be used as part of the investigation and  
20 verification process, including nitrogen sources and farm  
21 inputs, antibiotics, hormones, pesticides, GMO presence, so  
22 a whole host of things; that, while they might not be the  
23 way you first verify compliance under investigation, they  
24 would be subject to those tests. But I, but I was really  
25 talking about the former in this because it might create a

1 scenario where ready disclosure isn't as available as it  
2 might be for other things that would be deemed biotechnology  
3 when you do the process verification. Hope that helps.

4 MR. SCHECHTMAN: Thank you. Alan and then we will  
5 go on to the next section.

6 MR. KEMPER: Thank you, Mr. Chair --

7 MR. SCHECHTMAN: Thank you.

8 MR. KEMPER: -- and I think this may segue into  
9 that. I think, I think -- after I reviewed a lot of these  
10 documents -- and, Michael, they were, they're good documents  
11 -- but I didn't see really anywhere -- and we might consider  
12 -- anywhere in there that all farmers strive to do what they  
13 can to keep their domestic and international markets open  
14 and, recognizing the fact that we're engaged with  
15 regulations, we're looking for opportunities, that farmers  
16 just don't sit back on their laurels, they actually are out  
17 there working to keep those domestic, whether it's organic  
18 or conventional or GE, markets open. Thank you,  
19 Mr. Chairman.

20 MR. SCHECHTMAN: Thank you. We'll see where,  
21 where that fact could be included. Okay. So next on our  
22 agenda we have reports and our first initial discussion on  
23 where we are on the process with, with our reports from our  
24 three subgroups, and we will start off with a report on the  
25 work of the Guidance subgroup, which I think will be Lynn

1 Clarkson.

2 MR. CLARKSON: Yeah. Good morning, Lynn Clarkson.  
3 The Guidance group has had a number of meetings, most of  
4 which were by telephone. They were attended by at least  
5 half of the subgroup on almost all occasions, and we started  
6 out by using the basic structure that's using for -- used  
7 for identity preservation pretty much across the United  
8 States and in foreign countries. We used that as the  
9 skeleton to address a variety of issues.

10 Around this table over the past couple years,  
11 there have been a number of disagreements, sharp points. I  
12 think in doing this we manage to rub away the sharp points.  
13 We're not prescribing how farmers talk to each other. We're  
14 not engaged in suggestions that a number of committee  
15 members disagreed with. We're just focusing on good  
16 communications between farmers and leaving them -- leaving  
17 how that's arranged up to them or their other advisors.

18 We confronted the seed issues by transferring  
19 responsibility to that. I wish to just put in one update to  
20 let you know what the market is doing on seed purity issues.  
21 There are a number of seed companies who this year are  
22 making arrangements for next year to offer non-GMO seed in  
23 the United States as being multiplied in Europe, and we're  
24 taking advantage largely of international zoning. So if we  
25 can't be sure that we're going to get what we want in one

1 location and we can get it in another, that's what we'll  
2 use. Almost everyone would prefer to get it here, but  
3 that's increasingly difficult.

4           So when issues would be joined and perhaps in  
5 danger of falling into the black hole of discussion, we  
6 mostly turn to our moderator, our mediator, our man who  
7 draws a fair line, Dr. Michael Schechtman, and say, gee, we  
8 don't know quite how to answer that, Michael can do it.  
9 Now, I think Michael has done a very nice job -- I assumed  
10 that everybody had read this document -- but I think he's  
11 done a nice job of bringing out the points that Angela would  
12 like to see, that I would like to see, maybe Dr. Kemper here  
13 would like to see too, and presenting them in a fair way for  
14 consideration.

15           So if you have questions about that, we'll be  
16 happy to try and answer them, and I think at least half of  
17 the Guidance Committee is here today. So if other Guidance  
18 Committee members, if I'm missing something here that you  
19 think is important to explain, either the process or the  
20 product, please bring it forward.

21           MR. SCHECHTMAN: Oh, okay. Angela.

22           MS. OLSEN: Okay. I'm on green now. I think Lynn  
23 did a great job summarizing our conversations. The one  
24 point that I will add is that this document couldn't do  
25 everything for everyone, meaning it's not prescriptive. We

1 -- you know, our goal was really to have a framework that  
2 could be fleshed out and adapted to local conditions.

3           As we discussed at the table, the challenges or  
4 the opportunities in different areas of the country, even  
5 within the same state, are different. So we wanted to  
6 respect that and wanted to have a framework for discussion  
7 but also with the full expectation that this would be  
8 further fleshed out at the local level. So that was part of  
9 the balance that we were trying to achieve as well.

10           MR. SCHECHTMAN: Other comments on, on this  
11 document? Leon.

12           MR. CORZINE: Leon Corzine. Very good. I think  
13 this is a good document as I read through it. I can, I can  
14 see, Lynn, what you reported is accurate, the way you went  
15 about it, and Michael did a great job of drafting it for  
16 you.

17           A question on the, under the Meeting IP  
18 Requirements -- this is a very small thing, and one of the  
19 bullets said something about potential for pollen flow to an  
20 IP crop, and I just wondered if you've talked about it or it  
21 would be a good add to put, or from an IP crop, because it's  
22 kind of a two-way, if you know what I mean -- so just a very  
23 small thing I noticed. Thank you.

24           MR. CLARKSON: Leon, I think that's more than a  
25 small thing. I think that's a big thing, and I think you're

1 right. We're interested in, no matter where the pollen  
2 comes, if it's going to disrupt the market, we're interested  
3 in trying to minimize the conflict. And there are examples  
4 out there immediately today that I've brought to the  
5 attention of other members of the committee where it's IP  
6 pollen that I'm worried about.

7 MR. SCHECHTMAN: Okay.

8 MR. CORZINE: Just trying to look after you.

9 MR. CLARKSON: Thank you.

10 MR. SCHECHTMAN: Thank you. I'll mention that we  
11 will have another session to specifically talk about the  
12 document, but Alan, if you have --

13 MR. KEMPER: No, that's fine. That's where my  
14 question was. So we'll talk about it this afternoon or  
15 something?

16 MR. SCHECHTMAN: Yeah. Yeah.

17 MR. KEMPER: Thank you much.

18 MR. SCHECHTMAN: Any other comments about the work  
19 of the guidance document -- of the Guidance subgroup?

20 (No audible response.)

21 MR. SCHECHTMAN: If not, let us move on then to  
22 the summary from the Models subgroup, which will be Laura.

23 MS. BATCHA: Thank you. So just as a reminder for  
24 folks, the Models and Incentives subgroup includes Marty  
25 Matlock, Dave Johnson, Jerry Slocum, Commissioner Goehring,

1 Isaura Andaluz, myself -- Laura Batcha -- and Keith Kisling.  
2 There were two meetings of the subgroup since our last full  
3 committee meeting, one in March and one in late May.

4           So in, excuse me, the first meeting of the  
5 subgroup, really, the group began discussing how to take  
6 what Commissioner Goehring had brought forward to the full  
7 meeting and incorporate some other elements, including the  
8 proposal from the National Corn Growers Association, the  
9 pollinator, State Pollinator Plan, some of the information  
10 we looked at from the conservation districts, and how to  
11 move that forward to a draft on models and incentives. And  
12 there was some discussion that the pollinator plan, while we  
13 really liked the model, some of the elements of the  
14 pollinator plan were likely going to be covered in work of  
15 other subgroups. So there was some time spent trying to  
16 figure out where the boundaries between the subgroups  
17 started and stopped as it related to the work that we were  
18 trying to do, as well as a discussion about best management  
19 strategies versus mitigation strategies in terms of language  
20 that met people's needs.

21           There was also a discussion around the importance  
22 in terms of potential incentive for some audiences and in  
23 some regions of USDA indicating support for these local  
24 convenings to discuss these issues and that it would be very  
25 helpful for USDA to send a signal to FSA and NRCS offices to



1 offer their assistance in this regard as that was sort of  
2 part of our charge as a group, you know: Are there ways  
3 that USDA can support the process? So coming out of the  
4 first meeting, Commissioner Goehring volunteered to take  
5 that discussion and do the next iteration of the draft and  
6 the group agreed for that to happen.

7           In advance of the May meeting, a next draft was,  
8 was shared back with the group, and really, discussion of  
9 that first draft was the subject of our second meeting. The  
10 group recognized the good work that Doug did starting to  
11 frame the discussion and how to bring everyone to the table.  
12 There was -- we had had a shift coming out of the full  
13 committee meeting that there was emerging comfort with  
14 issues that were raised by Commissioner Goehring and others  
15 that more than just pollen flow needed to be on the table in  
16 order to incentivize people to participate. So we were  
17 working off of that conversation from the last full  
18 committee meeting.

19           When we reviewed the draft, there was some  
20 discussion in the subcommittee that perhaps the draft had  
21 sort of moved too far in that direction and maybe obscured  
22 the core of our charge around unintended GE presence, and so  
23 we had some constructive discussion about that and how to be  
24 clear about, about the purpose in the document and what  
25 roles some of the other pressing issues of agriculture that

1 were brought into the discussion -- into the draft played.  
2 And I think, you know, there was an -- there was an  
3 acknowledgment by Doug that, in fact, it didn't include much  
4 detail on the topic of gene flow and it was an attempt to  
5 bring audiences in for whom that wasn't their primary  
6 conversation.

7 I think at that point there were some other  
8 discussions around the appreciation around the framing  
9 around farmer choice and some discussions around being  
10 careful in all the work we do to not communicate the  
11 assumption that farmers make one choice and sit in one camp  
12 and that increasingly farmers may be making multiple choices  
13 and sitting in multiple camps at the same time. And so we  
14 really wanted to bring that idea forward into our second  
15 draft, to recognize that in terms of, you know, some  
16 principles around choice, respect, and practices altogether.

17 So coming out of the second meeting, the group  
18 welcomed Dr. Schechtman's offer to try to take and attempt  
19 to make the next draft reflect that conversation, and I  
20 think you'll see in the second draft that was included in  
21 your packages that Michael did a, did a great job.

22 The bullets coming out of the meeting that  
23 Dr. Schechtman was working to flesh out in the draft that  
24 we're working off of now are around the challenges faced by  
25 the different types of production, opportunities for all

1 farmers, themes around responsibility and respect, a little  
2 more focus on the issue of gene flow, more conversation  
3 about what -- I mean, more, more information about what  
4 those conversations might look like in the context, as well  
5 as stressing the importance that the purpose of the document  
6 is to enhance the communications in order to solve problems.

7           So at the conclusion of that meeting, Michael went  
8 back and redrafted. It came out a, you know, few days ago,  
9 I think last week.

10           MR. SCHECHTMAN: Last Wednesday.

11           MS. BATCHA: Last Wednesday, and so that's what  
12 we'll be focusing our discussions on later today.

13           MR. SCHECHTMAN: Josette.

14           MS. LEWIS: Just really an orientation question  
15 and maybe because I missed the last meeting, but of the  
16 documents that we received last week, it sounds like from  
17 the report you gave out and my own convening group that's  
18 going to report back, those two working groups' input is  
19 largely integrated into the Local Coexistence Plan, V2,  
20 document and the guidance one that Lynn report out -- a  
21 stand-alone document as well. Is that my correct  
22 understanding?

23           MR. SCHECHTMAN: Yes.

24           UNIDENTIFIED SPEAKER: Correct.

25           MS. LEWIS: Thank you.

1 UNIDENTIFIED SPEAKER: Thanks for clarifying that.

2 MR. SCHECHTMAN: Other questions, comments on the  
3 work of the Models subgroup?

4 (No audible response.)

5 MR. SCHECHTMAN: Thank you very much. There will  
6 be a question that we will need to revisit later in the  
7 meeting. At the previous meeting -- I'll just, I'll just  
8 note it now -- there had been discussion of the Models  
9 subgroup taking a role on sort of helping to assemble the  
10 final document. We'll have to discuss how much assembly is  
11 required and how, how that might happen and if the subgroup  
12 -- if folks around the table feel like the subgroup can be  
13 very helpful in doing that, and we'll, we'll see where that  
14 goes later in the meeting.

15 Do you have a comment, Leon?

16 MR. CORZINE: No.

17 MR. SCHECHTMAN: No. Okay. Other questions,  
18 comments?

19 (No audible response.)

20 MR. SCHECHTMAN: Okay. Then our third subgroup  
21 will be the Venues and Conveners subgroup, which got put on  
22 to a wholly different task for its one, one meeting since  
23 the last plenary session. So let me turn to Leon to talk  
24 about that, please. Thank you.

25 MR. CORZINE: Thank you, Michael. I'm pleased to

1 report on the -- for the subgroup. That was the most  
2 efficient one we have going since we completed our work with  
3 one meeting. We always try, when we report, to not go  
4 through everything that is written, because you can read  
5 that, right, but we, we had a good discussion.

6           We had all of our participants, except Charles  
7 Benbrook wasn't able to join us at our last one, but we, we  
8 spent time talking about funding sources, as you can see in  
9 the, in part, as far as there's some things -- as far as  
10 block grants for specialty was one that I'd highlight.  
11 Does, since we're, since we're talking about not just  
12 organic but where it's all IP, and question, I guess, does  
13 IP include specialty in a definition for this block grant?  
14 I think, primarily, maybe that's just something that would  
15 need to be explored when we look further at the funding-type  
16 things.

17           We talked about the tool kit idea to have ready  
18 for -- you know, we had that list of different organizations  
19 and different things that could -- of those who could be  
20 conveners or actually -- and then participate in meetings.

21           We had some discussion around -- and Laura's group  
22 touched on it -- as far as what kind of attendance you would  
23 get at a stand-alone meeting for coexistence, and I think in  
24 most parts of the world it would -- attendance would be a  
25 concern. So I think that our consensus -- and Melissa, I

1 should add, is going to thump me and then take the  
2 microphone if I kind of miss a point here, so be ready --  
3 that, that it would probably work best to be in conjunction  
4 with another meeting, and there are sources out there. In  
5 my part of the world, we have -- extension service has  
6 meetings, and then there are other meetings about agronomic  
7 issues that this could be a part of.

8           And I think as you go through it, we, we wondered  
9 at one point that, as far as underfunding, whether USDA  
10 should make it a funding priority, and the only -- the  
11 concern was that if there was limited resources, whether a  
12 funding priority -- we didn't want that to displace other  
13 priorities that might affect a larger crowd, if you were,  
14 and I know you can, well, coexist -- that being said,  
15 coexistence, we know, affects us all, but we'd have to be a  
16 little careful there as you prioritize. And we had a little  
17 discussion also -- and I think it is in here -- about who --  
18 when you say experts, we have to be a little bit careful  
19 about that, about who are, who are the experts. Right?

20           And so that was kind of the gist of our  
21 discussion, and we think we kind of came to a conclusion,  
22 and Melissa, I'd welcome if I missed anything there.

23           MS. HUGHES: You did a great job, yeah.

24           MR. CORZINE: Okay. Thanks. That's what I wanted  
25 to hear. So that's it. Thank you.

1           MR. SCHECHTMAN: Let me, let me just note on, on  
2 one point, this was -- in speaking about what is in the  
3 draft document that went out to everyone, you mentioned this  
4 point that was raised in that discussion about the possible  
5 use of specialty crop funding, and that wasn't included in  
6 this draft and that was because I had not had a chance to  
7 check to see if that was a possibility. I didn't want to  
8 immortalize on paper, even, even in the a draft form, until  
9 I found out that that was -- if that was a possibility. So  
10 -- but it's noted to go back and look. This was a rapidly  
11 put-together document.

12           MR. CORZINE: Understand. Thank you. But I think  
13 that could be a point that we would need clarity on if we  
14 end up taking a harder look at -- or making those block  
15 grants available.

16           MR. SCHECHTMAN: Other questions or comments about  
17 any of the work of any of the subgroups about the general  
18 thought on how this fits together? Anything, anything  
19 having to do with subgroups' document assembly at this  
20 point?

21           (No audible response.)

22           MR. SCHECHTMAN: If not, we are a little bit  
23 early, but why don't we take our, our coffee break now for  
24 -- until five of 11:00, and then we'll, we'll reconvene.  
25 Thank you.

1                   (Whereupon, at 10:37 a.m., a brief recess was  
2 taken.)

3                   MR. SCHECHTMAN: Okay. Welcome back, everyone.  
4 Thank you. I now have the pleasure of welcoming to our  
5 discussions Doug McKalip, senior advisor to the Secretary,  
6 who's managed to escape from his other work and will talk --  
7 will have a few words for you before we return to the topics  
8 on the agenda. Doug.

9                   MR. MCKALIP: Thank you, Michael, and good morning  
10 everyone. It's great to see you all again and appreciate  
11 all of you setting aside time and travel and your other  
12 business to help us with the AC21 committee. This process  
13 is so vitally important. It's critically important to our  
14 Secretary and to USDA.

15                   I know Secretary Vilsack is in his eighth year as  
16 Secretary and recently testified before an appropriations  
17 panel for the eighth time, and they asked him to kind of  
18 summarize his time as Secretary and discuss any key issues  
19 and priorities that he sees, you know, remaining for this  
20 year and beyond. And he really highlighted coexistence as  
21 what he felt was really one of the most important issues  
22 facing agriculture and one of the biggest issues that he saw  
23 for, you know, closing out his time as Secretary of  
24 Agriculture. So I think it just really underpins what this  
25 committee is working on.



1 All of these issues are so vital, and the  
2 recommendations that this panel will put together, the  
3 document they will put together by this fall is something  
4 that we are very, very interested in and is going to be  
5 incredibly helpful to us.

6 The Secretary will be looking for an update from  
7 me both later today and tomorrow when the meeting closes  
8 out. So I'll look forward to making sure he's aware of all  
9 of the progress made and all of the work that's going on  
10 here in this room.

11 I apologize for being late. I was called into  
12 discussions with the Senate Agriculture Committee over the  
13 labeling issue, and I can report to the committee that  
14 really, the Senate has been working around the clock.  
15 Throughout the weekend we -- I was part of two calls on  
16 Saturday, and there was one yesterday, as well, on labeling.  
17 I think both the minority and majority staffs of the  
18 committee are very, very focused on, on trying to forge a  
19 path ahead, so -- which is very, very positive from our  
20 view. I think this is an important issue to successfully  
21 come to resolution.

22 As you know, time is of the essence. The Vermont  
23 law will come into effect, really, in two weeks. And so  
24 working on a package that will create, really, a national  
25 program so we don't have multiple confusing approaches out

1 there is going to be really vital; making sure that  
2 consumers have the information that they find meaningful and  
3 useful, as they're making choices in the marketplace, will  
4 be very key; and providing some flexibility in terms of the  
5 method of disclosure.

6           So I think, again, I've been optimistic on this  
7 issue, and then my hopes have been dashed multiple times  
8 since last fall, but I really do believe that we're getting  
9 real close. Certainly, all the indications of how serious  
10 the members and staff are taking this would, would indicate  
11 we're getting pretty close. So we'll see. I know this  
12 committee is meeting until tomorrow afternoon, and hopefully  
13 there'll be even something to share by tomorrow afternoon in  
14 terms of progress or a path ahead.

15           So really, Michael, that's the update I had on  
16 labeling, but I'll be part of this meeting for the remainder  
17 of the time and look forward to it and, again, just really  
18 appreciate all that you all do. And, again, I know everyone  
19 has another job, and trying to just set aside time to fly in  
20 here and schedule this is very difficult; folks have to  
21 leave their operations and other work. So, again, we  
22 wouldn't want you to do this if it weren't really vital, and  
23 let me assure you that it really is key to American  
24 agriculture and to our future. So Michael, thanks a lot for  
25 having me. I look forward to it.

1           MR. SCHECHTMAN: Thank you. With that, we will go  
2 on on the agenda. The next topic on the agenda is just a  
3 brief discussion of parameters for review of draft  
4 documents. This gives me a chance to repeat things I've  
5 told the committee before but just to sort of set the stage  
6 for the process as we go through draft documents and see how  
7 they can be improved and meet the committee's -- better meet  
8 the committee's needs.

9           So over the last two meetings and in subgroup  
10 discussions, there's been a lot of work done on key features  
11 of an approach to addressing the Secretary's charge, and  
12 we're moving into this phase of bringing you pieces that  
13 hopefully reflect the overall discussions and the themes  
14 that have been agreed upon by members. So you've received a  
15 draft thematic outline and a few draft sections of text.

16           So let me start by reminding you of -- you and  
17 members of the public -- what the bylaws and operating  
18 procedures provide in terms of report drafting. They say:  
19 A report shall consist of those elements upon which there  
20 has been consensus agreement plus an accurate description of  
21 non-consensus recommendations and the points of disagreement  
22 within those recommendations, developed jointly by the AC21  
23 chairman or chairwoman and the executive secretary.  
24 Committee members will be given the opportunity to confirm  
25 and/or improve the accuracy of the draft report. AC21

1 members shall be afforded the opportunity to provide to the  
2 Secretary, in parallel and in a timely manner, any comments  
3 on the accuracy of such a report.

4           Restating this in terms of work products, reports  
5 of this committee are drafted by the chair and I in a manner  
6 that attempts to incorporate the views of committee members  
7 from committee discussions. You will then, each of you,  
8 have an opportunity to weigh in on the report as a whole  
9 when you decide whether to support it or not.

10           We continue to work hard to try to bridge gaps and  
11 find ways of expressing issues and recommendations that will  
12 be acceptable to most, if not all, committee members as an  
13 individual issue. Please note that I said acceptable rather  
14 than some more positive word, to remind members that the  
15 text is not going to look -- to end up exactly how any one  
16 member of this committee would prefer that it reads. We're  
17 looking hard for the compromises that, just as in your last  
18 report, most members can in the end support in the report as  
19 a whole.

20           So for this meeting we're bringing you some new  
21 proposed text, and you will continue to receive pieces of  
22 proposed text at the next meeting and perhaps some pieces  
23 between meetings as well, if they are done early.

24           How do we envision your reviewing pieces of actual  
25 text apart from the Notional Outline, which is a little bit

1 differently -- different? As we've mentioned before, it  
2 will be important for committee members not to act as  
3 editors, wordsmithing the entire document. It should be  
4 clear to everyone that once we go down that path, there's no  
5 way the committee's charge can be completed in the short  
6 term we have -- short time we have remaining.

7           So at a first pass, what we would like is, without  
8 focusing on specific words in the text, have we gotten the  
9 concepts and approach right, are there concepts that need to  
10 be added -- we've heard some of those in discussion already  
11 today -- are there statements in the text that you cannot  
12 live with, and if so, what about them causes you to feel  
13 that way? We're not looking for new wording for the  
14 sentences but, rather, to understand the specific problem  
15 that you may have with it. These are the big-picture things  
16 we need.

17           In intersessional work, once we address the  
18 big-picture issues you raise here, we'll be happy to  
19 entertain additional comments pertaining to specific matters  
20 of fact and any typos you may have -- you may find, of  
21 course, but not wordsmithing. This has worked successfully  
22 for the committee in the past, but because it's, I think,  
23 counter to everyone's general inclinations, it's always  
24 necessary to emphasize that this is the approach we need to  
25 have in order to come out at the end with a report for the

1 committee -- committee members to look at. Then, as I  
2 noted, you can decide if, as a whole, the report is  
3 acceptable, and you can also individually decide whether  
4 there will be an additional statement you may wish to add  
5 with your concurrence or with your non-concurrence, and we  
6 attach those to the final report, as we did last time.

7           So does this conform with everyone's understanding  
8 of the process, and is this acceptable to everyone? To use  
9 words from our last meeting, I trust we'll have your support  
10 to try and pull consensus out of the spirited discussions  
11 you always engage in. And I will just mention one other  
12 thing. Towards the end of the meeting tomorrow, we will  
13 also discuss a time line for finishing all of this up.

14           Any comments, questions, thoughts on process here?  
15 Chuck.

16           MR. BENBROOK: Michael, I, I spent my long plane  
17 trip reading through all the documents that you sent, and I  
18 have to admit I was presently surprised with what I read. I  
19 think, you know, the spirit and substance of most of the  
20 substantive comments have been reflected in the changes in  
21 the draft, and I'm encouraged by that.

22           Where I am more troubled is by the absence of  
23 addressing what, you know, many of us feel are the most  
24 difficult and really critical issues that underlie all this  
25 tension around agricultural biotechnology. And, you know, I

1 know that given the nature of this being a consensus  
2 process, you -- the report will certainly focus  
3 predominantly on things that most of us can agree on, but I  
4 still feel that we as a committee bear some responsibility  
5 in explaining and teeing up what some of the underlying and  
6 unresolved issues are in the hope that as more people  
7 understand why there's such deep concern about all this,  
8 that might prove fertile ground in the future for making  
9 progress that is beyond our reach right now.

10 MR. SCHECHTMAN: Well, thank you. I think the  
11 things that you have raised fall in the category of the  
12 difficult or complex issues. So perhaps when we get to that  
13 section of the report, we can see what else members may feel  
14 needs to be included in that part. Alan.

15 MR. KEMPER: Thank you, Mr. Chairman. First of  
16 all, Doug, I want to address a couple comments you made.  
17 It's been a privilege for a lot of us to serve with the  
18 Secretary for his eight years on either APAC, ATAC, which I  
19 have served on, or AC21. He's a tremendous Secretary, and  
20 we're honored to serve with him, and a lot of us share his  
21 same view on labeling. So please echo that to him.

22 Mr. Chairman, in this, as we look at coexistence,  
23 I think you've done a marvelous job of creating a very good  
24 document, several documents, and we had a lot of pages to  
25 read, which we've done. But as we look at just

1 philosophically, a lot of farmers have a lot of difficulties  
2 in their situations today, and as we look at coexistence, I  
3 look at it as a positive. When I'm using Liberty technology  
4 on my soybeans or corn and we look at coexistence, I may  
5 text a farmer or neighbor, I may call him, or I might just  
6 flag him down on the road, and that creates a great  
7 coexistence of understanding who's planting what and where.

8           So, Mr. Chairman and Committee, I would suggest  
9 and ask to you, as we look at various words that flow  
10 throughout most of the documents, let's try to keep it  
11 positive. Let's try to use words like opportunities instead  
12 of challenges, if we can, and bring it into where positive  
13 flows through the agricultural community. Thank you,  
14 Mr. Chairman.

15           MR. SCHECHTMAN: Thank you. Other questions,  
16 comments?

17           (No audible response.)

18           MR. SCHECHTMAN: Okay. So I will presume that the  
19 process that's been familiar to everyone is still, is still  
20 okay with everyone. That is good. That now brings us to  
21 our last session for the morning which is further discussion  
22 on the draft guidance document. So I will open up the floor  
23 for comments, additions. We heard, we heard the one point  
24 made earlier about one of the, one of the items in Meeting  
25 IP Requirements section.



1 MR. KEMPER: Use your mic, Michael.

2 MR. SCHECHTMAN: Oh, sorry. Sorry. We got one  
3 small but substantive suggested change earlier at the time  
4 of the report out from the Guidance subgroup. I see we have  
5 Missy to start off our discussion.

6 MS. HUGHES: Thank you. Melissa Hughes. Michael,  
7 can you -- before we get into the substance of each of the  
8 documents, I'm looking at the Notional Outline for the 2016  
9 AC21 Report, and what I see you have listed here at the very  
10 end on the second page, I believe, are these two documents.  
11 And so I'm just wondering if you can talk through with me  
12 and with the committee what your thinking the role of these  
13 documents is in the report and how -- so how it kind of all  
14 ties together. That would be helpful for me.

15 MR. BUSHUE: Michael, before we go there, can you  
16 kind of tell us which of these documents --

17 UNIDENTIFIED SPEAKER: Yeah.

18 MR. BUSHUE: -- you're on at the moment?

19 UNIDENTIFIED SPEAKER: Yeah.

20 MR. SCHECHTMAN: Okay. Sorry. So, so we are on  
21 -- we were about to embark on discussion of the, the  
22 guidance document, Factors for farmers to consider when you  
23 or your neighbor is growing an IP crop, but --

24 MS. BATCHA: It's titled New Guidance Framework,  
25 V9.

1           MR. SCHECHTMAN: Yes, the so-called guidance  
2 framework.

3           MR. BUSHUE: Got it. Thank you.

4           MR. SCHECHTMAN: Now, at some point in the middle  
5 of last night when I was not sleeping, I was thinking about  
6 some, some version of the question you just asked me,  
7 because I think there is something that's missing from, from  
8 the outline.

9           Oh, I just shut that off. That, I think, is the,  
10 I think, is the governor -- the Secretary. Hello. Fine.  
11 Excuse me for just one second, everyone.

12           (Discussion off the record.)

13           MR. SCHECHTMAN: I was going to shut my phone off,  
14 but that was just an arrival time for Secretary Redding,  
15 which will be about 1:30. Okay.

16           MS. BATCHA: Back to your not sleeping.

17           MR. SCHECHTMAN: Back to my not sleeping, yes --

18           UNIDENTIFIED SPEAKER: Get your microphone.

19           MR. SCHECHTMAN: -- and the piece that I think is  
20 missing that occurred to me is the sort of description of  
21 what the committee's recommendation is to the Secretary  
22 about how these documents should be used and how we should  
23 go -- and how the Department should go forward in talking  
24 about the two, the two pieces: the guidance document and  
25 the, and the models for local discussions. And I think, I

1 think you raise what is a very reasonable point, and I think  
2 we can find some time in this meeting to talk about how we  
3 want to cast the recommendation for the use of those  
4 documents, if that, if that makes sense to everyone, and had  
5 I thought of it a day earlier, I might have slept better.

6 Other questions, comments on the guidance, on the  
7 guidance document? Laura.

8 MS. BATCHA: Laura Batcha. First, the  
9 subcommittee -- subgroup has done really good work on this,  
10 and I think I'm going to -- I won't provide comments on sort  
11 of the, the specifics in the bullets, because I think that  
12 group was well chosen to address those questions. The place  
13 where, where I wouldn't say that I'm sort of opposed or  
14 uncomfortable but I'm feeling like we haven't quite gotten  
15 there in terms of the best way to serve it up follows along,  
16 I think, with what Alan identified in his remarks just now.

17 So looking at Opportunities on sort of the, what  
18 is the second page of my packet, then I go to the top of the  
19 third page, and we've got the statement: Though this  
20 document is primarily focused on issues for IP producers,  
21 the information in it should be relevant to all producers.  
22 Being a good neighbor means respecting what your neighbors  
23 are growing.

24 So I get that because the bullets really talk  
25 about preventing commingling and managing buffers,

1 et cetera, but I think -- I wish we could get to a place  
2 where sort of the opening salvo wasn't primarily focused for  
3 IP producers and then, oh, by the way, being a good neighbor  
4 is important if you're not the IP producer, as we've  
5 identified in here, because I look back at the charge we  
6 have, which is about developing joint coexistence plans, so  
7 I think that doesn't communicate enough of the joint in the  
8 coexistence plan for me, just in terms of how it's  
9 positioned, but there may be a way to do that and bring it  
10 in along the lines of what Alan was talking about in terms  
11 of opportunity.

12           So rather than the document being focused on IP  
13 producers, the document being focused on the idea of joint  
14 coexistence plans that is important for a number of reasons  
15 and one of them being so that every farmer has the tools to  
16 make one or more choices in their operation based on good  
17 information.

18           So I think there's -- if we could do it in a way  
19 where we think about it where we're also talking about an  
20 individual farmer choosing multiple choices on their  
21 operation and how relevant a lot of this information would  
22 be to that operator as well, it might not be opposite sides  
23 of the fence but allow us to focus more on the, the joint in  
24 the coexistence, but if that's making sense.

25           MR. KEMPER: Let me expand on Laura's thought for

1 just a second, because Kemper in the middle of a dusty road  
2 flags down a neighbor on coexistence and says, I'm using  
3 LibertyLink soybeans this year, you might want to watch out  
4 if you're using a Roundup Ready technology. The neighbor  
5 proceeds to tell me, don't worry, Kemper, I'm using  
6 LibertyLink technology, too, so we can spray on each other's  
7 crops. That's just an example of one nice opportunity.  
8 There are opportunities that he might say, I'm raising  
9 something else. I have another one that's an organic  
10 neighbor; so I notify him, when we're into a particular  
11 field, 24 hours prior, and we have this kind of plan worked  
12 out through coexistence with that and when the wind is  
13 blowing a certain way and all that.

14           So, Laura, I think we're on the right pathway,  
15 that we might want to address agriculture in general and  
16 then bring it down. Thank you.

17           MS. BATCHA: And just to sort of conclude with  
18 Alan saying that, you know, one of the things that we're  
19 challenged with in organic is increasing production,  
20 particularly in the United States, of organic crops, and  
21 we'd like for people to be considering whether or not this  
22 fits into their portfolio as an option, and some of the --  
23 particularly, the guidance document might be helpful for  
24 people to begin that conversation with themselves about  
25 whether or not a parcel could be set aside and transitioned.

1 I think it would be helpful.

2 MR. SCHECHTMAN: Just, just a quick, a quick  
3 reaction to that, I think that's certainly something that we  
4 can do. I'll just sort of note my sort of recollection of  
5 the genesis of this document was that Mary-Howell, who is  
6 not here today but hopefully will be here tomorrow, was --  
7 had initially, I think, thought about this document more as  
8 something to help IP producers know, you know, have, have  
9 some facts in front of them that would help them.

10 I think we are broadening the context perhaps in  
11 a, in a very useful way, but I think the way -- the reason  
12 it reads the way it does now comes in part from the  
13 historical context, but if we can expand it in a way that  
14 works for everyone to do that, I think that would be just  
15 fine. Missy.

16 MS. HUGHES: I'm wondering if it would be more  
17 helpful or additionally helpful in this context to take some  
18 time, either in the report or at the beginning of this  
19 document, to further describe what the committee means when  
20 it talks about diversity and agriculture. I think we -- the  
21 Secretary touches on it, but it doesn't really identify  
22 what, what diversity is or why we think the benefits of  
23 diversity are important, and that might help bolster the  
24 idea of why IP producers coming in serve a role in that  
25 diversity.

1           We just -- you know, at the beginning of your  
2 Notional Outline, you say, you know, coexistence is  
3 important because it encourages diversity, but for what end?  
4 Why do we care? And it just might help to say the whole  
5 committee has embraced the idea that diversity is beneficial  
6 in agriculture, the Secretary has embraced that idea  
7 because, and you know, I think it's relatively  
8 straightforward. I don't think it's a big deal, but it  
9 might save having to rewrite this document if we can  
10 demonstrate why having this conversation about IP production  
11 is very important.

12           MR. SCHECHTMAN: Okay. Other thoughts, comments?  
13 Leon.

14           MR. CORZINE: Leon Corzine. My initial reaction  
15 is, is one of caution on that because we don't need to add  
16 just a lot of text to try and give farmers direction,  
17 because we're doing that in, you know, there's a lot of IP  
18 going on now, but to tell farmers, well, you should look at  
19 this because -- if we get into that, I mean, in on what,  
20 what -- look at this in regards to IP, I mean, I think part  
21 of farming is a business and we're looking at that already  
22 and, if we get in too deep into what Laura is suggesting,  
23 we're going to get a lot of text that really won't be  
24 meaningful out there on the farm.

25           I'd like to keep it more concise, and really, the

1 direction of the Secretary was how we make coexistence work,  
2 and so I have a concern. That's my initial with, with  
3 Laura's suggestion. Thank you.

4 MR. SCHECHTMAN: Okay. Thank you. David and then  
5 Chuck.

6 MR. JOHNSON: David Johnson. So just looking at  
7 the outline on the guidance document, Bullet Point V is  
8 Coexistence-Working With Neighbors. I'm wondering if we  
9 move Bullet Point V to No. II, right after Opportunities, if  
10 that doesn't highlight Coexistence at the front instead of  
11 having it embedded later, and then we don't really have to  
12 rewrite a lot of what's written here and add new  
13 wordsmithing and the like. But I think that moves it kind  
14 of up front, and I think that's what I'm hearing people ask  
15 about.

16 MR. SCHECHTMAN: Others' thoughts about that, or  
17 think about it, and I'll go to Jerry and come back to it.

18 MR. SLOCUM: Well, my thought about that is that  
19 we probably should move Coexistence, that paragraph, higher  
20 into the document but, at the same time, to speak to it,  
21 Laura said -- and I couldn't agree more, Laura, because I  
22 think, I think the expansion in organic, the expansion in  
23 non-GE or non-GMO, the expansion in identity-preserved  
24 products are going to come from your existing agricultural  
25 base, the existing landscape, and existing farmer.



1           So when we talk about coexistence with your  
2 neighbors, we're really talking about coexistence among  
3 ourselves, if you want to. Leon, you do IP on your farm  
4 right now; so you coexist within Corzine Farms. In my farm  
5 operation, where we're largely, largely biotech, we still  
6 have a non-GMO component; so we coexist with ourselves.

7           So I think the document, to Laura's point, we  
8 don't need to talk about opposing camps here. It's one  
9 camp, and within that camp we may have different tents but  
10 it's one camp, and to be able to soften the notion that it's  
11 an opposing philosophy, perhaps we need to, we need to try  
12 to work on those words a little bit, because I truly think  
13 the expansion in organic is going to come from the existing  
14 agricultural base. You know, we're not adding any farm  
15 acres, not in the U.S. We take a few out of CRP every year,  
16 and we put that in the production, but for the most part,  
17 you know, we're not finding any new lands to farm.

18           MR. SCHECHTMAN: I'll just make a comment before I  
19 go to Chuck that that was something that we tried to do in  
20 the models document, but maybe we can go back and take a  
21 look and do this again, a similar thing in this one. Chuck.

22           MR. BENBROOK: I like the idea of moving that  
23 section up, and I do think this is a very important insight  
24 about the transition in farming systems that's actually  
25 occurring. So I think more discussion about the thought

1 process that goes on within a farm operation when they start  
2 down a road of transitioning and the factors that they have  
3 to deal with, you know, would be a valuable addition to the  
4 report.

5           But, in addition, in the Other Challenges and  
6 Considerations section of this, we talk a lot about the need  
7 for neighbors to know the genetics, the type of seed that is  
8 being planted in the context of not leading to any market  
9 disruption, but we all are aware that the next generation of  
10 coexistence issues, certainly in some parts of the country,  
11 will arise from the use of multiple herbicides that are  
12 within newly approved traits, including dicamba and 2,4-D  
13 corn, soybeans, and cotton. These are herbicides that all  
14 farmers have -- most farmers have memories about and know  
15 that they can be volatile and move, and while -- you know, I  
16 can't imagine us putting forth a definitive and complete  
17 statement about how to deal with the herbicide spray and  
18 drift coexistence issues that are coming. I do think in the  
19 Other Challenges and Considerations section, we at least  
20 need to acknowledge that we're aware of that as a coming  
21 challenge.

22           So when Alan stops his neighbor to ask what seed  
23 is being planted, you know, sometimes it's going to be  
24 important for him to ask, well, and also, what are you going  
25 to spray on it, because if you take -- take the 2,4-D corn,

1 glufosinate-resistance, glyphosate-resistance, and resistant  
2 to the fops, so it's what, eight herbicides, and the  
3 implications of different combinations of them being used at  
4 different times of the year are dizzying to try to keep  
5 track of.

6           So I do think we should at least acknowledge that  
7 that's an emerging challenge that -- and it's an opportunity  
8 if we can put in place ways to manage it without it becoming  
9 a real problem, especially in parts of the Midwest where  
10 there's some specialty crop production.

11           MR. KEMPER: Mr. Chair --

12           MR. SCHECHTMAN: Can I just -- can I just get one  
13 clarification from him before I go to you? So you're  
14 talking about this as something that would be in the  
15 guidance document as opposed to in the full -- in the  
16 context?

17           MR. BENBROOK: I think it needs to be mentioned in  
18 both but certainly under your Other Challenges and  
19 Considerations. That's sort of the -- the sort of thing  
20 that's being talked about here.

21           MR. SCHECHTMAN: Okay. Thank you. Just that for  
22 my clarification. Alan, please.

23           MR. KEMPER: Oh, thank you, Mr. Chairman. Just in  
24 response to Charles' comments, I mean, it's not a big of a  
25 subject as he may think it will be. It's an ongoing every

1 hour or everyday subject on my farm. We're using dicamba --

2 MR. BENBROOK: Already.

3 MR. KEMPER: -- it's called Status. We're using  
4 it on corn everywhere. We bring it right up beside a  
5 LibertyLink bean field or a Roundup Ready bean field.  
6 Almost every farmer has that recognition through their,  
7 through their systems and through their applicator systems  
8 today. So it's not an emerging; it's an ongoing, if  
9 anything. So it's an ongoing opportunity to give for more  
10 discussion maybe. Thank you.

11 MR. SCHECHTMAN: Jerry, is your card still up?

12 MR. SLOCUM: No.

13 MR. SCHECHTMAN: Okay. Leon.

14 MR. CORZINE: Thank you, Michael. I'll add on to  
15 what Alan says. In practicality, it might be an opportunity  
16 -- I would not call this an emerging thing, but it's kind of  
17 an ongoing -- as far as spray drift, we're talking about --  
18 clear back with the IR technology and the chemical  
19 Lightning, if anybody remembers that. I mean, it was not a  
20 biotech thing at all, but we killed some of the neighbor's  
21 corn just because my spray guy, my cousin got off four rows,  
22 right? And so that's just an example of what has been  
23 ongoing for as long as I've been farming, which has been  
24 quite a number of years by now.

25 So we can maybe point out or -- the continuing,

1 but I wouldn't use that emerging because it's pretty common  
2 out there to farmers as well as to chemical applicators now.

3 MR. SCHECHTMAN: Okay. Other questions, comments?  
4 Thank you. You were hiding behind your water bottle there.  
5 Barry.

6 MR. BUSHUE: I don't know if it's on or not.

7 MR. SCHECHTMAN: Yep.

8 UNIDENTIFIED SPEAKER: It is.

9 MR. BUSHUE: I just wanted to refer back to what  
10 Jerry said, and I agree with Jerry in terms of the majority  
11 of these changes and diversities occurring within and as a  
12 result of existing farms changing, where they're headed, but  
13 I would jump back to what is already outlined here in terms  
14 of Opportunities and the definitions of diversity. I think  
15 it's concise enough. I think it's complete enough. I would  
16 encourage you not to expand on this to try and incorporate  
17 every single type of emerging markets or emerging  
18 technologies or anything else.

19 This very -- I actually very much like the  
20 statement the Secretary made there, and I think you've  
21 talked about the diversity of IP and where it's going. I  
22 would be reluctant to expand on this too much more because I  
23 think it becomes unreadable and unnecessary.

24 MR. SCHECHTMAN: Other comments? Laura.

25 MS. BATCHA: I just think I'll weigh in on the

1 diversity question, and I do think it would be helpful to  
2 expand a little bit on the why, because I think that that --  
3 you know, we identify that we need it and what it might look  
4 -- what it could look like, but again, I would concur that I  
5 think a little bit on why would be good.

6 MR. SCHECHTMAN: Other thoughts, comments?  
7 Josette.

8 MS. LEWIS: Well, I'd just underscore from having  
9 heard the discussion, for me the part that could, could be  
10 helpful to clarify is that diversity isn't just between  
11 farms but within farms. That issue is really not brought  
12 out in this, and so to me that's a very helpful  
13 clarification because it is a reality.

14 MS. BATCHA: I've got one question.

15 MR. SCHECHTMAN: Laura.

16 MS. BATCHA: This is a question under the IP  
17 Production and Contracts, and I think we've had a lot of  
18 discussion on this, so I appreciate the, the revisions on  
19 this. So thank you for that.

20 I think my question is -- maybe, Lynn, you can  
21 help me a little bit -- in terms of much of IP production  
22 being contracted. I get that, absolutely, for sort of  
23 functional stuff or, say, blue corn. Is the market on just  
24 for sort of straight non-GMO corn or soy changing in that  
25 there's also a spot market for it or open market not under

1 contract, similar to organic, or are you seeing the volume  
2 there primarily trading under contract?

3 MR. CLARKSON: The market forces that are driving  
4 that are largely retailers and processors, food processors,  
5 and they have a distinctly clear interest in knowing what  
6 they will have at the end of harvest and what they'll have  
7 in the real estate and grocery stores that they fill in the  
8 subsequent year. Those people, almost all, are expanding  
9 their contract production.

10 Now, farmers are entrepreneurs, and they're always  
11 looking for an opportunity to get on a better side of a  
12 trait. So there'll be a number of farmers that think they  
13 will catch somebody short, and they will raise additional  
14 crop. That's going into an open market.

15 With respect to just flat non-GMO, no other  
16 characteristics, just non-GMO, the really base of that  
17 market has been the Asian demand for years, with U.S. demand  
18 growing significantly starting about two years ago, notably.  
19 The, there's -- I would say a very significant percentage of  
20 the non-GMO corn and soybeans are being raised now without  
21 contracts, and they will fill in whatever markets they can  
22 find after harvest time is there.

23 So despite the consideration -- and we read  
24 newspaper stories all the time about a shortage of non-GMO  
25 -- my company has never seen a shortage of non-GMO. We've

1 always seen a surplus of non-GMO on the market, and I don't  
2 believe that's going to change in 2016.

3 MS. BATCHA: We might just take a look at that  
4 first paragraph in light of that clarification. Thanks,  
5 Lynn.

6 MR. SCHECHTMAN: So I'm trying to figure out  
7 which, which things in here are not accurate now, then.

8 MS. BATCHA: I'm trying not to edit because you  
9 gave us instructions. So --

10 MR. SCHECHTMAN: Yes. Yes.

11 MS. BATCH: -- I'm trying to be mindful of that,  
12 Michael --

13 MR. SCHECHTMAN: No. No.

14 MS. BATCH: -- but I'll try to be more specific  
15 since you asked.

16 MR. SCHECHTMAN: Yeah, just about the facts that  
17 may not be right.

18 MS. BATCHA: So I think what we're saying there,  
19 here, is that much IP is contracted beforehand, although  
20 certified organic products, which are identity-preserved,  
21 may enter the product stream without prior contracting. And  
22 I, and I think organic is the only place we're sort of  
23 qualifying a stream that's outside of contracting and in  
24 light of Lynn's clarification. Thank you.

25 MR. SCHECHTMAN: Okay. Got it. Thank you.



1           MR. BENBROOK: On this same point, Lynn, would it  
2 be useful to differentiate between domestic production and  
3 imported production relative to the use of contracts?

4           MR. CLARKSON: With respect to non-GMO, there's  
5 almost no importation because we raise enough here for our  
6 needs. With respect to organic, there's tremendous  
7 importation. We're well over 50 percent on soybeans and  
8 approaching 50 percent on corn, and much of the foreign  
9 market is without contract. It's being raised and made  
10 available without any prior knowledge of what the market is.  
11 So it is quite capable of overwhelming a market.

12           MR. BENBROOK: I think that would be a useful  
13 distinction to at least note.

14           MR. SCHECHTMAN: Josette.

15           MS. LEWIS: I don't believe it's our mandate to be  
16 looking at importation issues and overall competitiveness  
17 questions around domestic versus foreign production issues.  
18 I think that really we're here to advise domestic producers  
19 who have to factor in a whole lot of important issues, I get  
20 that, that go beyond the scope of what our committee does  
21 when they make these choices, but I don't feel comfortable  
22 about speculating about international versus domestic  
23 production and trade with respect to import sides of things  
24 for different types of diverse systems.

25           MR. SCHECHTMAN: Barry, please.

1           MR. BUSHUE: I'm just not -- I guess I'm not sure  
2 where Josette is going there because, I mean, while -- I  
3 guess I'm not sure exactly what she's referring to, because  
4 domestic versus international is a huge issue for not only  
5 coexistence but for markets and, if we're going to talk  
6 about these products, you can't ignore the fact that  
7 international trade right now is a huge issue of contention  
8 and discussion both through USDA and through USTR. So I'm  
9 not sure we can just avoid that issue, and maybe that's not  
10 what you're saying. I'm not --

11           MS. LEWIS: It was specifically on the question of  
12 how much we're importing organic --

13           THE REPORTER: Your mic, please.

14           MS. LEWIS: -- versus meeting the domestic --  
15 sorry. I was reacting specifically -- I'm not opposed to  
16 the issue of IP as it relates to how our farmers grow things  
17 to participate in international markets. That seems to be  
18 within the scope of this, but to be distinguishing that  
19 we're, for example, importing a lot more organic --

20           MR. BUSHUE: Right.

21           MS. LEWIS: -- because we can't meet that market  
22 versus IP for other traits, that, that was the specific  
23 thing there.

24           MR. BUSHUE: Got it. Thank you.

25           MR. SCHECHTMAN: Can I ask, is this a subject that

1 is perhaps not, not in the guidance document but is part of  
2 the overall context, you know, the subject that sort of  
3 talks about some of the larger challenges? Is that -- does  
4 that make sense to folks around the table?

5 UNIDENTIFIED SPEAKER: It depends what the, what  
6 the this is.

7 MR. SCHECHTMAN: Depends what -- as always.

8 UNIDENTIFIED SPEAKER: Right.

9 MR. SCHECHTMAN: Yeah. It depends on what the,  
10 what the this is.

11 UNIDENTIFIED SPEAKER: We can let you give it a  
12 try, and then we'll react to it.

13 MR. SCHECHTMAN: Yeah. I mean, I'm, I'm -- as  
14 always, we're happy to float trial balloons and see if they  
15 indeed float. Angela, Leon, Laura.

16 MS. OLSEN: My comment is short, is to support --  
17 I do support what Josette is saying. There are plenty of  
18 issues that are important in agriculture, but they're not  
19 within our charge. Nobody is saying that -- I do agree that  
20 the concept of production here for international markets is  
21 important and trade is important, but in terms of the  
22 opposite way and the speculation, I'm uncomfortable with  
23 that in our report.

24 There are plenty of issues that I think, you know,  
25 we put in the parking lot, and we all acknowledge they're

1 important issues. I don't think anybody says they're not  
2 important in agriculture, but there's a whole host of issues  
3 that are important, and we really need to, or I would ask  
4 our group to stick to our charge, to make sure that we  
5 really are giving that, that deliverable to the Secretary.

6           There are plenty of other things we could talk  
7 about, as well, that are relevant to agriculture and very  
8 important to agriculture, but I am concerned about expanding  
9 the scope too much. So I do support Josette's point of view  
10 on that.

11           MR. SCHECHTMAN: Who did I say next? Leon.

12           MR. CORZINE: Thank you. I'd just echo what was  
13 said by Angela and Josette, and I just wondered, Chuck, did  
14 you intend to say imported? Did you mean export, because,  
15 you know, two very different things, and I wondered if maybe  
16 that was just a -- your intent was export market and not  
17 import, because we can't get into those issues, I don't  
18 think.

19           MR. BENBROOK: No, I -- I'm struck by the fact  
20 that we're possibly moving into an era when a new set of  
21 sort of institutional- and policy-based constraints and  
22 issues will, will play a bigger role in the decisions that  
23 farmers in the U.S. make and the economic opportunities that  
24 they have.

25           And, you know, I do think that an important part

1 of our coexistence discussion from day one has been  
2 preserving the opportunity and right of American farmers to  
3 go after value-added markets, and if there's corn coming in  
4 from Eastern Europe, either organic or identity-preserved,  
5 that actually doesn't meet the standards but we don't catch  
6 that because of the way the system works, it's not under  
7 contract, I just think that's a -- it's an issue that -- it  
8 deserves to be noted in our report.

9           This is not a committee focused on trying to deal  
10 with all the complex issues in international trade. I  
11 certainly agree with that, but you know, I mean, if -- and I  
12 think Lynn Clarkson has spoken multiple times about how  
13 rapidly, and Laura's brought it up too, how rapidly markets  
14 are changing and flows of commodities are changing, and  
15 right now I don't think they're changing to the benefit of  
16 American producers.

17           MR. CORZINE: So, if I may, so you did intend to  
18 say import, not export. So I still stand with what Josette  
19 and Angela said. Thanks.

20           MR. SCHECHTMAN: Okay. Laura and then Alan.

21           MS. BATCHA: Thank you. Laura Batcha. On the  
22 question of addressing international trade or referencing it  
23 in the report, I think I would respectfully disagree that  
24 it, that it's outside of the scope. I don't think that it  
25 belongs in the guidance document, though. I agree that it

1 belongs in context, and it might be part of the why  
2 diversity matters, and I think that's both on the export  
3 side and in the import side. And maybe some just reference  
4 to putting it on the map there is appropriate because I  
5 think -- I don't view referencing the international trade in  
6 that context out of scope, especially given that we've tried  
7 to be flexible and accommodating about space for people to  
8 enter the conversation. For example, in the models  
9 document, we brought in all kinds of things that weren't  
10 originally part of the charge in terms of spread of weed  
11 seed and water and soil conservation and tillage and all  
12 kinds of things. So I think I would support it in the  
13 context, not in the guidance document.

14           I've got a question for the group. I'm looking at  
15 the couple of paragraphs on the seed as a critical component  
16 in the guidance document, and I know we've had a lot of  
17 discussion over the course of our meetings about that in  
18 terms of if you don't know what the level of potential  
19 adventitious presence is in the seed you've planted, how can  
20 you ever evaluate the mitigation strategies that you choose  
21 through the guidance document to determine whether or not  
22 that's facilitated your ability to meet a contract or a spec  
23 or a market demand.

24           So I know we had a lot of conversation about that;  
25 so I'm just interested in people's thoughts about those two

1 paragraphs and whether or not we think we've, we've gotten  
2 close enough to that or appropriately addressed that there.  
3 So it's just really a question to the group.

4 MR. SCHECHTMAN: Anyone? Josette and then Alan,  
5 or was it the other way around? I didn't see.

6 MR. KEMPER: Go ahead, Josette.

7 MR. SCHECHTMAN: Josette, Alan, then Lynn.

8 MS. LEWIS: Well, maybe this just brought up for  
9 me a question when I was reading over these documents,  
10 specifically the one that's Issues Discussion, Version 2,  
11 which is the one document that sort of looked like a parking  
12 lot to me.

13 MR. SCHECHTMAN: Yes.

14 MS. LEWIS: So I don't have the answer for me to  
15 -- your question, but I think you have to actually look at  
16 both of these because they both go into seed purity in quite  
17 a detail, and so if we were going to -- I guess, almost the  
18 question is, do we take some of this and put it into the  
19 guidance document, the one that's coming from the Issues  
20 Discussion, Version 2, document, the parking lot, and bring  
21 it into the guidance, or are both going to have some portion  
22 brought out into the text of the outline that you provided?

23 I was a little confused by the number of times  
24 seed showed up in all of these things and yet, you know,  
25 wasn't one -- it wasn't the common discussion each time. So

1 maybe that's just something we should grapple with if we're  
2 going to focus on seed, is --

3 MR. SCHECHTMAN: Yeah.

4 MS. LEWIS: -- look at all of the pieces together.

5 MR. SCHECHTMAN: Yeah. I will, I will --

6 MS. BATCHA: Can you help me find the document  
7 that Josette is referencing, because I'm only seeing it in  
8 the one, in the one --

9 MS. LEWIS: I just called --

10 MS. BATCHA: Okay. No, I did see that. I've got  
11 that here somewhere.

12 UNIDENTIFIED SPEAKER: What's it called?

13 UNIDENTIFIED SPEAKER: It says, Draft Portions  
14 of --

15 MR. SCHECHTMAN: Complex Issues. Sorry, sorry.  
16 Please, please use the microphone. Our, our transcriber  
17 back there is at a moment's panic.

18 MR. KEMPER: Mr. Chair --

19 MR. BUSHUE: Oh, I see. It's on this one --

20 MR. KEMPER: Okay.

21 MR. BUSHUE: -- Alan, the one that has --

22 MR. KEMPER: I'm glad everybody's holding up this  
23 one that says Draft on it, which they all say Draft.

24 MR. BUSHUE: It starts, Functional Traits.

25 MR. KEMPER: Pardon?



1 UNIDENTIFIED SPEAKER: Functional Traits.

2 MR. BUSHUE: It's the one that starts with, starts  
3 with Functional Traits in the top left corner.

4 MR. KEMPER: Okay. Thank you.

5 MS. LEWIS: I was reading the name of the document  
6 and file, which is different than the title inside.

7 MR. SCHECHTMAN: Yes. So this is, this is the  
8 document that starts, Draft Portions of Text for the Next  
9 AC21 Report --

10 MS. LEWIS: Right.

11 MR. SCHECHTMAN: -- on Complex Issues, and she was  
12 referring to the portion on Seed Purity Issues, which is,  
13 starts on the second page, second unnumbered page.

14 While folks are going to that, let me just, just  
15 remind committee members of some of the discussion from the  
16 last meeting, that there had been a -- views expressed that  
17 the guidance document should be kept quite concise and that  
18 therefore a bit more, rather than less, of these issues was  
19 moved to the Functional, Functional Traits -- to the Complex  
20 Issues document as providing context but perhaps not as  
21 being necessarily of prime relevance to the farmers  
22 themselves. However, if there are pieces that need to be  
23 moved back to be relevant to the farmers, to farmers, we can  
24 entertain that.

25 Okay. So now I see Lynn and then Angela.

1           MR. CLARKSON: Lynn Clarkson. I think Michael has  
2 phrased this about as well as you can, given the conflicting  
3 strains here. This issue is really a critical issue because  
4 of the emerging market standards for non-GMO.

5           I can tell you what I think a number of the  
6 commercial people are doing, and they will require that seed  
7 be less than a measured amount -- in most cases, be less  
8 than 0.5 percent GMO -- and in discussions, Angela has  
9 pointed out that not all seed companies have to do  
10 everything, and there's a limit to our convincing people to  
11 do exactly what any particular group wants. It has created  
12 market opportunity, and we're starting to see some seed  
13 companies play with that opportunity.

14           Right now in the United States there are a number  
15 of seed companies offering, at least two, offering a  
16 guarantee, but they're offering a guarantee by  
17 cherry-picking annual production. So what happens in the  
18 year where there's no cherries, which can easily happen in  
19 seed?

20           So I think you're seeing a move, as I mentioned  
21 earlier, to, for the very sensitive, to acquire their seed  
22 either from U.S. hybrids multiplied in Europe, U.S.  
23 varieties multiplied in Europe, or European varieties and  
24 hybrids that do well in the environmental situation of  
25 different latitude zones, production zones in the United

1 States. But nobody that's contracting grain that I know of  
2 wants a farmer to be planting something that doesn't  
3 originally meet the standards. It would be another exercise  
4 in frustrating futility.

5 MR. SCHECHTMAN: Angela.

6 MS. OLSEN: Thanks, Michael. Yeah, I wanted to  
7 underscore with this particular document, to be responsive  
8 to Laura's question, we had heard overwhelmingly in our last  
9 report, or in our last meeting, that this should be an easy  
10 tear-out for farmers. So we wanted something that wasn't  
11 too detailed but that we would refer them back to the  
12 original report, where there would be more on seed.

13 So that's -- I know we're going to be talking  
14 about the Complex Issues document that Michael sent out as  
15 well, but there's a lot more in there on seed. So we wanted  
16 something that really hit the right balance, highlighted the  
17 -- highlighted the topic and some of the things that growers  
18 should be thinking about as they purchase seed but, again,  
19 making sure that they are referred back to the full report,  
20 where we do talk a lot more about seed. So I just, again,  
21 wanted to be responsive to that.

22 And as Lynn brought out in our working group  
23 session as well, there are these companies out there that  
24 are looking at this as an opportunity in terms of, you know,  
25 as part of their business model, they decide that they do

1 want to provide that information and charge for it,  
2 certainly, but that -- it is out there if somebody wants it.  
3 Not every company is going to move to that model, but you  
4 know, companies look all the time and see what are the  
5 opportunities. And, you know, we're all businesses. If  
6 there's a great opportunity there, certain companies are  
7 going to fill that niche market and, you know, and kudos to  
8 them for filling that.

9           So it is out there. It is available. It's nice  
10 to hear from Lynn that there are at least two companies out  
11 there doing it, and I suspect there may be more in the  
12 future. But there is a lot more on seed on the section that  
13 Michael was referring to, and that's why in our guidance  
14 document we specifically referred back to the full report.  
15 So if farmers, if growers want additional information on  
16 seed, there would be additional information for them to  
17 review.

18           MR. SCHECHTMAN: Barry and then --

19           MR. BUSHUE: I think Angela said, said it best.

20           MR. SCHECHTMAN: Okay. Laura.

21           MS. BATCHA: So I want to follow on what Lynn  
22 brought up because I think -- I really like the two  
23 paragraphs in the guidance document. I'll start by saying I  
24 think you guys did a, did a great job trying to synthesize  
25 what an operator would need to be thinking about and

1 varietal purity and unintended presence.

2           So -- but if you're pointing back to the larger  
3 narrative on seed, if I'm sort of looking at this and I'm,  
4 as a guidance document, looking at tools or best management  
5 practices or mitigation strategies, whatever you want to  
6 call it, I'm not going to get really actionable additional  
7 information by going to the other document. That's more to  
8 me sort of context and big issues that sometimes border on,  
9 like, the philosophical, but I recognize that we don't have  
10 specific answers for people. So we can't say definitively,  
11 start with X and you'll get less than Y at the end of the  
12 day when you grow out your company, because we don't --  
13 there's too much variability, there's too many crops, the  
14 science is not there. So we can't give them that as a tool,  
15 right?

16           Is it too much or is it completely unnecessary to  
17 state the obvious, that you'll never end up with less than  
18 what's in the seed, or looking towards, like, emerging  
19 market specs without necessarily calling them out by number  
20 or something, just, just a little, just a little something  
21 more without adding a whole bunch, because I think you guys  
22 did a great job on the two paragraphs.

23           MR. CLARKSON: This is Lynn. I have no objections  
24 for accepting greater challenges for Michael. So --

25           MR. SCHECHTMAN: Alan and then Angela.

1           MR. KEMPER: First of all, I think, Mr. Chairman,  
2 I think the two paragraphs are more than sufficient. Second  
3 of all, as a farmer, I don't like the opinionated comments  
4 of best management practices. They're management strategies  
5 that we use, not best management practices, because  
6 basically you're defining a whole bunch of things that a  
7 farmer may or may not have to do, that all farmers  
8 necessarily don't do, but management strategies would be a  
9 lot better to me. Thank you.

10           MR. SCHECHTMAN: Angela.

11           MS. OLSEN: So certainly interested in what others  
12 think, as well, in terms of adding -- you know, obviously,  
13 I'm, I worked -- we all on the working group worked on this  
14 document too. So I do feel that these two paragraphs are  
15 sufficient for this document. I don't think anything  
16 additional is needed. We want this to be an evergreen  
17 document to the best of our abilities, and you know, that's  
18 something that we talked about within our group as well.

19           So I don't think anything additional is needed in  
20 there in terms of thresholds, in terms of, you know -- I'd  
21 certainly be open to language if somebody wanted to propose  
22 it, but from my perspective I think this is sufficient, and  
23 I think this highlights the topic in enough detail for a  
24 farmer. It's concise. Folks can go back to that longer  
25 report if they want additional context, but I would

1 recommend keeping out the, you know, additional points about  
2 thresholds or, if you start with X, you might get Y; and,  
3 again, interested in everybody's thoughts as well, but  
4 that's, that's where -- that's my input.

5 MR. SCHECHTMAN: Alan, is your sign --

6 MR. KEMPER: Sorry.

7 MR. SCHECHTMAN: Chuck, please. Chuck, please.

8 MR. BENBROOK: Alan is up first, right?

9 MR. KEMPER: No, I was --

10 MR. SCHECHTMAN: He put his down.

11 MR. BENBROOK: So this is a good example of a  
12 generic point I would make. The first sentence under Seed-A  
13 Critical Component reads: Farmers need to ensure that they  
14 start with seed with the appropriate characteristics to  
15 yield crops meeting the specifications required by their  
16 market. Now, do we have a reason to believe that a majority  
17 of the readers of this document will understand what we mean  
18 by appropriate characteristics, and I would argue that  
19 that's probably not a safe assumption.

20 So giving some semblance of a hint what  
21 appropriate characteristics are, I think, would make this a  
22 more meaningful section, and you know, perhaps, you know, a  
23 very simple addition can, can accomplish it and -- by  
24 stating that some contracts will establish a maximum  
25 threshold and seed at least needs to be below that

1 threshold, you know.

2 I mean, that's, that's the concept Laura's been  
3 trying to nudge into this guidance document, and since this  
4 is intended primarily for a farmer audience, I don't think  
5 we do any favors by, by not adding some clarity to what  
6 appropriate characteristics really refers to.

7 MR. KEMPER: Mr. Chairman, with all due respect, I  
8 don't appreciate being called dumb, as a farmer. When it  
9 says appropriate characteristics, most farmers are at least  
10 educated enough to know what goes into that seed bag, to  
11 know what goes into their end market. If you're producing  
12 for a waxy starch system, you want a seed that has  
13 appropriate characteristics. If you're producing for an  
14 ethanol market or some other market, if it has appropriate  
15 characteristics for that variety, you would use it. Thank  
16 you, Mr. Chairman.

17 MR. SCHECHTMAN: Angela, are you still up or are  
18 you down?

19 MS. OLSEN: No.

20 MR. SCHECHTMAN: David.

21 MR. JOHNSON: So this subject seems contentious.  
22 So I'm looking at the word characteristics, and then if we  
23 look throughout the document, I'm wondering if we just  
24 switch the word characteristics to purity, quality, and  
25 traits, because I think that encompasses what



1 characteristics means throughout the rest of the document.  
2 And I would go into -- I was just thinking purity and  
3 quality, but I'm thinking purity, quality, and traits  
4 because I think that encompasses what we mean by  
5 characteristics, and I'm curious to see what others think of  
6 that.

7 MR. BENBROOK: Step in the right direction.

8 MR. SCHECHTMAN: If everyone is okay with that,  
9 let's see. We have Keith.

10 MR. KISLING: Yes, I would agree, I think that's a  
11 good idea, but I don't think we need to mess with those two  
12 paragraphs very much other than that. So I would be in  
13 favor of leaving them like they are.

14 MR. CORZINE: Michael?

15 MR. SCHECHTMAN: Lynn -- Leon.

16 MR. CORZINE: I disagree with that. I, I echo  
17 what Alan said, and if you're taking this -- if you take the  
18 context, reading the whole document, that purity thing comes  
19 out within the document and to pick at this -- I mean, there  
20 are other things besides purity when you look at IP  
21 contracts. I mean, there are other characteristics.

22 So I think, really, characteristic is a better  
23 word, and anybody that's going to grow an IP product is  
24 going to be talking to the -- I think one of the most  
25 important things is the, is the last sentence of that, of

1 that two paragraphs -- that you're going to be talking, if  
2 you're under contract or even if you're not operating under  
3 contract and going for a market, you're going to start with  
4 seed that's suitable to meet the production requirements. I  
5 mean, what more do you need than that? I think we're just  
6 kind of beating a dead horse here and spending a lot of time  
7 trying to add something that's not even appropriate and  
8 trying to say we need to dumb down for farmers that I'm  
9 offended by.

10 MR. SCHECHTMAN: Alan and Keith, are your things  
11 back up?

12 MR. KEMPER: (No audible response.)

13 MR. KISLING: (No audible response.)

14 MR. SCHECHTMAN: So we are getting approximately  
15 to the time of lunch, and I'm not exactly sure where we have  
16 left this. I think certainly what I'm hearing is that, at  
17 most, there would be a very light touch to what is, to what  
18 is in here, and there's been a little bit of wordsmithing.  
19 I think that's right, but I think it's -- they're important,  
20 important words for us to be, to be comfortable with as  
21 opposed to just how sentences are put together. We'll have  
22 to take this, take this back under, under advisement. We  
23 can, we can revisit this later if need be.

24 So with that, if there are no other -- Angela.

25 MS. OLSEN: Just a quick thought in response to

1 what Alan and Leon said -- I think they're right in that  
2 quality, purity, and traits maybe doesn't encompass the  
3 whole characteristic discussion, that maybe there is another  
4 component to that. So I'm not opposed to trying to define  
5 what characteristics is, but I think it is broader than --  
6 you know, Alan brought up some good examples -- so I think  
7 it is broader than just those three.

8 MR. SCHECHTMAN: Okay. We'll park this for the  
9 moment and think about it some more. As always, sort of  
10 shorthand for a number of issues becomes, becomes a  
11 complicated issue when we talk about exactly how complicated  
12 concepts are referred to in the document. So we'll get back  
13 to this probably later in the afternoon, and I think we will  
14 take our lunch break now.

15 Before we do that, I need to do what I do at every  
16 meeting, and again, this is off the record.

17 (Discussion off the record.)

18 MR. SCHECHTMAN: Okay. Thank you very much, and  
19 we will reconvene at --

20 MR. BUSHUE: Can we leave our stuff in here?

21 MR. SCHECHTMAN: Yes, you can, you can leave stuff  
22 in here. We will reconvene around 1:30. That is the time  
23 when I got the word on my phone that Secretary is supposed  
24 to be -- Secretary Redding is supposed to be here, and we'll  
25 go from there. Thank you.

1                   (Whereupon, at 12:16 p.m., a luncheon recess was  
2 taken.)

3                   MR. SCHECHTMAN: Okay. So we will reconvene now.  
4 I am happy, as I'm sure all of you are as well, to welcome  
5 our chair back from his morning drive from Pennsylvania,  
6 Russell Redding, Secretary of Agriculture in the State of  
7 Pennsylvania. I'll turn the microphone over to him in just  
8 a couple of minutes, but first, let me sort of summarize  
9 very briefly what was our morning like.

10                   So I'll start by saying you probably all heard me  
11 speak too much, but besides that, we had some updates on  
12 regulatory developments, the work of APHIS in new regulatory  
13 decisions and on its work to update its biotechnology  
14 regulations. We had a decent amount of discussion about  
15 some of the new technologies for plant breeding and how they  
16 might fit into those regulations and fit in with some trade  
17 considerations as well.

18                   We then had some updates on updating the  
19 coordinated framework and on a new National Academy of  
20 Sciences report, and then we turned to reports on the three  
21 subgroups that have been working on providing the  
22 foundational information for the documents that are being  
23 produced. We had, I think, good discussions around where,  
24 where those documents are in general at this point and some  
25 initial discussions on how they fit into the full report,

1 though that will continue in the discussions on the outline,  
2 and in fact, one missing piece in the outline was  
3 identified, namely, sort of a description of what the  
4 Department should do with those reports.

5           Then we talked a little bit, reviewing the  
6 concepts for how input is most helpful from committee  
7 members as we move towards final report, and then moved on  
8 to discussion of the guidance document. I think that the  
9 overall view from the committee was that the guidance  
10 document was in pretty good shape. There was a -- there  
11 were a few specific suggestions made, I think the most  
12 significant of which was to make a rearrangement of some of  
13 the pieces within the document and move one element up  
14 further in the document. So the piece which is titled  
15 Coexistence-Working With Your Neighbors is now being moved  
16 up earlier in the document. There was considerable  
17 discussion and not yet agreement on whether there needs to  
18 be a little bit more information in the Seed section, and  
19 that's a topic that we'll have to return to.

20           So that's pretty much where we've gotten to at  
21 this point, but I think it was a quite productive morning.  
22 And with that, let me turn to our chair here, and hopefully  
23 that mic works.

24           MR. REDDING: Okay.

25           MR. SCHECHTMAN: You have to push the, push the --

1 that one, yeah.

2 MR. REDDING: It's working?

3 UNIDENTIFIED SPEAKERS: Yeah.

4 MR. REDDING: Great. Good afternoon, everybody,  
5 good to see you. Thank you for continued good work with the  
6 committee, continued engagement. While I have not been on  
7 the, all of the phone calls and conference calls, I know  
8 there's been considerable work done, and really, the work of  
9 the three subgroups is the foundation of our work for this  
10 plenary session. So just a note of thanks to each of you  
11 for being on the AC21 but also just being engaged in the  
12 discussions, in the tasks that we had outlined back in  
13 March, so thank you for that.

14 Also want to extend my thanks to Dr. Schechtman  
15 and to Doug, as well, just appreciate the stepping in. When  
16 this, we were putting together this agenda, a meeting  
17 appeared with the governor and -- a very productive meeting,  
18 by the way -- but, as you heard me report at the last  
19 session, you know, we've had some budget issues and a budget  
20 impasse in the State of Pennsylvania. All of that settled,  
21 but those who've been around those state budget discussions  
22 understand that those issues have a way of lingering,  
23 particularly when our fiscal deadline for the new budget is  
24 June 30th.

25 So we're right on the heels of another budget, so

1 -- but pleased to report a very nice conversation about  
2 agriculture with the governor and this particular group of  
3 stakeholders, but in that discussion I just, in the back of  
4 my mind, knowing I'm coming here, you know, some of those  
5 themes that they were raising about ag and the future and  
6 infrastructure and needs, one, one of the points made by one  
7 of our agribusiness leaders was about the relationship with  
8 -- relationship that they need and has been the key to their  
9 success has been that relationship with the consumer.

10 Right?

11           So in the back of my mind, I'm thinking about this  
12 is really what this conversation of coexistence is about,  
13 the relationship that we have both with those who are on the  
14 input side of agriculture but also on the output side of ag.  
15 Right? So in that exchange, while it wasn't specific to  
16 coexistence, it was certainly the main point.

17           And so I just want to -- I had some more extensive  
18 remarks for the morning, but I'll just abbreviate that by  
19 saying that I know that the work, our task the next day or  
20 so here really comes down to sort of two, two points: one,  
21 what guidance we give farmers and stakeholders on  
22 coexistence and, secondly, how to convene and facilitate in  
23 those discussions about coexistence. That's really been the  
24 work of the subgroup -- subgroups, as well, but important,  
25 important work.

1 I'm also mindful that, you know, with our next  
2 meeting planned and sort of the outcome of this meeting  
3 setting the framework for drafting, is that we are in that  
4 sort of final leg of this relay, right, and this really  
5 becomes critical for us now to take the, what we had learned  
6 in the November 12th, 2012, report to the Secretary and  
7 those recommendations and where we are with this charge. We  
8 do have to now sort of start committing, you know, what we  
9 do in terms of guidance to farmers and the ag community as  
10 well as how do we want that to be facilitated. Right?

11 It's not easy to do. We've all been there. We  
12 know that these are difficult issues but very thankful again  
13 that the Secretary had the vision and leadership to convene  
14 the AC21, to have the initial charge, to recharge this group  
15 with really taking that task of looking at both what, what  
16 value can we take from the first report and extend that to  
17 the agricultural community and then, really, you know,  
18 landscape level is, how do you then sort of facilitate that  
19 type of discussion -- again, not easy to do, but it's very  
20 important, and I think just as we saw great value in the  
21 initial report, the same expectation with this report to, to  
22 the Secretary as well.

23 Final point would be that just as we -- in the  
24 drafting of our initial report, I think all of us probably  
25 would have maybe written a different report, right, to



1 reflect sort of our own perspectives and engagement, but we  
2 came together and found that compromise between all of that  
3 for a really substantive report.

4 I'll just say that is sort of where we find  
5 ourselves again. We've got to sort of work through the  
6 different views and professional opinions, all of which are  
7 valid; but, at the same time, really try to focus in on the  
8 guidance and look at the, the venues and the facilitation of  
9 that and what we can do to set that up for both a benefit of  
10 the producers today but also know that it will be, in many  
11 respects, sort of point in the direction of where future  
12 AC21 committees may find additional work. Right? This is  
13 one of these conversations that has a lot of different  
14 components to it. It is absolutely critical that we remain  
15 engaged in it and, really, sincerely thank you for staying  
16 in this conversation in a very professional way.

17 To the Secretary and to the USDA team, it's really  
18 been, been great to work with Michael, and what you see here  
19 today and what you've received via e-mails, both in terms of  
20 summaries but also documents that are core to our  
21 discussions here, many thanks to Michael for framing that up  
22 and really finding a way to take volumes of information and  
23 discussions and putting that into some really constructive  
24 draft documents for our discussions here this, this day and  
25 tomorrow.

1           So with that, I'll end where I began with a simple  
2 thank you for being here, staying involved, look forward to  
3 the conversation next day and a half. Thank you.

4           MR. SCHECHTMAN: So the next item on the agenda is  
5 to have our first discussion on this draft model for local  
6 coexistence conversations. Now, I should say beforehand  
7 that I made a very brief summary of our morning discussions  
8 and I did leave a number of useful points out, and I just  
9 wanted to say that I just touched on a few of the highlights  
10 but there was a number of other useful suggestions for  
11 things to include, both in the guidance document as well as  
12 in the larger context piece. So I want to just say that  
13 first.

14           So now we're at the point in our meeting where  
15 we'll -- we've offered you a major portion of draft text  
16 that attempts to incorporate many of the most significant  
17 themes offered in the plenary sessions and in the work of  
18 two of the subgroups: the Models and Incentives group as  
19 well as the Venues and Conveners group.

20           From the last plenary session, there seemed to be  
21 agreement that the report should include a document which  
22 could serve as information for local communities to help  
23 initiate farmer-to-farmer discussions around coexistence.  
24 There was acknowledgment last time, as well -- and this has  
25 already been brought up today -- that in order to bring

1 everyone to the table, IP and organic farmers and farmers  
2 producing commodity crops, whether conventional or  
3 genetically engineered or a mix, local conversations would  
4 need to potentially cover not only pollen movement, which  
5 might be of more interest to some farmers than others, but  
6 also to other farm management topics on which neighbors  
7 might interact.

8           The document was not to be prescriptive and not to  
9 provide specific solutions to management issues but to  
10 provide a tool to bring people together to the table and to  
11 offer suggestions for how to convene and manage these  
12 discussions, to allow participants to raise issues and  
13 discuss how to work them out among themselves or in their  
14 communities.

15           The Models subgroup met twice since the last AC21  
16 plenary session. Prior to our last plenary session, as you  
17 heard in the summary from the Models group, North Dakota Ag  
18 Commissioner Goehring, one of our members, who is  
19 unfortunately not here today, had offered a draft outline of  
20 some of the management topics that might be covered in those  
21 discussions somewhat in parallel to topics raised in his  
22 state's pollinator protection plan.

23           At the first Models subgroup meeting, after our  
24 last plenary, subgroup members approved the commissioner's  
25 offer to try to flesh out that outline and provide a more

1 detailed document to the subgroup.

2           At the second subgroup meeting, that new longer  
3 draft was discussed, and everyone was grateful to the, to  
4 the commissioner for having done that, but it was also felt  
5 that the draft, though helpful, did not raise the issue of  
6 pollen movement in a clear enough way and did not yet  
7 include the other elements that had been discussed regarding  
8 the convening of meetings, who might be involved, and how  
9 those meetings might be supported, et cetera. So I offered,  
10 with the chair's help, to try and redraft the document using  
11 the material Commissioner Goehring had provided but  
12 refocusing and expanding it with material from other  
13 committee and subgroup discussions.

14           So the document committee members received last  
15 Wednesday, titled First Draft-Local Coexistence Discussions  
16 and which is on the table in the back, is our first attempt  
17 at bringing a document to the full committee for this  
18 subject. Please note that we're trying to walk some  
19 delicate lines here, a couple that I will mention: one, the  
20 choice between focusing on the issue of gene flow versus  
21 sweeping so generally across the spectrum of farm management  
22 issues that the issue of gene flow is buried and, second,  
23 the choice between providing best management practices or --  
24 well, what did they call it before?

25           UNIDENTIFIED SPEAKER: Strategies, best management

1 strategies.

2 MR. SCHECHTMAN: Management strategies for  
3 addressing various issues, which might vary from location to  
4 location, versus simply laying out the topics and leaving it  
5 to the participants in those discussions with additional  
6 potential input from extension agents and others to figure  
7 out what'll work best in their geography.

8 So, as I noted earlier, this really is a trial  
9 balloon. The first question is, does it roughly hit the  
10 mark, and then, as before, what did we get wrong, what's  
11 missing, et cetera. Again, there's no pride of authorship  
12 on any of this, and we want to figure out what needs to be  
13 done to make this a document that will work for members of  
14 the committee.

15 So with that, I will, I will stop and turn it over  
16 to our chair.

17 MR. REDDING: Initial thoughts? Yes, Alan.

18 MR. KEMPER: Thank you, Mr. Chair. First of all,  
19 outstanding job, I mean, it was a great read. I didn't have  
20 anything -- the only thing, Michael, that I would suggest  
21 maybe, there was two places in there where we talk about  
22 maybe protection of the U.S. land resources. I might  
23 suggest a change of protection of the U.S. environment,  
24 including land and water resources, because so many of our  
25 farmsteads include the water element to it and I just think

1 it'd be good. There's two places where you might think  
2 about a change. Thank you, Mr. Chairman.

3 MR. REDDING: Great. Thank you. Josette.

4 MS. LEWIS: I think reading this, as someone who  
5 wasn't part of the Models group or here last time, I found  
6 the beginning of the Discussion Topics section puzzling to  
7 me because it didn't all seem to pertain to coexistence.  
8 Some of those actually, or many of them, as I read them,  
9 could have a role in coexistence and that could be specified  
10 there, but I'm kind of taking from the readout that Missy  
11 gave this morning and from your comments, Michael, that this  
12 was -- there was a fair amount of sentiment in the Models  
13 group to actually represent the range of issues that growers  
14 are dealing with of which coexistence is only one piece.  
15 And, and I'm happy to respect that and just say that perhaps  
16 we could have some kind of lead-in paragraph to that right  
17 under the topic line Discussion Topics that goes into  
18 Environmental Factors, Agricultural Activities, and then  
19 other issues, to just put that into context that this is  
20 intending to go -- to represent the range of issues that  
21 growers are managing in their operations more broadly,  
22 because that context is not at all clear in it.

23 I leave open whether we want to be more specific  
24 on some of those areas where perhaps it has a very direct  
25 impact on coexistence. For example, cross-pollination is

1 one of the topics that's identified there and not really  
2 specified as to be potentially a substantial factor with  
3 respect to coexistence, as you yourself suggested, maybe  
4 something we want to discuss.

5           So that's one kind of big thing that I had a  
6 challenge reading this, and then one smaller comment, just  
7 to get -- because it's the only two that I had, is at the  
8 very bottom of page 6 where it talks about efforts should be  
9 initiated and managed at the local level as a way to foster  
10 trust. I would just add that the other reason you want to  
11 do this at the local level is a lot of the local conditions,  
12 some of which are geographic and some of which are climate  
13 and all those, actually also matters with respect to  
14 coexistence. So it's trust and the local conditions that  
15 could impact production practices relative to coexistence.  
16 That's my two comments.

17           MR. REDDING: Okay. Thank you. Paul.

18           MR. ANDERSON: Paul Anderson. I just wanted to  
19 add to Alan's very positive comment at the beginning here.  
20 I was really impressed by this document. I thought it was  
21 really clear, really well written, really comprehensive, and  
22 I think it's going to serve a purpose -- a strong purpose.

23           MR. REDDING: Thank you. Is that Chuck?

24           MR. BENBROOK: Mr. Chairman, before, Barry and  
25 Michael and I had a brief conversation about some useful

1 insights that Barry might share at an appropriate time in  
2 the meeting -- I think this is the right time -- speaking  
3 about the circumstances in Oregon around which some local  
4 conversations about coexistence have percolated along to the  
5 point where they're, I mean, perhaps close to the boiling  
6 point.

7           And I would just preface whatever Barry wishes to  
8 say about how some of the local coexistence issues are  
9 playing out in Oregon with the observation that when an  
10 issue around agricultural biotechnology -- and almost all of  
11 them have some connection to the coexistence agenda that  
12 we're dealing with -- when they get to a point in a local  
13 area where a number of stakeholders are paying attention and  
14 a lot of people show up at meetings, it's usually the case  
15 that there's some fairly strong feelings on lots of  
16 different sides, to the point where the confidence that our  
17 committee seems to place in the ability of, of local  
18 communities to work this stuff out among neighbors might,  
19 might need some, some reconsideration. I am certainly -- I  
20 am not convinced that just kicking all these issues, you  
21 know, down the levels of government is going to result in  
22 better or easier or solutions that are more conducive to  
23 progress on the coexistence front.

24           But, Barry, hate to set you up with that intro,  
25 but if you would share with the committee some of the things



1 going on in our great state of Oregon, it might be useful to  
2 the committee.

3 MR. BUSHUE: Do you want me to do that?

4 MR. REDDING: Yeah, I think if you're prepared,  
5 Barry.

6 MS. BATCHA: He's got a whole speech written up.  
7 I sat next to him at lunch.

8 MR. REDDING: Yeah. I'm --

9 UNIDENTIFIED SPEAKER: I can tell.

10 MR. BUSHUE: I like, is it --

11 MR. REDDING: What -- yeah.

12 MR. BUSHUE: I like the -- I like this document.  
13 I think it's a good document, but I do have some concerns  
14 about -- not about local farmers working together. I don't  
15 have any concerns about that. It doesn't mean they're  
16 always going to agree. Most of us are relatively  
17 independent and pigheaded and don't agree on much of  
18 anything except -- maybe not even if the sun is going to  
19 come up in the morning. But I will say that there are some  
20 challenges in Oregon -- and I think, I think you'll see more  
21 and more of these across the U.S. -- about local entities  
22 who want to take complete control of the food systems.

23 We have several initiatives in Oregon. Some have  
24 been defeated; some have been passed. The difference is  
25 that they're really not about coexistence. They arise

1 because of groups of folks who want to totally ban the  
2 production of GE crops. So it's not about a collaboration.  
3 It's not about a discussion. It's not about sitting down  
4 and talking about how you can both survive. It's about we  
5 are going to survive at your expense.

6           So I don't know how we characterize this, but  
7 almost all of these ballot initiatives are based on giving  
8 local entities complete autonomy and complete authority over  
9 all business entities, over all agricultural entities. Most  
10 of them -- and I've got several of them here on my phone if  
11 anybody cares -- but most of them also talk about banning  
12 any corporate, any corporate entities or business entities  
13 that fall under a corporation, not just agriculture.  
14 Interestingly enough, many, many small farms, including  
15 myself, which is just my wife and I, we're a corporate  
16 entity for tax purposes. It would ban us from farming in  
17 those counties. So there is an inherent danger there.

18           The complexity and diversity of agriculture is  
19 such that most local governments don't have the expertise,  
20 the funding, the technical experts to be able not only to  
21 manage the types of processes that they want to impart upon  
22 agriculture and the system, they really ignore interstate  
23 commerce, they ignore all things that USDA does, and it is  
24 -- it's increasingly frightening to me as a farmer who  
25 relishes the value of diversity.

1           I mean, by spring of next year, our farm will have  
2 a certified organic component, it will have a GE component,  
3 and it will have a conventional component on less than 50  
4 acres. I mean, it works. It can work. There are markets  
5 out there to support all of those entities, and for a local  
6 entity, a group of people whose goal is merely to preclude a  
7 particular type of production agriculture concerns me.

8           I don't know how we address that in this document,  
9 Russell or Michael, and I wish I had a clear answer because  
10 I think Chuck brings up an interesting point in terms of the  
11 plethora of these things that are happening. I would leave  
12 that to smarter people than I am to be able to address that  
13 in this -- in some way in talking about that these, these  
14 discussions need to be between, you know, farmers, not  
15 between folks that want to tell other people how to farm but  
16 they themselves don't. I'm at a loss, I guess, but it needs  
17 to be addressed.

18           MR. REDDING: Okay. Chuck, does that reflect sort  
19 of the volley that you were having with --

20           MR. BENBROOK: Yeah, absolutely, and I would just  
21 -- gosh, I hope I'm not going to regret this -- but, you  
22 know, we've had a, we had a pretty troubling and tragic  
23 event occur out in Oregon over the wildlife refuge at  
24 Malheur, where some people who felt that the federal  
25 government wasn't listening to local needs and concerns, you

1 know, they took over this wildlife refuge, and it was -- it  
2 strikes me that when these issues are not dealt with in an  
3 effective and responsive way at the federal and/or state  
4 level, sometimes the way they play out at the local level  
5 can get, you know, really out of control.

6 I mean, look at the, look at the lawsuit in Iowa  
7 over the Water Works. I think most people would say, boy,  
8 that's a real shame that that's happening, but it's a, it's  
9 a reflection of the level of frustration and concern about  
10 how these issues are being dealt with that ends up probably  
11 causing more problems than, than are originally there.

12 So I see in the State of Oregon, we have this huge  
13 spectrum of, you know, very conservative, anti-government,  
14 leave-us-alone-we'll-take-care-of-things people to, you  
15 know, folks that are so liberal they think, you know, the  
16 government ought to take over everything, including the  
17 county government. And expecting local processes to work,  
18 work those things out is, you know, I think it's, it -- we  
19 should at least raise the concern.

20 But I will agree with what Alan and Barry said.  
21 Whenever -- even in those intense situations, when it gets  
22 down to the farmers, they almost always can work things out.  
23 It's when people with other agendas get brought into it and  
24 bring their passions and their biases, that's when things  
25 can become very difficult to control. And I'm concerned

1 that in the area of agricultural biotechnology, for the last  
2 certainly five years, as a nation we have become  
3 progressively less able to work through the tensions in the  
4 system, and I certainly think there, there's no shortage of  
5 tensions now. So that, as a trend, you know, I hope we can  
6 find some ways to get ahead of that, and I simply am  
7 skeptical that -- hoping that local entities will work it  
8 out is going to be a very important part of the solution.

9 MR. REDDING: We'll come back to that  
10 conversation. There'll be a couple of, I'm sure, a couple  
11 of thoughts there, but Latresia and then Angela.

12 MS. WILSON: I'd also like to agree with what has  
13 been said. This is a very, very good document in that it's  
14 very easy to read and very straightforward. I took a couple  
15 of weeks off, and then when this came out, I just read  
16 through it, and it was very simple, very -- you could  
17 understand it very well.

18 A couple of issues that I did come across was that  
19 there's this change between farmers and producers. Part way  
20 through the document we're talking about farmers are really  
21 into it and reading it, and then it jumps in with producers,  
22 and I was like, are those the same people we're talking  
23 about, where there's a -- is there a difference between the  
24 farmer and the producer? So that was a little bit -- needs  
25 to be clarified a little bit.

1           And then perhaps there's a wrap-up statement  
2 somewhere in the, in -- that'll bring it all together,  
3 didn't seem to have that. But, again, I agree with those  
4 who've spoken earlier that it's very straightforward and  
5 easy to read, get through.

6           MR. REDDING: Thank you. Angela.

7           MS. OLSEN: I echo that sentiment. I think the  
8 document was very well done. I think it strikes the right  
9 balance that we've talked about at the table, which is it's  
10 got substance. We heard from our growers at the table that  
11 to bring people together, it needs to be issues that all  
12 farmers are going to care about, and I think that this  
13 document does that.

14           I like Josette's comments a lot. I like her  
15 comments on making sure that it's not just to foster trust  
16 among individuals, which is incredibly important, but also  
17 to reflect those local conditions. Within a particular  
18 state, within a particular locality, there can be different  
19 challenges, different opportunities. So I like that as  
20 well. I also liked her input on giving some context as to  
21 why, you know, why these different topics are being  
22 discussed. So I like that.

23           I do take Barry and Chuck's comments regarding --  
24 we want to make sure that we're doing something that's  
25 positive and productive and is going to promote diversity

1 and is going to promote these discussions and enhance  
2 coexistence at the level. This is not an opportunity for  
3 some group to come in and say, we're going to, we're going  
4 to ban organic, or we're going to ban GE or whatever, you  
5 know, whatever the crop du jour is. It's not about that.  
6 And so I do agree that we need to make sure that, and  
7 reflect, that the spirit of this is to bring people together  
8 so that farmers can have conversations about local issues  
9 and local -- have local conversations, you know, and it's  
10 not that opportunity to allow somebody to come in with a  
11 private agenda, to take away those opportunities.

12           So I had not thought of that within the context of  
13 this document, which, again, I thought was very well done,  
14 but I think it is one that may be worth us thinking about,  
15 how do we address that, is it a sentence or two, to really  
16 explain the spirit of this document and our intentions here.  
17 But I thought the document was very well done --

18           MR. REDDING: Okay.

19           MS. OLSEN: -- so thank you.

20           MR. REDDING: Yeah. Thank you. Laura.

21           MS. BATCHA: I think Alan was up before --

22           MR. REDDING: Oh, okay.

23           MR. KEMPER: Go ahead. Go ahead, Laura.

24           MS. BATCHA: -- before we were up. Are you sure,  
25 Alan?

1 MR. KEMPER: Yeah.

2 MS. BATCHA: Okay. Laura Batcha, and my apologies  
3 for hopping back in late. As you know, I participated on  
4 the, on the subgroup, and I think I concur. I think,  
5 Michael, the work that you did to reflect our conversations  
6 in this next draft is really fantastic work. It's -- we had  
7 a good start, but this is, this is a much better document.

8 And I have a few little things, but the one thing  
9 that I've been -- that I was pondering, and then I read it  
10 again last night before I got on the airplane, to sleep on  
11 it again, and there's an area that I want to try to explore,  
12 and I think I have an idea. But I like how we've described  
13 the different agricultural activities and we talk about the  
14 environmental factors and then the different types of  
15 activities, and you added some new topics there based on our  
16 last meeting, which is great, and then we get to the  
17 Convening Discussions.

18 And the thing that is in my mind is to create the  
19 incentives -- and, you know, Doug really brought this to  
20 light about having there be discussions about these other  
21 agricultural activities at the table in order to not just,  
22 you know, send out a postcard, come to a coexistence  
23 meeting, and people would see something -- is there a way in  
24 the Convening Discussions to suggest that it could be  
25 helpful when folks around the table look at the activities



1 and plan for these farming practices where they may be  
2 enrolling in programs or not enrolling in programs that have  
3 conservation benefits?

4           We talked a lot about soil conservation, water  
5 conservation. We know the assessment from OGC is that you  
6 can't use those programs to mitigate gene flow, but is there  
7 a way to have this work where, as you're looking at those  
8 activities and you're making your plans there, suggest that  
9 the conversation can also be about, and what are your  
10 neighbors doing, and the challenges to use management  
11 practices to allow IP producers to be successful and  
12 identify where those things overlap, while it's not a direct  
13 payment, but to encourage conscientiously thinking about, if  
14 I'm going to put in buffer strips and this is my plan, this  
15 is an opportunity to talk with the other neighbors because I  
16 can then, even a bonus is, and I can be a good neighbor in  
17 terms of planning where maybe I go first with those buffer  
18 strips or communicating that to the neighbor.

19           So you get the conservation, the water quality  
20 benefits, the soil quality benefits, the pollinator  
21 benefits, and oh, by the way, we get this other benefit on  
22 top of it, because I think, you know, farmers everywhere are  
23 really -- I think Doug identified it -- focused on soil  
24 resources and water, water resources, and they're actively  
25 engaged in making management choices about those programs

1 that are offered through NRCS. So I think it's like almost  
2 there, if there's a way we could just, you know, suggest  
3 that the connections be made.

4 MR. REDDING: And, Laura, you're suggesting in  
5 that Convening Discussion section somewhere or there's a  
6 capstone to intro or capstone somewhere to connect that?

7 MS. BATCHA: Yeah, I think it --

8 MR. REDDING: Okay.

9 MS. BATCHA: -- could work in the Convening  
10 Discussions, Russell --

11 MR. REDDING: Okay.

12 MS. BATCHA: -- perhaps, or I'm open to anywhere,  
13 but I just think -- it's like we're almost there.

14 MS. LEWIS: Maybe -- I don't mean to jump the  
15 queue here --

16 MR. REDDING: It's all right.

17 MS. LEWIS: -- but just because it's pertinent  
18 that -- I think for me that also brings some additional  
19 context to this Discussion Topics section, which is all  
20 about environmental and agronomic issues more broadly. So  
21 it fits very nicely to bring in these other assistance tools  
22 that are available within that context. So that'd be  
23 another place maybe to reference it, is under that kind of  
24 preamble to the Discussion Topics section on page 3, the  
25 bottom of page 3, as to what's involved there.

1 MR. REDDING: Okay. Yeah, good. Alan.

2 MR. KEMPER: Thank you, Mr. Chair, and I'm lost on  
3 how many drafts I have. Hang on a second. Go to somebody  
4 else, if you want, and come back. I'm shuffling three or  
5 four papers thanks to so many conversations.

6 MR. REDDING: Keith, are you -- you're up?

7 MR. KISLING: Oh, I am, but I think Barry is ahead  
8 of me.

9 MR. REDDING: Okay. I couldn't see Barry's card.

10 MR. BUSHUE: That's all right. Just I think  
11 Angela hit it on the head what I was trying to say with  
12 regard to local, et cetera, I think, and I'd really kind of  
13 forgotten -- you kind of get tied up in the moment -- but  
14 I'd really forgotten that so much of this document already  
15 talks about the value of all forms of agriculture and all  
16 forms of production. So I think, as a committee, we have  
17 made that patently clear that we're not out trying to  
18 separate one from the other. So I think that's an  
19 important, an important caveat, but I do like the concept of  
20 maybe just a very simple statement about the messaging that  
21 we're trying to send forward as opposed to what could become  
22 as part of the reality.

23 So I appreciate what Angela said, and I would  
24 strongly encourage somebody to, you know, make that kind of  
25 just a very simple, straightforward statement based on the,

1 you know, the preclusion that we've already said, that all  
2 of these things are important, so thank you.

3 MR. REDDING: Yeah. Thank you. Keith --

4 MR. KISLING: Keith Kislung.

5 MR. REDDING: -- and then we'll come back to Alan.  
6 Okay?

7 MR. KISLING: Oh, Alan is ahead of me.

8 MR. REDDING: Go ahead, Keith. Go ahead, Keith.

9 MR. KISLING: Thank you, Mr. Chairman. Keith  
10 Kislung, and I -- we're in the middle of harvest, wheat  
11 harvest, and so there's a lot of this that I haven't had an  
12 opportunity to read, but as I read the last paragraph of the  
13 last part of this statement, Organizing and Supporting Local  
14 Meetings and Other Coexistence Activities, and I thought  
15 that was pretty good to end this with.

16 I really, I like the idea that we're emphasizing  
17 the meetings that these are going to be put on from and the  
18 way to do it, and I see there's funding, you say, from  
19 Sustainable Agriculture Research and Education Program, the  
20 SARE Program, that could be sought after in a grant  
21 application. Is there actually money for that, and how hard  
22 is that to get, and do we need to promote that if this  
23 passes, and how much money is involved in that?

24 MR. BUSHUE: You just want him to cut you a check  
25 right now, Keith?

1           MR. KISLING: Yeah. Yeah. I mean, if I'm going  
2 to put on a meeting, how much money is there? Evidently, if  
3 there's money there, it wouldn't be here.

4           MR. SCHECHTMAN: It is not clear at this point.  
5 Certainly, there are grants that can be applied for.  
6 Whether that program will be -- could be focused to this is  
7 not clear. This is something that was brought up in, in the  
8 discussions in the, in the subgroup. There's further  
9 investigation of that and of the topic that was raised  
10 earlier about whether IP fits under specialty crops to be  
11 eligible for another source of money.

12           So this, this was a quick first draft. This was  
13 something that was mentioned in the subgroup, and it is a  
14 potential source to seek money, but I'm not absolutely sure  
15 what is available at this point. So between now and the  
16 next, the next round, we will have better information on  
17 both of those topics to see --

18           MR. KISLING: I just wonder if there's even a  
19 clear definition of sustainable agriculture.

20           MR. SCHECHTMAN: Doug, do you have any additional  
21 idea on this?

22           MS. LEWIS: I don't think the SARE Program has a  
23 narrow definition of what sustainable -- I mean, we have one  
24 on our campus, and it's pretty broad.

25           MR. MCKALIP: No, I'm not aware of a statutory

1 definition. I mean, there's several conservation  
2 definitions throughout the NRCS Handbook and materials that  
3 the Department maintains, but for sustainable agriculture,  
4 I'm not certain about that. It's something I'm happy to  
5 check out and maybe even have additional details by  
6 tomorrow's meeting.

7 MR. KISLING: Thank you.

8 MR. REDDING: Thank you.

9 MR. KISLING: Thank you, Mr. Chairman.

10 MR. REDDING: Yeah. Thanks, Keith. Alan.

11 MR. KEMPER: Thank you, Mr. Chair. First of all,  
12 on sustainable, at least on the sustainable soybean -- on  
13 the soybean industry, there is a sustainable definition as  
14 well as a certification for U.S. soybeans that they measure  
15 up by sustainable, and they have a definition for that.  
16 Thank you, Mr. Chair.

17 Again, on -- continuing on my theme, and Michael,  
18 basically, on about paragraph 12 of the document where it's  
19 titled Challenges for All, I would still like to suggest we  
20 talk about opportunities for all, not challenges, throughout  
21 this document with that, because I'm still believing  
22 inclusion, not exclusion, is a way to get to coexistence.

23 Second thing, on that same paragraph, Michael,  
24 when we talk about the land, we want to talk about the  
25 environment, including water. But the main thing is, about

1 on line 3, at least on my document, it has the words every  
2 management decision. I would definitely strike out the word  
3 every because, I mean, if I'm buying a tractor, that's still  
4 a management decision; if I'm marketing, that's a management  
5 decision but it doesn't necessarily affect how my neighbor's  
6 farm is going to be. Thank you, Mr. Chair.

7 MR. REDDING: And, Alan, just so I'm clear, where  
8 is that every language? Is that in --

9 MR. SCHECHTMAN: Second line under Challenges for  
10 All.

11 MR. REDDING: Oh, I got it. Okay. Yeah.

12 MR. KEMPER: Yeah, right in the second sentence,  
13 actually. Thank you, Mr. Chair.

14 MS. HUGHES: And, I'm sorry, how would you change  
15 it?

16 MR. KEMPER: Actually, I would do it something:  
17 It is important to realize, though, management decisions  
18 that any farmer makes has a potential to affect his or her  
19 neighboring's farming operation. Thank you.

20 MR. REDDING: Yeah. Thanks. Laura.

21 MS. BATCHA: On Keith's question about the money  
22 for the, for the, for the meetings, I've lost track of which  
23 document it was in, but we had something in there about a  
24 recommendation that USDA signal the importance of convening  
25 these things as something that could be done federally as an

1 incentive. We might get more specific in our recommendation  
2 back to the Secretary and that perhaps the places where it  
3 wouldn't conflict with the authority, that convening  
4 coexistence meetings might be included as a priority in the  
5 RFPs for those programs when they go out, so people know.

6 MR. REDDING: Yeah. Thank you. Other comments?  
7 Leon and then Josette.

8 MR. CORZINE: Thank you. Leon Corzine. Just a  
9 short one here. It's on page 6 at the top where it talks  
10 about crop rotations, and this is just a matter of  
11 agronomics. It says crop rotation enhances soil health. I  
12 think we should insert in there often, because we have --  
13 there are instances where that's not actually the case. We  
14 have -- in fact, we had a farm that had a low organic  
15 matter; that seven years of continuous corn and using some  
16 cover crops, we built organic matter and actually improved  
17 the soil health of the farm. So --

18 MR. SCHECHTMAN: Where is this again?

19 MR. CORZINE: On page 6 at the top, under Crop  
20 Rotation, is highlighted. So if you can just put in often  
21 or can enhance or something like that. It's stated as a  
22 matter of fact, as -- I read it as always, and that's not  
23 always the case. Okay. Thank you.

24 MR. MCKALIP: So the 1990 Farm Bill contained a  
25 definition for sustainable agriculture. My first farm bill



1 was '96. So that one caught me prior to my -- the term  
2 sustainable agriculture means an integrated system of plant  
3 and animal production practices having a site-specific  
4 application that will, over the long term, colon, and then  
5 there are five bullets that follow: one, satisfy human food  
6 and fiber needs; two, enhance environmental quality and  
7 natural resource base upon which the agricultural economy  
8 depends; three, make the most efficient use of nonrenewable  
9 resources and on-farm resources and integrate, where  
10 appropriate, natural biological cycles and controls; four,  
11 sustain the economic viability of farm operations; and,  
12 five, enhance the quality of life for farmers and society as  
13 a whole.

14 UNIDENTIFIED SPEAKER: Good definition.

15 MR. SCHECHTMAN: I think Betsy has something else  
16 to add here.

17 MR. MCKALIP: Sure.

18 MS. RAKOLA: I also wanted to just share the  
19 consensus statement that was created by the Sustainability  
20 Office within USDA. This is from 2011. I'm not sure how  
21 current this is, but at the time, the consensus statement  
22 they were working towards was that USDA is committed to  
23 working with partners and stakeholders toward sustainability  
24 of diverse agricultural, forest and range systems. USDA  
25 seeks to balance goals of satisfying human needs; enhancing

1 environmental quality, the resource base, and ecosystem  
2 services; sustaining the economic viability of agriculture;  
3 and enhancing the quality of life for farmers, ranchers,  
4 forest managers, workers, and society as a whole. So you  
5 can see where that reflects very much the language that Doug  
6 just shared from the farm bills.

7 MR. REDDING: Thank you. David.

8 MR. JOHNSON: David Johnson. In response, I  
9 think, to Josette's initial observation about, you know,  
10 does this relate to coexistence, I'd like to suggest we take  
11 paragraph 5 and put it ahead of the word Introduction as  
12 kind of like an abstract. So it's paragraph 5 on page 1.

13 UNIDENTIFIED SPEAKER: This document is part of?

14 MR. JOHNSON: Yeah, this document. And then what  
15 I'd also like to suggest --

16 MR. SCHECHTMAN: And move it where again?

17 MR. JOHNSON: So just put it right ahead of the  
18 introduction, maybe like an abstract --

19 MR. SCHECHTMAN: Okay.

20 MR. JOHNSON: -- you wouldn't have to call it  
21 anything, but it clearly states what this document is about  
22 and it's right up front then. And then the very last  
23 sentence in paragraph 4, where it says, this document also  
24 offers suggestions, I think that we could insert that before  
25 the last sentence of that paragraph, just take it out of

1 paragraph 4 and put it in what would now be new paragraph 1,  
2 right before the last sentence, and it -- I think it puts a  
3 nice summary as to what this document is right up front.

4 MR. REDDING: Yeah. Thank you. It also helps us  
5 to get at this point -- I'm just reflecting on Chuck and  
6 Barry's sort of exchange and experience in Oregon -- you  
7 know, at the end of the day, this document is about sort of  
8 farmers. Right? I mean, we're very clear that this is our  
9 intention here. There are a lot of other components to  
10 this, and if you wanted to write a separate document for,  
11 you know, another, another stakeholder, we could do that,  
12 right, but just to be clear here that ours is really for,  
13 intended purpose is for the farm, farmer-to-farmer  
14 conversation. Right?

15 I don't know how to get at the local versus other.  
16 I don't know, Barry and Chuck. I mean, I share the concern,  
17 but you know, I think our premise has been, if, you know, on  
18 the coexistence, if you want a solution, you can find a  
19 solution. If you're not looking for a solution, I don't  
20 know what -- you know, I mean, you've got to engage to find  
21 some solution, right, and that is a premise of coexistence.  
22 Whether that's local, state or otherwise, you've got to  
23 engage to find that solution.

24 So I don't know how to get at the concern, you  
25 know, that you've raised in terms of whether local is in

1 fact the best, at least in some of the Oregon communities,  
2 the best spot to find that resolution or not. I don't know  
3 how to deal with that.

4           Yeah. Josette.

5           MS. LEWIS: Maybe just one thought on that without  
6 having drafted any specific language, but perhaps there's  
7 almost just a paraphrase sentence that you could add about,  
8 you know, we do believe a lot of this farmer-to-farmer  
9 coexistence dialogue needs to take place at the local level,  
10 just some kind of statement that reflects that we also  
11 recognize the importance of national standards or national,  
12 I don't want to use regulations, so national standards, I'll  
13 leave it at that for now, but to ensure that the larger  
14 issues around interstate commerce and trade don't  
15 disadvantage folks at the local level.

16           And maybe there's a sentence that you can craft  
17 that just kind of recognizes -- I mean, as we heard this  
18 morning from Doug, I mean, even the issue around labeling at  
19 the consumer level is something that is occurring at a local  
20 level, the state. By the same token, USDA is engaged in  
21 trying to find a way forward that ensures that you don't  
22 disrupt the food system more broadly. So I think, you know,  
23 there's probably a nice way to get to that.

24           I did have another comment on page 2. There's a  
25 section called Consideration for Identity-Preserved

1 Production, Including Seed Production, and I would just note  
2 here, this talks about seed production, rightly so, in the  
3 context that is a form of IP, but in all the -- the other  
4 two documents we have, seed is called out specifically  
5 within the context of the quality of that seed being a  
6 critical starting point for an IP system.

7           So it's actually looking at seed in two different  
8 ways in terms of IP, and I think, you know, kind of either  
9 -- clarifying that in this section would be helpful because  
10 it's, it's actually looking at it from two different angles.  
11 Sort of the -- the majority of the way we talk about seed in  
12 the document that we have drafted is if you don't start out  
13 with quality seed, you can't have an IP product. Here it's  
14 like, sort of assumes you're producing a quality IP product  
15 called seed. So I know they're two sides of the same coin,  
16 but they are different sides; so just, it would be helpful  
17 to clarify that for the audience.

18           MR. REDDING: Yeah. Thank you. All right. Any  
19 other thoughts? Any other thoughts on the draft, framing,  
20 discussion points, highlights?

21           MR. SCHECHTMAN: Anything missing?

22           MR. REDDING: Yeah, any gaps that you identified  
23 we need to focus on?

24           (No audible response.)

25           MR. REDDING: No? You're pretty satisfied with --

1 obviously a good discussion the last hour here about what  
2 else we can improve. I mean, I think, you know, the  
3 challenge becomes, you know, what all do we include and get  
4 the framing -- I think the framing is generally right. So  
5 the question is sort of the fine-tuning here, right, with  
6 what to include, how to modify a couple of these areas that  
7 you've mentioned. Okay. Chuck.

8 MR. BENBROOK: Mr. Chairman, just, I guess,  
9 perhaps the one clarification that might usefully be added  
10 to the document at some point is, there will be  
11 circumstances in certain parts of the country where an issue  
12 around agricultural biotechnologies really got, you know,  
13 heated up, and perhaps we should point out that in areas  
14 where there's a local- or region-specific issue that is on  
15 the minds of a lot of stakeholders and the farming  
16 community, that an extra level of care needs to be invested  
17 in, you know, designing and organizing local meetings.

18 So if you -- one of the scenarios that's playing  
19 out in Oregon -- and I'm sure Barry knows way more about it  
20 than I do because a lot of it played out kind of on his  
21 watch -- it involves the aftermath of the release of  
22 genetically engineered bentgrass in some counties, that it's  
23 out there now and the local communities are concerned about  
24 how they're going to deal with it in the absence of any  
25 dedicated resources. And there's, you know -- I mean,

1 basically, my knowledge about it is limited to what I read  
2 in the Capital Press, but it's a, it's an example of a very  
3 localized, specialized issue but one where a lot of people  
4 are really concerned about it. And, you know, going into a  
5 meeting with our little, you know, tool kit for having a  
6 constructive dialogue about coexistence wouldn't get you  
7 very far in a meeting like that.

8 MR. REDDING: Is there something missing here, I  
9 mean, in our document?

10 MR. BENBROOK: Yeah. Yeah.

11 MR. REDDING: Okay.

12 MR. BENBROOK: What's missing is a recognition  
13 that there are going to be times and circumstances where  
14 local communities are riled up --

15 MR. REDDING: Yeah.

16 MR. BENBROOK: -- I mean -- and I think everybody  
17 knows what that means -- about something related to  
18 coexistence, and in, when -- it's sort of, it's sort of like  
19 when you're going into an environment like that, it's really  
20 incumbent on whoever is organizing a meeting to be mindful  
21 of the fact that the dialogue and the processes and the  
22 emotions that are preexisting require some special care and  
23 handling. And I just am, you know, I'm afraid if we don't  
24 become a bit more conscious of that, there's going to be a  
25 continuing series of unnecessarily, not -- I mean, look at

1 what's happened in Oregon. You know, first, the state  
2 ballot initiative didn't pass, and that left a lot of people  
3 angry. They organized, in Jackson County, was it, Barry,  
4 that they passed the -- so Jackson County passed a county  
5 ballot initiative banning the planning of GMOs, and then  
6 that got a lot of people riled up, and a lot of those folks  
7 are the ones that are now involved in this discussion about  
8 the ongoing issues with this bentgrass.

9           It's just when tensions that are of concern to  
10 constituents just don't get dealt with in a way that's  
11 reasonably satisfying, they tend to get kicked down, down  
12 the level but often to a level of government, as Barry said,  
13 that's less capable of both managing the process and dealing  
14 with the technical issues.

15           And, you know, I, I sort of see this as a possible  
16 scenario for, you know, more and more agricultural  
17 biotechnologies, and I, I think that, you know, the  
18 Department has to, has to put a little more attention and  
19 energy into trying to resolve some of these issues at the  
20 federal level, where they belong. And everybody agrees that  
21 labeling should be done at the federal level, for God sake,  
22 but we've had what, 15 state ballot initiatives now, and  
23 the, the, not just the expenditure of resources, but the  
24 feelings and misinformation and passions that those state  
25 ballot initiative efforts have left have certainly not made



1 it any easier to advance agricultural biotechnology policy  
2 in this country.

3 MR. REDDING: Latresia, or I'm sorry, Barry.

4 MR. BUSHUE: While I do share Chuck's concerns  
5 about what's going on in Oregon, I don't, I don't know that  
6 we need to go to that level in this document. I think the  
7 issue that, that Angela brought forward about just merely a  
8 recognition -- there's a lot of work in this document that  
9 talks about taking into account local characteristics, local  
10 concerns, local issues, and I think those can be dealt with  
11 without, without having this document appear to be a, some  
12 kind of a statement about activism as opposed to what it is,  
13 and that's, a workbook.

14 So I don't know that we need to go any further  
15 than just a recognition that we support all forms of  
16 agriculture and that farmers are best suited to deal with  
17 the challenges they have. Most of these issues in Oregon  
18 are not caused by farmers, and most of them are caused by  
19 folks from outside the local areas that they actually are  
20 engaged in, including the Bundys.

21 So anyway, with that said, I like the document. I  
22 think we stick to it and move forward onto something else.

23 MR. REDDING: Barry, just a question, in Oregon  
24 was part of the -- is part of the concern just sort of the  
25 local leadership, and where was agriculture's voice in this

1 discussion? I mean, I realize there's external forces,  
2 but --

3 MR. BUSHUE: Are you talking about the bentgrass  
4 issue or just the --

5 MR. REDDING: Well, I'm talking about, yeah, just  
6 reference to, to, yeah, this preexisting condition. If one  
7 of those preexisting conditions -- you know, there are,  
8 there are maybe many -- but the question here, I think, is  
9 sort of trying to get ag to also take a leadership role,  
10 right, and part of this -- was part of it created by not  
11 having that agricultural voice in the discussion?

12 MR. BUSHUE: In response, yeah, a large part of it  
13 was the fact that -- and much of it stemmed around --

14 THE REPORTER: Your mic is off.

15 MR. SCHECHTMAN: Mic is off.

16 MR. BUSHUE: Much of it stemmed around the fact  
17 that, who's your farmer? I mean, it's that simple. It was  
18 large groups of folks who actively engaged at a local level  
19 for three or four years and every county fair, every, every  
20 Kiwanis meeting, every harvest festival, and most of them  
21 weren't the farmers. The farmers were too damn busy  
22 farming, and frankly, we lost control of that. We, we, we  
23 were no longer the face of agriculture. That's a sad  
24 statement and it's an unfortunate statement, but it  
25 prevailed in Jackson County, but it was pretty much as

1 simple as that.

2           And I -- the industry itself and the organizations  
3 that support the industry have done a lot of work more  
4 recently to make sure that they are not left out of these  
5 discussions and that there is a face and a presence there,  
6 and that presence will be felt in these kind of local  
7 discussions and local coexistence discussions that we're  
8 going to have in the future.

9           So, yeah, the, you know, the active farmers were  
10 just too damn busy farming, and we can no longer do that. I  
11 mean, as farmers or producers or whatever -- the difference  
12 is, by the way, farmers sleep in meetings and producers  
13 don't -- but having said that, I mean, the industry and  
14 farmers are in a position -- and that's, I mean, that's the  
15 reason there's so many farmers on this committee -- we know  
16 we can no longer sit home and just farm. Us smart farmers  
17 can't do that anymore. We don't have that luxury. So --  
18 and I'm pleased that this committee is able to have these  
19 open, kind of frank conversations.

20           MR. REDDING: Yeah, but we certainly don't want to  
21 -- you know, if there are lessons learned from Oregon in the  
22 framing of this document, you know, for, on coexistence and  
23 those discussions -- facilitation, who hosts, how do you  
24 frame the preexisting -- I guess, for all of us, just making  
25 sure that we do the best job we can to capture those

1 experiences, and there may not be, you know, you know, a  
2 simple way to frame that. But, I guess, as we've got an  
3 open document here that talks about the need for engagement,  
4 the need for resolution, the desire for resolution around  
5 different forms of agricultural production, so I'm just  
6 asking for Barry and Chuck, that that local knowledge; if  
7 there's something that's missing or we need to amplify what  
8 is here, I just would put that on the table.

9 I sense that there's some very difficult lessons  
10 learned in Oregon. So if you, if you take that anywhere  
11 else, I mean, can you borrow from that experience? Is there  
12 -- is it the question of who hosts the meeting; what the  
13 engagement, the agricultural presence is? Is there, you  
14 know, things that were assumed but never done, you know, in  
15 the Oregon experiments? Just an open question. I think  
16 it's a key point.

17 MR. BENBROOK: One, one friendly suggestion,  
18 Mr. Chairman, you spent most of your career in a part of the  
19 country dealing with water quality in the Chesapeake Bay,  
20 and it strikes me, there's many parallels between the issues  
21 playing out on the West Coast around agricultural  
22 biotechnology and those that have, that have really been  
23 such a huge part of your current job and challenge in that  
24 part of the world.

25 So, as you read through the document and think

1 about steps that were taken in this 20-year effort to deal  
2 with the Bay that worked or didn't work, you might draw a  
3 few analogies into this biotech concept, because I think  
4 there are some important lessons learned in how the effort  
5 to deal with the immense challenges of water quality around  
6 the Bay was dealt with. I mean, certainly, you know that  
7 as --

8 MR. REDDING: Yeah.

9 MR. BENBROOK: -- as well as anyone.

10 MR. REDDING: That's a good point, yeah. Yeah,  
11 good. Leon.

12 MR. CORZINE: Thank you, Mr. Chairman. It strikes  
13 me, I'm, you know, I'm in central Illinois, a long ways from  
14 Oregon, but one of the issues that, that we see across the  
15 country is that what Barry mentioned as far as discussions  
16 getting out of control because farmers are busy farming.

17 So I would suggest, as we review this document, to  
18 be sure in there that that -- the point is brought out that  
19 the best solutions and the way you make things work are  
20 having farmers and agriculture in the discussion at the  
21 onset, that we need to be proactive. No matter what system  
22 we're talking about, no matter what IP we may be talking  
23 about in coexistence, it needs to be driven by farmers. We  
24 don't need outsiders, whether it's government or whether  
25 it's an NGO with a, with an agenda, to be driving the

1 discussion. It needs to be the farm community and then  
2 dealing with their consumer base, their customer base.

3 Next question I had, when we finish up, if I may,  
4 are we going to now go to another one of these documents we  
5 have, Mr. Chairman? Is that what we're going to do?

6 MR. SCHECHTMAN: Today, you mean?

7 MR. BENBROOK: Yes.

8 MR. REDDING: What's on the agenda? What is up  
9 on --

10 UNIDENTIFIED SPEAKER: The outline --

11 MR. SCHECHTMAN: Yeah.

12 UNIDENTIFIED SPEAKER: -- is next on the agenda.

13 MR. REDDING: Oh, the draft outline.

14 MR. SCHECHTMAN: Yeah, the outline.

15 MR. REDDING: Yeah. Yeah. So we'll go to the  
16 draft outline for the report.

17 MR. SCHECHTMAN: Yeah. Yeah.

18 MR. CORZINE: Which is the draft? We've got  
19 Draft --

20 UNIDENTIFIED SPEAKER: It's all in bold.

21 MR. SCHECHTMAN: It's --

22 MR. CORZINE: Draft Portions or the --

23 MR. SCHECHTMAN: It's called Notional Outline for  
24 the 2016 AC21 Report.

25 MR. CORZINE: Okay. Are we going to talk about

1 the Draft Portions of Text Under the Next AC21 Report on  
2 Complex Issues?

3 MR. SCHECHTMAN: That's tomorrow.

4 MR. CORZINE: Tomorrow? Okay. Thanks.

5 MR. REDDING: Missy.

6 MS. HUGHES: Back to this conversation about  
7 farmers talking to farmers, you know, I think we have  
8 brought two different issues together. One is the work that  
9 we're trying to do here, which is to say, if you can convene  
10 a group of farmers talking to farmers about how to coexist,  
11 how to work together, how to have agronomic practices or  
12 agricultural practices that will help each other, that's one  
13 conversation. But this idea that conversations about  
14 coexistence should only happen between farmers is what has  
15 gotten a fair amount of agriculture to where it is today,  
16 because there's your consumers who want to know how their  
17 food was produced, what's in their food and, if you ignore  
18 them, you're just going to end up in the same place, where  
19 the, where the consumers don't have any knowledge of who's  
20 growing their food and how hard it is and the work that  
21 they're doing, and all that they get to do -- the Secretary  
22 spoke at the Organic Trade Association Policy Days and very  
23 eloquently talked about how we all who are not farmers,  
24 speaking for myself and others who are not farmers at the  
25 table, get to do all sorts of things because we don't have

1 to worry about where our food comes from, but that doesn't  
2 mean we're not part of the system, and we're helping and the  
3 farmers are helping, and we're all part of bringing food to  
4 the United States.

5           So I just, I just caution that not wanting to have  
6 these conversations is getting us to this place right now  
7 where consumers don't respect the food that we bring to  
8 them; they don't want -- they ask questions about it. The  
9 only way they feel they can have any control over it is to  
10 pass rules, like what they're doing in Jackson County. So I  
11 just, I feel like we continually see agriculture ignoring  
12 the eaters, and they need to be at the table also.

13           MR. REDDING: I would hope that, you know, in the  
14 production of this document, you know, that we -- you know,  
15 part of the objective is to engage the agricultural  
16 community and build that confidence level about, about  
17 engaging, right, because I think there's a real hesitancy to  
18 launch in there when you see what has played out in some  
19 parts of the country and even if you listen to the, to the  
20 labeling debate. I mean, you've got to feel fairly  
21 comfortable jumping into that conversation and confident in  
22 what you've done and justifying the practices you've  
23 adopted, and you know, that's part, I think, of what, what  
24 we see or I hope is an outcome of this document here.

25           You know, I can read this and feel pretty



1 comfortable that at least, you know, I know general framing  
2 of how to approach this issue, who to engage or who could  
3 potentially be engaged, but it comes down to this comfort  
4 level in talking about the practices that I've adopted as a  
5 producer, being able to translate that for public benefit.

6           Now, that really is a really important part of the  
7 conversation, and knowing what you're doing, what you've  
8 adopted, you know, it's back to the seed, it's the practice,  
9 it's, it's all that goes into sort of producing that crop,  
10 is feeling comfortable with that. Right? And you've got to  
11 have a pretty good base of knowledge about what it is that  
12 you're doing, so as you engage, you can talk about why we  
13 are adopting what we're, have adopted or why we're doing  
14 what we're doing, because part of the issue publicly has  
15 been that there's a void there, right, of being able to  
16 really defend what we're doing.

17           If it's the right thing, then let's defend that,  
18 and I think that's partly what is sort of in this whole  
19 coexistence conversation, is the confidence to have and  
20 engage in that, and that's also being, being prepared to,  
21 being prepared to engage, because I see that as a -- you  
22 know, back to the water quality discussions, I mean, again,  
23 a lot of people in that conversation, but the person I want  
24 to have in the conversation is the person who is actually,  
25 one, trying to make a living doing this and, two, talking

1 about, you know, why it is that they've adopted the practice  
2 that they've adopted, and in not doing that, that void has  
3 been filled by those who are less informed. Right?

4           So in here I see that same sort of discussion.  
5 You've got to be willing to engage, but you also have to be  
6 prepared to talk about why you do what you do.

7           MR. SCHECHTMAN: And if I may, I'll just add two  
8 observations from this. I think the first one, the  
9 discussion in -- about what's going on in Oregon, I think,  
10 really points to the range of different coexistence  
11 discussions that this document is perhaps talking about.

12           You know, one of the ways coexistence discussions  
13 were first framed, when we were talking about it at the last  
14 meeting and in subgroups, was in talking about the  
15 opportunities that are available to farmers who want to  
16 diversify, and some of the conversations around coexistence  
17 in some locations will be those very positive ones, but I  
18 think what we've heard today is that there are certainly  
19 other instances that will be a lot more fraught and will be  
20 different, you know, will be meetings that will be, that  
21 will have to focus in a very different way. And I think  
22 maybe the document needs to be a -- to do a better job of  
23 pointing out that all the conversations are not, you know,  
24 going to necessarily have the same broad set of topics that  
25 will be on the table because some things may be more

1 important than others in some, in some arenas. So that's  
2 the first point.

3           And the second point goes to what, what Missy was  
4 talking about and that -- this issue around the involvement  
5 of consumers. Now, this document, I think, was intended  
6 sort of based on what I heard in subgroup and meeting  
7 discussions last time as a means of promoting  
8 farmer-to-farmer dialogue, maybe facilitated  
9 farmer-to-farmer dialogue, but dialogue between farmers.  
10 That's not to say that the issue that Missy has raised  
11 around consumer expectations and consumer involvement is not  
12 a very, very important issue for the future of agriculture.

13           I don't know that that goes in the guidance piece,  
14 I mean, but that's something that if we haven't highlighted  
15 it well enough in the Complex Issues section, certainly we  
16 should revisit it there. I'm not quite sure how you would  
17 put it in this piece but, but certainly open to hearing more  
18 suggestions about, about how to do that and to make it front  
19 and center for the Secretary as well.

20           MR. REDDING: Josette.

21           MS. LEWIS: To pick up on Missy's point -- and it  
22 kind of gets us into the part, I guess, for the rest of the  
23 day, which is the outline -- there is actually a section of  
24 the outline, as you've provided it to us, Challenges for  
25 Coexistence Now and Into the Future, which directly

1 references the changing expectations of consumers.

2           So I agree that -- it seems to me the two core  
3 documents that we've talked about today, which are the  
4 guidance document and the models document, seem like they're  
5 pretty much meant to be resources for growers, farmers slash  
6 producers, but the overall report can take into  
7 consideration a broader set of issues that, like this, that  
8 we haven't discussed in great detail but that need to be  
9 part of the context that we're providing.

10           So it seems to me there's a good place already  
11 identified, and maybe that can get fleshed out when the  
12 draft report is fleshed out.

13           MR. SCHECHTMAN: And that's talked about, in part,  
14 in that other piece on the complex, on the complex issues.  
15 That's the piece we haven't talked about that's on the  
16 agenda for tomorrow. Whether we've done an adequate job on  
17 the first cut on that is a separate issue. I'm not -- I'm  
18 certainly very welcome, very open to the idea of hearing  
19 suggestions on whether that should go into this document,  
20 but I'm not -- I don't, I don't immediately see how, how  
21 that fits into this document, discussing farmer-to-farmer  
22 discussions, but again, open to hear.

23           MR. REDDING: Okay. Alan, Barry, then Chuck.

24           MR. KEMPER: Thank you, Mr. Chairman. Missy, I  
25 agree with you that I think it needs to be somewhere. I

1 don't think it -- where we address farmer-to-farmer  
2 coexistence is one area, but where we look at opportunities  
3 for agriculture in future dialogues, I think that would be a  
4 place that we would list several things. As you noticed, I  
5 used the word opportunity, not challenges, for future  
6 dialogues because I think we need to have an ongoing one,  
7 but with the consumers. Thank you.

8 MR. REDDING: Barry.

9 MR. BUSHUE: I, too, think Missy makes some  
10 excellent points, and I would agree with her. Where it goes  
11 in the document, I don't know. I don't believe it belongs  
12 in the guidance document, as Michael suggested.

13 My point about farmers was that I don't -- while  
14 there's all these other pieces and players involved, when it  
15 comes right down to how you address with your neighbors the  
16 differences of production practices you may have on those  
17 individual farms, I believe, is still best suited farmer to  
18 farmer. That wasn't suggesting we should preclude all these  
19 other players.

20 But in the end this document, I also think, serves  
21 a good purpose, which goes a little ways towards the  
22 consumer. If you take a guidance document like this, which  
23 is a national document, a USDA document, that says these are  
24 the things that farmers are interested in doing, these are  
25 the things that farmers value, these are the things that

1 farmers are doing in their farms right now and will commit  
2 to doing in the future, I think that gives some credibility  
3 to what we're doing and maybe, it maybe engages a little bit  
4 more with consumers as to they are doing something, here's a  
5 start. So I think it serves a multiple purpose.

6 MR. REDDING: Good. Thank you. Chuck.

7 MR. BENBROOK: I, I also agree that in the  
8 guidance document the emphasis should remain on  
9 farmer-to-farmer dialogue and a lot of confidence should be  
10 placed in the ability of farmers, you know, basically left  
11 to the, you know, to their own devices or will make progress  
12 in most areas on, on these questions. But, as I try to get  
13 at the nub of what's changed, I think that, that what's  
14 changed is that the general impression of the public and, I  
15 think, the attitudes about U.S. agriculture and U.S. food  
16 system and agricultural exports from the U.S. held by people  
17 around the world in the last 20 years have, have  
18 incrementally gone from really being mostly defined by the  
19 face of the American farmer to being defined by large  
20 corporations and entities in the agricultural game.

21 I can remember in my early days on the Hill, you  
22 know, when we would do a hearing, yeah, people would talk  
23 about, you know, Pioneer and Cargill, but when people talked  
24 about agriculture, it was really the image and the vision of  
25 the farmer that dominated the dialogue. And I think what's

1 -- you know, and again, this, I'm very sensitive to Angela's  
2 reminding us that we have a, we were given a charge and we  
3 have a scope of our efforts, which, by the way, I always  
4 thought was perhaps drawn too narrowly -- but I think that  
5 what we're missing in a lot of our conversations is how  
6 profoundly the, sort of the, the political context of these  
7 issues has changed underneath our feet, and without some  
8 recognition that -- you know, farmers, farmers can work a  
9 lot out, but you know, if Bayer wants to buy Monsanto,  
10 that's going to create a whole nother set of issues that  
11 farmers are not necessarily, you know, they're certainly not  
12 going to be able to control, but they'll have to deal with  
13 the implications and ramifications of that as it triggers  
14 discussion.

15           And so I think, you know, if you look in this  
16 Notional Outline, there's three or four places where I do  
17 think a recognition of sort of the changing social and  
18 political landscape in which coexistence issues are playing  
19 out and are being defined would be helpful, because I think  
20 a lot of the tensions could have been avoided if this  
21 country made better policy decisions, if things had gone  
22 differently in the early days, and I think that recognizing  
23 that there's, there's work to be done at other levels than  
24 farmer-to-farmer at the local level would be a constructive  
25 addition to our overall report.

1 MR. REDDING: Thank you. Alan.

2 MR. KEMPER: Oh, no. I'm sorry.

3 MR. REDDING: No, you're done. Okay. All right.

4 Well, let's -- any final word on this Local Coexistence  
5 Discussion draft? If not, we're going to shift to the, to  
6 the outline, yeah.

7 (No audible response.)

8 MR. REDDING: Okay. Michael.

9 MR. SCHECHTMAN: Yeah. So let me make a few, a  
10 few comments about what that outline is. It's something  
11 sort of loosely called an outline, but it's rather more a  
12 list of elements that would be included in the final report,  
13 and that's why it wasn't really constructed with formal  
14 Roman numerals, headings, subheadings but sort of contained  
15 a list of items we thought should be included as well as a  
16 rough order in which they might be covered, and as has been  
17 noted, the two guidance pieces were really not covered by  
18 the outline.

19 The outline does include -- was sort of the first  
20 cut before the complex issues were drafted, the piece we'll  
21 talk about tomorrow, sort of -- this was, the outline was  
22 helpful in formulating how that material was first drafted,  
23 but it, again, served only as a loose guidance to help that  
24 process along.

25 So the issues around the guidance, in addition to



1 that important point that Missy raised this morning about  
2 the connection between the, the two stand-alone pieces and  
3 the rest of the report and how we make recommendations for  
4 what USDA should do with those stand-alone pieces, in  
5 addition -- in addition to that piece, which we'll have to  
6 talk about later tomorrow sometime, for the, for the outline  
7 the real questions are, does the outline flow properly, are  
8 there items that should be added or deleted or rearranged or  
9 significantly reframed, what have we left out?

10           So, again, this is a bit of a thought piece, and  
11 we would like your, your ideas on whether this will do the  
12 trick in helping draft the remainder of the report and what  
13 else we need to do with it.

14           MR. BENBROOK: Just a question of clarification,  
15 Michael.

16           MR. SCHECHTMAN: Yeah.

17           MR. BENBROOK: So just so we all are on the same  
18 page, sometime after the election USDA will release a final  
19 report of the AC21 committee, of which we're now talking  
20 about the outline, and two stand-alone documents, one being  
21 the Local Coexistence Discussion and the other being the  
22 guidance document, right? Those are the two, what you're  
23 calling the stand-alone documents?

24           MR. SCHECHTMAN: Yes.

25           MS. LEWIS: But they'd be incorporated in our

1 report?

2 MR. SCHECHTMAN: They will be in the report, but  
3 they will also be designed so that they can be shared  
4 separately.

5 MR. BENBROOK: Right. So they, they would appear  
6 like as an appendix?

7 MR. SCHECHTMAN: That remains to be discussed,  
8 how, exactly how we include them. I think that's, that's  
9 part of our remaining discussion, is how we refer to them,  
10 what we recommend the Department do with them, and how  
11 they're included in the report. Those are, those are topics  
12 for discussion.

13 So thoughts, thoughts on the outline, what things  
14 are -- are they in the right order? What things are  
15 missing? What needs to be reframed? I certainly have heard  
16 some suggestions that we'll need to go through the notes  
17 from, from all of our discussions, but we've heard some  
18 things already in the course of the discussions today.  
19 Okay. Missy.

20 MR. REDDING: Missy.

21 MS. HUGHES: Michael, in just, in looking at your  
22 outline -- you cover so much, and I think, you know, I can't  
23 imagine that anybody could read a report that included more  
24 information than what you've just included in this outline  
25 -- but the two pieces, What This Report Will Do and the

1 Process of Preparing This Report, to me feel like you could  
2 shift those downward and have these kind of, these, these  
3 topical discussions before and then kind of dive into the  
4 report and the two attachments, and that would be, kind of  
5 bring you back out of the -- so all of these things have  
6 discussed, all this work was done, here's our report and  
7 here's the two documents that we produced associated with  
8 developing the, the work that we did and -- it's really just  
9 reporting on the work and here's the work, but have all  
10 these, this kind of conversational pieces up above that.

11 MR. SCHECHTMAN: So --

12 UNIDENTIFIED SPEAKER: I'm not sure I'm following.

13 MS. HUGHES: I know. It's hard. See, there's two  
14 sections: What This Will, Report Will Do -- What This  
15 Report Will Do and Process of Preparing This Report.

16 MS. LEWIS: You're saying put at the end?

17 MS. HUGHES: I'm saying put at the end because I  
18 don't really think that Coexistence Is an Ongoing Process  
19 but Is Not New, Challenges to Coexistence are part of our  
20 report.

21 MR. REDDING: So this is a flow issue, right?

22 So --

23 MS. HUGHES: I thought that's what we were talking  
24 about. So --

25 MR. REDDING: Okay. All right.

1 UNIDENTIFIED SPEAKER: Yeah.

2 MR. REDDING: Okay.

3 MS. BATCHA: Those two, you'll go from Previous  
4 Work by the AC21, is what you're --

5 THE REPORTER: Please use your mic.

6 MS. BATCHA: Sorry. Missy, are you suggesting  
7 that you go from Previous Work by the AC21 to Coexistence Is  
8 an Ongoing Process but Is Not New or to the two stand-alone  
9 reports and then to Coexistence Is an Ongoing Process but Is  
10 Not New?

11 MS. HUGHES: The former.

12 MS. BATCHA: Okay.

13 MS. HUGHES: So Previous Work of the AC21,  
14 Coexisting Is an Ongoing Process, Challenges That We're Now,  
15 you know, Continuing to See. I don't really know what to do  
16 with the Seed Issue and the Products with Functional  
17 Traits --

18 MR. KEMPER: Mr. Chair, are we --

19 MS. HUGHES: -- I'm neutral on that.

20 MR. KEMPER: -- are we in order with our agenda?  
21 I mean, are we going to go ahead and dissect this now?

22 UNIDENTIFIED SPEAKER: Yes.

23 MS. HUGHES: That's the agenda I --

24 MR. REDDING: Yeah, that's --

25 UNIDENTIFIED SPEAKER: Couldn't we take a break

1 and then dissect?

2 MR. KEMPER: Yeah, because I saw a 3 o'clock break  
3 and then I saw public comment.

4 MR. SCHECHTMAN: Oh, yeah. That's right. We are  
5 scheduled for a break. Why don't we come back to this after  
6 the public comment.

7 MR. REDDING: Okay. What time is it?

8 MR. SCHECHTMAN: It's 3 o'clock.

9 MR. REDDING: It's 3 o'clock. Okay. So what do  
10 you want? Ten minutes?

11 MR. SCHECHTMAN: Yeah. Yeah. Let's take the  
12 break and come back to this after the --

13 MR. REDDING: Let's take a 10-minute break, and  
14 then we'll come back. Thank you. We'll pick up with public  
15 comment.

16 (Whereupon, at 3:06 p.m., a brief recess was  
17 taken.)

18 MR. REDDING: We have time in our schedule for  
19 public comment. Let me give you sort of the background  
20 here. You've heard me say this before, but important for  
21 the record: Now in the -- is the scheduled period for  
22 public comment as provided for under the Federal Advisory  
23 Committee Act. Each person who has signed up will be given  
24 no more than five minutes to speak at the microphone. Where  
25 do we want --

1           MR. SCHECHTMAN: We can, we can put them over  
2 here.

3           MR. REDDING: We can put -- right here in the  
4 center. We'll have Paul share that microphone. I'd like to  
5 note -- please provide to Dr. Schechtman with an electronic  
6 copy of your remarks. We intend to post the text of your  
7 remarks on the committee website.

8           I'd also like to note to the committee members  
9 that this is a time to receive comments from the public and  
10 this is an important and mandatory function of this  
11 committee. It is not, however, intended as a dialogue with  
12 the commenters. There was some discussion of this  
13 possibility at the previous plenary session, but the USDA  
14 has decided that it is the dialogue between the range of  
15 members appointed by the Secretary that is most central to  
16 this effort and time for the dialogue by members is most  
17 critical. So there will not be a back-and-forth with  
18 members of the public at these meetings.

19           So we have one individual who has signed up for  
20 public comment, Drew Toher, if I'm pronouncing that  
21 correctly -- Drew, welcome -- and is affiliated with Beyond  
22 Pesticides. So welcome. Thank you. Is that on?

23           MR. SCHECHTMAN: No. You have to push the button.  
24 Yeah.

25           MR. TOHER: Hello. Yep?

1 MR. REDDING: Yeah.

2 MR. TOHER: Okay. Great. Hello, all. I'm  
3 speaking on behalf of Beyond Pesticides to comment on the  
4 development of recommendations underway by the AC21  
5 committee. Beyond Pesticides, founded in 1981, is a  
6 national grassroots membership organization, seeks to  
7 advance improved protections from pesticides and organic  
8 land management strategies that eliminate a reliance on  
9 toxic pesticides. Our membership and network span the 50  
10 states and groups around the world.

11 We appreciate USDA's work in addressing  
12 agricultural issues related to coexistence and genetically  
13 engineered and non-crop production and providing  
14 stakeholders the opportunity to provide input on this  
15 critical issue.

16 We expect that the outcome of AC21 meetings and  
17 reports will result in substantive and meaningful actions  
18 that protect the quality, purity, and economic viability of  
19 farmers' non-GE crops. The underlying basis to achieve this  
20 goal must rest upon equity, fairness, and respect, not just  
21 between disparate individuals, but between close neighbors  
22 with differing perspectives and approaches to crop  
23 production.

24 We support a community-based approach facilitated  
25 by USDA that includes education and collaborative action but

1 urge that the outcome of this approach is carefully  
2 monitored and evaluated to determine its effectiveness in  
3 protecting non-GE farmers.

4           It is our recommendation that AC21 urge the use of  
5 innovative outreach strategies by USDA, including podcasts,  
6 Twitter, other forms of social media, Farmer Field Days,  
7 community-based meetings, which we discussed and foster, to  
8 foster a dialogue between neighbors that protect against  
9 drift.

10           Contamination and drift are important  
11 considerations on organic farms, whether they come from  
12 pesticide or genetic material. A 2014 study released by  
13 Food and Water Watch and the Organic Farmers' Agency for  
14 Relationship and Marketing found that one-third of organic  
15 farmers have experienced GE contamination on their farm due  
16 to the nearby planting of GE crops.

17           To prevent drift of fugitive genetic material, the  
18 burden of closely monitoring fields and establishing buffer  
19 zones falls on organic and identity-preserved farmers. In  
20 the spirit of fairness, equity, and respect and the  
21 protection of property and crops, AC21 must seek to advance  
22 a set of standards that ensure that growers of GE crops  
23 assume responsibility for their movement of GE material onto  
24 neighboring properties.

25           Current guidance recommends that in order to avoid



1 the impacts of genetic drift, organic farmers should adopt  
2 best management practices, including adjusting planting  
3 time, planting susceptible crops in isolated fields, taking  
4 out land of -- out of production, using it for buffer zones,  
5 and avoiding crops having GE versions. The current charge  
6 thus requires AC21 to create ways for organic and IP farmers  
7 to convince their neighbors to share this burden.

8           While we understand that USDA may want to find a  
9 non-regulatory solution to the problem of genetic drift, it  
10 should be stated that the Agency, we believe, has the  
11 statutory authority through partial deregulation of crops  
12 under the Plant Protection Act to require monitoring and the  
13 creation of buffer zones where there is the potential for  
14 genetic drift that is injurious to organic or  
15 identity-preserved crops.

16           While organic and non-GE farmers are harmed by  
17 drift from genetic engineering, AC21 should also recognize  
18 that farmers of deregulated GE crops are, on an ongoing  
19 basis, injured by GE cropping systems that, by manufacturer  
20 direction, require the use or incorporate toxic chemicals  
21 contributing to weed-resistance and damage soil ecosystem  
22 services, resulting in harm to the long-term productivity  
23 and profitability of the crop.

24           We urge AC21 to advocate for farmers, be given  
25 full information on drift-resistance problems and ecosystem

1 effects of GE crops so that they can take measures to ensure  
2 that they and their non-GE crop neighbors are protected.

3 A recent Government Accountability Office report,  
4 released earlier this year, indicates that USDA has, quote,  
5 limited data on unintended mixing of GE and non-GE crops,  
6 quote, making it difficult to know the extent of such mixing  
7 and the associated economic losses experienced by farmers.

8 We urge AC21 to ensure that this salient issue is  
9 addressed by USDA by collecting data on the economic impact  
10 of genetic drift on organic and identity-preserved farmers.  
11 Ultimately, though, USDA should not be addressing  
12 coexistence as though organic farmers must accept the final  
13 economic responsibility regarding genetic drift. We would  
14 like to see AC21 advocate that when genetic drift does  
15 occur, the responsibility for corrective action is placed  
16 squarely on the user of the polluting technology, not the  
17 affected party. Thank you very much for your time and  
18 consideration on these comments.

19 MR. REDDING: Great. Thank you.

20 MR. SCHECHTMAN: Do you have -- you've sent an,  
21 you've sent an electronic copy of this already?

22 MR. TOHER: I have.

23 MR. SCHECHTMAN: Okay.

24 MR. TOHER: Okay.

25 MR. SCHECHTMAN: Thank you.

1           MR. REDDING: Great. Thank you. All right.  
2 We'll pick up with the discussion then about the outline.

3           MR. SCHECHTMAN: Alan pointed out something to me  
4 that I think might help streamline this section's  
5 discussions, and that is that if you look at the outline,  
6 which I need to return to here, the sections of the outline  
7 that start at the bottom of the first page, Challenges for  
8 Coexistence Now and Into the Future, then following that  
9 with the section on Seed Issues and the section on Products  
10 with Functional Traits, we will be discussing those pieces  
11 as actually parts of the text of the complex issues. So we  
12 might not need to talk about those pieces now because we'll  
13 talk about them when we look at that actual document. So  
14 that may save a little bit of time in this discussion.

15           So I will say that we can talk about the rest of  
16 the outline as well as that connection of exactly how we  
17 want to position the recommendations to USDA on what it  
18 should do with the two stand-alone documents and what the  
19 committee is recommending to, to the Secretary about the  
20 stand-alone documents.

21           MR. REDDING: Angela.

22           MS. OLSEN: Okay. Great, I'm on. With regards to  
23 the outline, I think it is important somewhere to frame what  
24 the report is. I know we have that section What the Report  
25 Will Do, and Missy has asked whether we might move that part

1 in the document. I don't have strong thoughts about whether  
2 we move it or not, but I do believe that some, some aspect  
3 of this needs to be at the very beginning so that when folks  
4 read the report, before they get into the substance, they're  
5 looking at it through the same lens that we looked at it  
6 through. This isn't a document that has everything about  
7 agriculture for everybody, and so I do believe that it's  
8 important so that people understand what the report does and  
9 what we intend it to do and what the report doesn't do.

10           So whether it's this entire section of What This  
11 Report Will Do or a subpart of this and then expand on it  
12 more later, I think there needs to be some framing at the  
13 outset. One of the things I liked a lot about our last  
14 report was that we had some very good framing up front, you  
15 know, and it framed the issues, it framed the substance. So  
16 I would encourage us to think about that again as part of  
17 the setting up.

18           With regards to the other two documents, I think  
19 we do need to talk about, you know, where does this go in  
20 the report, how do we tie that into the overall report, does  
21 that form the substance of most of the report. We do want  
22 them to be stand-alone as well. So I don't know if it's --  
23 again, that's up for discussion whether it's in Appendix 1,  
24 Appendix 2, because we did talk about the guidance document  
25 really being almost a tear-out for growers -- so interested

1 in others' thoughts as well.

2 MR. REDDING: Great. Thank you. Chuck and then  
3 Josette.

4 MR. BENBROOK: Well, I would assume or at least  
5 expect that the Secretary would have a forward to the report  
6 that plays a certain role in setting the stage for our work,  
7 and I also would expect an executive summary, that the first  
8 couple paragraphs would be the logical place to, to do that.  
9 So you know, between a well-crafted forward and the  
10 beginning of the executive summary, I think there, there is  
11 certainly the opportunity to do that staging. I think that  
12 is important, of course.

13 I personally would like to see us put out a report  
14 that is short and substantive and interesting. I'm not  
15 aware that a lot of people read our earlier report. I think  
16 there was certainly more people that read the executive  
17 summary or a news story on it, but I think it's, it's hard  
18 to get people to read long reports these days. It's getting  
19 harder all the time, and one way to counteract that is to  
20 right up front get right to the substantive recommendations  
21 that have some potential of changing things and second would  
22 be to incorporate in the report -- and there's lots of  
23 different ways to do it -- you know, short case studies of,  
24 you know, coexistence opportunities, to use Alan's term, or  
25 challenges or hot spots, like Jackson County, Oregon, to

1 recount over the -- we've been at this how many years,  
2 Michael, this AC21? Is it six years? Something like that.

3 MR. REDDING: '11.

4 MR. SCHECHTMAN: 2011, six years.

5 MR. REDDING: '11.

6 MR. BENBROOK: Five or six years. I mean, in that  
7 period of time, there've been a number of coexistence  
8 challenges of significant importance that have played out,  
9 and why not talk about what happened with alfalfa, for  
10 example, which really, one of the reasons the Secretary  
11 reconvened AC21 is because there was obviously work to be  
12 done after that alfalfa working group finished its report  
13 and the approval came through for Roundup Ready alfalfa.  
14 Well, there were certain issues and concerns raised in that  
15 report and certain recommendations made about how to  
16 possibly curtail and deal with the problems.

17 Well, we have a record now of what happened, five  
18 years, and I think contrasting and checking what has  
19 happened in the real world relative to what was anticipated  
20 in the past and what USDA tried to prepare itself to deal  
21 with, it will be both interesting to people and useful to  
22 gauge whether what -- what we're recommending now is likely  
23 to have a comparable, less, or bigger impact than what was  
24 done in the past.

25 MR. REDDING: Thank you. Josette.

1           MS. LEWIS: When I read this outline and I was  
2 trying to make sense of the three other documents we had,  
3 the two which we've talked about already and then, I know,  
4 what I keep calling the parking lot document, the Complex  
5 Issues document, I think someone -- and maybe it was you,  
6 Missy -- I think we should reflect on and maybe, as a first  
7 order, agree what is the core step forward of our work in  
8 the, in this series of sessions that we've had over the last  
9 nine months or so.

10           So, clearly, it seems to me, what I'm hearing is  
11 that the two elements of the solution at the local level is  
12 one piece of that core. Those two, quote/unquote,  
13 stand-alone documents seem like major products of work, and  
14 then -- so making sure those are brought up up front and  
15 really are the core of our report and not just the document  
16 themselves -- but then I ask the question, well, what part  
17 of the context makes those two things really important that  
18 we need to communicate, and that might be elements of the  
19 section you called Coexistence Is an Ongoing Process and  
20 Challenges Now and Into the Future.

21           It seems like even both of those documents seem to  
22 want to -- they, very importantly in our conversations  
23 today, have brought in that there is a larger context for  
24 those two things, that agriculture is -- you know, growers  
25 are making decisions based on a lot of different factors of

1 which coexistence of GE and non-GE is one of many factors;  
2 sometimes it's occurring on an individual-operator basis,  
3 not just between neighbors. But some of that context seemed  
4 pretty central to our discussions to date. I'm taking that  
5 as something I gleaned from some of the other working  
6 groups.

7           So I guess my net feeling that I'd put forward is  
8 maybe taking some of this background that is earlier in the  
9 outline, *Why Coexistence Is Important, Previous Work,*  
10 *Process of Preparing the Report,* and kind of putting that to  
11 the back end and starting out more with *What This Report*  
12 *Will Do, the context of Coexistence Is an Ongoing Process*  
13 *and Challenges Now and Into the Future,* and then a really  
14 meaty discussion of the two documents seems to me the heart  
15 of what we want to get up front.

16           And I know we will talk about it tomorrow, but  
17 whether or not *Seed Issues and Products with Functional*  
18 *Traits* are separate sections or are more issues within some  
19 of these other sections, I think, would for me still be an  
20 open question because they didn't seem consistent with the  
21 rest of the core two documents that we seem to be putting  
22 our emphasis on, but I think we need to think about what is  
23 the major issue we want to get across as opposed to we have  
24 all these little pieces and how are they going to fit  
25 together.



1 MR. REDDING: Laura, then Paul.

2 MS. BATCHA: So I think I'm really testing my  
3 assumption here. So this outline is the report that, as a  
4 committee, we hopefully get to a place where we reach  
5 consensus on and we deliver to the Secretary, and then I'm  
6 imagining what gets sent out to state and local communities  
7 and to USDA field agents in whatever form they are is  
8 something that's produced by USDA based on the  
9 recommendations of AC21 and might roll in some of the other  
10 recommendations we have for the Secretary, like how USDA can  
11 endorse, support, encourage, right, and then the first flush  
12 out to the stakeholders is a, sort of polished usable  
13 product with those two documents as the core and that that  
14 comes out from USDA, likely with some reference, too, based  
15 on the recommendations of the AC21 committee.

16 Is that sort of how, are we -- do we have a shared  
17 assumption on how that might look, because I'm hearing sort  
18 of two parts of this conversation? One is that the whole  
19 recommendation or report that we're preparing is what then  
20 goes out to potential conveners and participants, and I'm  
21 sort of seeing it as going to USDA and then hopefully  
22 something being published and go out from USDA.

23 MR. SCHECHTMAN: Let me, let me just make, make  
24 one point. I think, I think that's -- you're raising some  
25 of the important unresolved issues we have. We have left to

1 talk about how this, how this is framed, but one thing that  
2 I think you alluded to, which is important, is that the  
3 report, as it's talked about so far, doesn't have any  
4 recommendations in it as yet. There are these two reports,  
5 but -- and presumably, the committee, in endorsing those two  
6 things, will recommend to the Department that they should do  
7 something with those two things, but exactly what that  
8 recommendation is has not yet been, been discussed, and  
9 whether there are additional recommendations that would be  
10 made that are within the charge is, is another question to  
11 be, to be answered; so -- which brings to mind something  
12 else I wanted to go back to from what Chuck said before.

13           So you were speaking before -- Chuck, you  
14 mentioned a forward from the Secretary, I think you said,  
15 and I don't think, certainly on this report -- previous  
16 reports have not had a forward, a forward from the  
17 Secretary. It may be that the committee would recommend to  
18 the Secretary that, in sending out some of these pieces,  
19 that he do something or other that goes on those, but I  
20 don't know that that -- this is something that goes to him,  
21 so just a clarification to make sure we're on the same page  
22 here. But, again, that's in, that's in the nature of what  
23 does the committee recommend to the Secretary that he do  
24 with this report, with pieces of the report in looking to  
25 the future.

1 MS. HUGHES: I thought that potentially Chuck  
2 could have meant Secretary Redding. I don't think he did  
3 now that you say that, but it could be.

4 MR. REDDING: I was thinking Secretary Vilsack.

5 MS. HUGHES: Yeah, but it could be a forward from  
6 Secretary Redding.

7 MR. REDDING: Yeah. I was thinking --

8 MR. SCHECHTMAN: Which had you meant?

9 MR. BENBROOK: I revise, Mr. Chair, revise, edit  
10 my remarks.

11 UNIDENTIFIED SPEAKER: There you go.

12 MS. HUGHES: We're imparting a lot of power on  
13 you, Russell, in honor of your excellent service.

14 MR. REDDING: Yeah. I think, Josette, just on  
15 the, on the outline, one --

16 MR. KEMPER: Mr. Chair -- thank you.

17 MR. REDDING: Yeah. Sorry. So just on the  
18 outline, one of the points, when Michael and I talked about  
19 this, was, you know, there's a really -- there's good  
20 framing in the first document, and we wanted to make sure  
21 that we carried forward some, some of that. Right? So  
22 you'll see even those themes, but -- so just to say, well, I  
23 start there, was trying to reach back but also putting  
24 context to this charge and discussion. We can certainly  
25 vary from that but was trying to at least make sure that we

1 captured, you know, some of those principles that we had  
2 identified and thought really were central to, to the first  
3 report and will be central here. So -- Paul.

4 MR. ANDERSON: Paul Anderson. I just had a real  
5 simple suggestion for the title of the last section on the  
6 first page, and that is to change Coexistence Is an Ongoing  
7 Process but Is Not New to The Evolving Complexity of  
8 Coexistence. It expands the topic a little bit, the scope  
9 of it a little bit but, I think, in a good way, and it  
10 encompasses the, the other pieces that are already there.

11 MR. REDDING: Okay. Thank you. Leon.

12 MR. CORZINE: Thank you. I'm trying to look at  
13 the flow of this and, and how you've kind of lined it out  
14 without the numbers, but I could see -- I would think that  
15 we would want the things in the first, that says  
16 Coexistence-Why It's Important, right on the outset. I  
17 mean, we'd want to keep it pretty concise because we don't  
18 want people to miss what's on down, but where -- you would  
19 want Quotes from Secretary Vilsack and sort of Why It's  
20 Important and those kind of things in, I would think, in the  
21 introductory, basically, and then as you mentioned, Russell,  
22 the Previous Work by AC21 needs to be up front.

23 So my thought is, I would keep those one and two  
24 and then I could go two ways. I could see that moving  
25 Coexistence as Far as an Ongoing Process, or Paul's new

1 wording there, as number three or keep What, What the Report  
2 Will Do number three and then -- to keep it concise, I'm not  
3 sure if you even need to put much of anything, that Process  
4 of Preparing the Report. But also, that being said, so that  
5 we don't lose those other two documents, maybe in that first  
6 or second one, just have a statement recognizing the two  
7 additional documents that are really targeted to the issue,  
8 one sentence to recognize those and whether we end up with  
9 them as an attachment or a tear-out or however we would do  
10 that, but that has pretty good flow, I think, especially  
11 those -- I think we have to keep those first two,  
12 especially, at the top. Thank you.

13 MR. REDDING: Good. Thank you. Other comments on  
14 either flow or content for the outline? Yeah, Josette.

15 MS. LEWIS: To reflect a little bit of the  
16 discussion since my other comment, I understand the need to  
17 put the report in context. I would just caution that the  
18 way it's currently laid out, it kind of looks like these two  
19 documents, which seem from our conversation today to be the  
20 bulk of our new contribution, kind of almost look like just  
21 two annexes in the end as opposed to really being set up  
22 earlier in the document as the core of what we're offering  
23 up. And there's still some, you know, context that could be  
24 provided after, in effect, as to why those two things were  
25 considered the most important, which gets into, you know,

1 some of the other elements. So I'd just be cautious about,  
2 you know, so much context that the real substance looks like  
3 it's appendix at the end.

4 MR. REDDING: Yep, good point. Missy.

5 MS. HUGHES: As I've been sitting here, I've just  
6 been, a little bit -- and I think you heard it before --  
7 struggling with the two sections called the Seed Issue and  
8 the Products with Functional Traits, and it strikes me after  
9 Paul's revision that those are two examples of the  
10 complexities that we're facing with coexistence that have  
11 arisen, you know, largely in the time span of this -- Seed  
12 not so much, but certainly the Functional Traits are arising  
13 and evolving as we speak.

14 And so I'm just wondering if making those into  
15 kind of subsets of the complexities helps me, rather than  
16 them just being kind of stand-alone blocks; and, you know, I  
17 think, also recognizing that the group of people that the  
18 Secretary brought together have particular insight and  
19 knowledge about those things and that's why, you know, we  
20 had these fulsome discussions about that, but that to me  
21 kind of is why those topics are there, is because they're  
22 examples of these complexities.

23 MR. REDDING: It would give some context to the  
24 complexities, right. Okay. Other -- sorry. Laura.

25 MS. BATCHA: I really like Missy's suggestion

1 because that helps me find a home for the discussion we had  
2 first thing this morning on some of the conundrums around  
3 gene editing, gene deletion, and new technologies and how  
4 they fit into all these discussions based on that.

5           So we can save a discussion of whether or not  
6 others think that that's appropriate to put there or not,  
7 but for me, adding those kind of things to this changed  
8 section called Evolving Complexities, I think, helps sort of  
9 foreshadow things or acknowledge things that are changing or  
10 different than, than when we started our conversation. So I  
11 like that.

12           MR. REDDING: Thank you.

13           MR. SCHECHTMAN: So let me see if I've got a  
14 couple of points down. I'm not going to capture everything  
15 that I heard from folks, but -- so this, this would go  
16 Section 1, Coexistence-Why It's Important; Previous Work by  
17 the AC21 on Coexistence; three, what used to be called  
18 Coexistence Is an Ongoing Process but Is Not New and is now  
19 The Evolving Complexity of Coexistence; then What This  
20 Report Will Do and, in that section of What This Report Will  
21 Do, also set up the two documents as being the core piece of  
22 this, followed by those two pieces, followed by  
23 recommendations as to what the Secretary should do with  
24 those, followed by Challenges for Coexistence Now and Into  
25 the Future, followed conceivably with an appendix on how

1 this report was developed. Now, I didn't write that down,  
2 but hopefully the transcript will have it.

3 MR. BENBROOK: Michael, the only thing that you  
4 can reflect upon, when you get to doing this, is whether you  
5 want to put the recommendations last, because some of the  
6 recommendations are probably going to refer to what the  
7 Department ought to do to prepare itself to deal with the  
8 emerging challenges. Just, just think about that when  
9 you're doing it.

10 MR. SCHECHTMAN: Well, it is possible that there  
11 could be recommendations in more than one place, but we'll  
12 see, but your point is, your point is taken.  
13 Recommendations often go nicely as a, as a final punch.

14 MS. BATCHA: Can I suggest one little, one little  
15 revision? And, Paul, your opinion on this. We've changed  
16 the Coexistence Is an Ongoing Process but Is Not New to  
17 Evolving Complexity of Coexistence. What would your  
18 thoughts be about also into that heading rolling in the  
19 things that fall under Challenges for Coexistence Now and  
20 Into the Future and just make it one section?

21 MR. ANDERSON: I think that would be a positive.

22 MS. BATCHA: So those last two sections on the  
23 bottom of page one.

24 MR. SCHECHTMAN: Okay. So, so the, the reason  
25 that I hadn't suggested that was because of the earlier



1 suggestion that the two reports -- that the two stand-alone  
2 pieces not be sort of at the very end of the report. So  
3 that had been the reason that I had rearranged it this way,  
4 to get them higher up in the report and then to talk about  
5 some of the ongoing challenges that will, that will follow  
6 that, but in your hands on this.

7 MS. BATCHA: I wasn't really referring to the  
8 order. I was just thinking of combining them to have one  
9 fewer sections. That's all. It's not a big deal.

10 MR. REDDING: Chuck and then Latresia.

11 MR. BENBROOK: So, Michael, we're approximately  
12 the middle of June, and this report is supposed to be out  
13 early November. We have one more meeting scheduled,  
14 correct?

15 MR. SCHECHTMAN: (No audible response.)

16 MR. BENBROOK: So what is your thinking about  
17 having a draft before the whole committee for some reactions  
18 prior to us getting together? Are you going to try to get a  
19 draft out in late August/early September so we can have a  
20 call and talk about it, or -- you know, I'm just concerned  
21 about, you know, the, a number of issues arising when we  
22 finally see the draft and there not being much of an  
23 opportunity to discuss how to improve it.

24 MR. SCHECHTMAN: So, so I, I was planning to talk  
25 about a draft time line tomorrow. I can pull it out now, if

1 you would like. I think we were certainly thinking about by  
2 late, by, by late August; certainly -- I think, I think it  
3 was by the 25th you would have a full draft of everything  
4 and conceivably a number of pieces before then, and you  
5 would have gotten all of the revised bits of the things that  
6 we will have talked about at this meeting considerably  
7 earlier as well. But I'll get that, I'll get to you the  
8 draft time line out -- well, suppose I could, I could pull  
9 that out now.

10 MR. REDDING: Yeah, why don't we do that.

11 MR. SCHECHTMAN: Hold on.

12 MR. REDDING: There are two other comments, right,  
13 and then we can talk about a time line. I'm sorry. Is that  
14 Barry? I keep attaching Latresia. Then we'll --

15 MR. BUSHUE: That's all right. I just want to  
16 reiterate Alan's point of a while back that there's not only  
17 just challenges for coexistence, there's also opportunities.  
18 So I hope that that's reflected somewhere.

19 UNIDENTIFIED SPEAKER: We changed it.

20 MR. BENBROOK: Oh, did you?

21 MR. KEMPER: Mr. Chairman, just to add on to that,  
22 there's seven challenges on that page. Chuck's now talking  
23 about a challenge of a time line. Let's start talking about  
24 -- this is such a negative report. You actually are losing  
25 me as a member because you're making it so much difficult to

1 have coexistence with all your challenges, instead of the  
2 opportunity for modern agriculture to progress through  
3 coexistence. Thank you, Mr. Chair.

4 MR. REDDING: Okay. Thank you. Angela.

5 MS. OLSEN: I had a similar reaction. What I'd  
6 like -- I like the new order that we talked about; I think  
7 it works -- I'd like the opportunity to think about it  
8 tonight but also the headers. I am reading through some of  
9 the descriptions and the headers here, and they're not  
10 coming across in a positive way.

11 You know, for example -- I had Opportunities as  
12 well, Alan -- is it Complexities, you know, or Evolving  
13 Complexities and Opportunities of Coexistence? I don't know  
14 that I would like the word complexities. I don't like the  
15 word challenges. And I'm not saying that we don't use it in  
16 places where it's appropriate, but we're using it many  
17 places in these headings.

18 So I don't know if I shouldn't -- maybe perhaps I  
19 shouldn't get caught up in the headings right now and focus  
20 more on the, the order of, and the substance, of what's  
21 going to go into each of those. But, as we've talked about  
22 before, words matter, and let's -- you know, we've talked  
23 about creating a report that was really unbiased, that was  
24 positive, to incentivize folks and not using a lot of  
25 negative terms. So that was a reaction that I had as well.

1           So I'd like, you know, overnight, to be able to  
2 think about some of the, the heading topics, or Michael, is  
3 that, do you want that kind of feedback, or do you want us  
4 to focus more on the broader substance and the order of  
5 things, because I had the same reaction that Alan did with  
6 some of the terms, but if I shouldn't get bogged down in  
7 that now, then I won't?

8           MR. SCHECHTMAN: I think certainly -- what we're  
9 talking about here is really sort of framing large pieces of  
10 the report. So I think that's fine, though I think it's  
11 fair to say, based on the, the discussions that we've heard  
12 around the table, that there are probably both challenges  
13 and opportunities, and we've heard, we've heard from  
14 everyone on, on both sides of that. So it would be tough to  
15 say that there are no challenges, but certainly, we also  
16 have to give a lot -- we have to point this in a positive  
17 way so that people, you know, can really focus on what the  
18 opportunities are that are going to be provided for farmers  
19 as well. So that's just my little editorial bit for, for  
20 where this might, this might go.

21           MR. REDDING: Alan, did you have -- no. Missy.

22           MS. HUGHES: I think the only piece I would add --  
23 and Alan and I spoke about it during the break -- that, you  
24 know, I agree framing this in a positive manner, but at the  
25 same time, I would like to see a sense of urgency imparted

1 in moving forward with our recommendations. So if you can  
2 positively urge.

3 MR. REDDING: Okay. Time line, Michael.

4 MR. SCHECHTMAN: Okay. So, so I passed out this  
5 time line, which is, again, just sort of a rough  
6 approximation for how this might work. The first item on it  
7 is that for all of the pieces that we will have talked about  
8 in detail at this meeting, which, which is to say the  
9 guidance document, the models document and the complex  
10 issues bits, you would get revised versions of that text by  
11 the 1st of July, which is to say just about a little over  
12 two weeks from now.

13 Then there's a fairly big gap, and that was, and  
14 that -- after that gap there was to be the draft full report  
15 to members by August 25th. Part of that gap was potentially  
16 to accommodate a meeting of the Models subgroup, because  
17 last time it had been talked about that the Models subgroup  
18 might take a role in assembling this document but it would  
19 be up to the committee, the committee's decision to say, if  
20 there's enough guidance coming out of this meeting as to how  
21 the document could be assembled, that could be moved up a  
22 little bit earlier. It'll take a bit of time to write, to  
23 write all of this, but that, I think, is in the hands of, of  
24 the committee for what they would want.

25 Do we -- do you think we will need a meeting of

1 the Models group to do that, or can we go forward, move that  
2 up 10 days?

3 MR. REDDING: Josette.

4 MS. LEWIS: I guess at this stage I would not  
5 favor the Models working group helping assemble the  
6 document, but rather, we've had so much conversation today  
7 that it seems to me the next step is to start assembling the  
8 document, even though you won't have all the pieces to us by  
9 a month.

10 But I, to be honest, really had a hard time in my  
11 own head figuring out these three -- these four documents  
12 that we received, the two really lengthy, well-crafted, this  
13 other thing that, with the complex issues; I didn't  
14 understand how that fit. There were some internal  
15 inconsistencies across the three documents, particularly for  
16 me around the seed, the way seed was described, and then now  
17 we have the outline and we've discussed some big flow  
18 issues.

19 So for me it seems counterproductive to go back to  
20 just modifying our individual pieces in the working groups  
21 because we've kind of come together as a group to start  
22 discussing how they all fit together.

23 MR. SCHECHTMAN: Yeah, and the reason for that --  
24 again, you were not at the last --

25 MS. LEWIS: Right.

1           MR. SCHECHTMAN:  -- plenary session -- but there  
2 had been the suggestion that the Models group could take  
3 over, or could, could have a useful role in helping put all  
4 the pieces together.  So that was sort of still on the  
5 table.

6           If we have enough of a plan for putting the,  
7 putting the document together that both the committee as a  
8 whole and the Models group and the proponent of that idea  
9 think that it's okay to move forward without doing that, I  
10 am fine with, with being done with that subgroup having that  
11 role, but I want to ask the full committee what they think  
12 about that.

13           MS. LEWIS:  Right.  I'm just putting my vote  
14 that --

15           MR. SCHECHTMAN:  Okay.

16           MS. LEWIS:  -- a different path.

17           MR. REDDING:  Angela and then Chuck.

18           MS. OLSEN:  Yeah, my vote, I think that we can  
19 have a good plan at the end of this meeting, and I would  
20 leave it to, Michael, to you and to Russell to take your  
21 magic pen and do another great job in terms of assembling  
22 the report.

23           I think that you've heard the discussion, we're  
24 going to have more discussion tomorrow, and I, you know, I  
25 think as a, as a group, if we can all have agreement that we

1 will work productively to come up -- and I think we're  
2 moving certainly in that direction -- to come up with a good  
3 plan, I think we leave it in your hands to, to do that draft  
4 and then turn it back around to us as opposed to having one  
5 of the subgroups do that, that assembly.

6 MR. REDDING: Okay. Thank you. Chuck.

7 MR. BENBROOK: My suggestion for bringing this to  
8 closure would be, Michael and Mr. Chairman, for you, fairly  
9 quickly after this meeting, to finish the two stand-alone  
10 documents, in effect, a final draft -- I think they're quite  
11 close -- and get them out to us so that you can basically  
12 vet those as finals before we see a draft of the stand-alone  
13 document.

14 I personally don't feel it would be necessary or  
15 hopeful to put a lot of content about the two stand-alone  
16 documents in our report. I think we should describe what  
17 they are and tell people how to get them, and for those  
18 people that are going -- have need for them, they'll,  
19 they'll go get them. But I think it kind of undermines the  
20 value of having a stand-alone document if we repeat most of  
21 the substance in the full report, and plus I really urge us  
22 to keep this full report as short as possible in the hopes  
23 that more people will read it.

24 I would like to see you move up the, the time when  
25 a full draft goes to the members so that you build in enough



1 time between our getting the full draft and getting comments  
2 back to you, to produce another draft four or five days  
3 before our meeting so that we, we can take care of the first  
4 round of stuff before we get together. And I think with  
5 that change in the process, I could, I could see us  
6 realistically getting to closure.

7           But if, I mean, if we really look at this  
8 schedule, we would have one opportunity for written comment  
9 in to you, none of us would know what you were going to do  
10 with any of those comments, and then we're all going to come  
11 together and talk about what we don't know, which is what  
12 you're going to do with the comments, and then a week later  
13 we're going to see a final draft. Well, that just, that's,  
14 that's putting a huge burden on you to try to parse all this  
15 out, and I think if, without sort of a round for internal  
16 vetting, you'll have more, additional reports, minority  
17 reports, than you'd really like to see.

18           MR. SCHECHTMAN: Before I respond, maybe go to  
19 Alan first and then --

20           MR. KEMPER: Mr. Chairman -- thank you, Michael,  
21 for allowing me to speak before you have a chance to respond  
22 on that, and we'll let you think on that a little bit --  
23 Mr. Chairman, first of all, I believe in staff's knowledge  
24 of their own schedule. I think the staff has done a fine  
25 job to lay out this schedule. Everybody's entitled to their

1 opinion; mine will be different than Chuck's.

2 I have no problem with the August 25th and the  
3 September 8th/9th dates. I think when we do make those  
4 comments, we come back and give them to you in written or  
5 electronic or voice form between the 25th and the 8th, but I  
6 would like to have the discussion, as we go forward on the  
7 8th, about that draft document. So I appreciate your  
8 scheduling this to fit your needs. You're the only one that  
9 can know your own schedule. Thank you, Michael. Thank you,  
10 Mr. Chair.

11 MR. REDDING: Latresia.

12 MS. WILSON: Latresia Wilson. I agree that we  
13 definitely don't need the subgroup model at this point in  
14 time, and getting the preliminary draft report to us before  
15 September the 8th probably would be more beneficial, like  
16 you said. Whether we need to get comments back to you  
17 before that date or just wait and have those comments when  
18 we get there is, I think, will depend on how well the report  
19 goes.

20 So I would urge you to probably get the draft out  
21 maybe a little bit earlier than the August 25th, and then  
22 we'll get a sense of what needs to be done.

23 MR. SCHECHTMAN: Yeah. The gap until August 25th  
24 was really based on the idea of trying to find a time to  
25 accommodate a work group meeting among folks' schedules in

1 August, which is not necessarily an easy time to do it. If  
2 that subgroup does not need to meet, I can, I can certainly,  
3 I think, get you a draft of the report by the 10th.

4           As for getting a round of comments in, I will be  
5 -- I don't know that I'm going to force everyone to try to  
6 send in comments at that point. We'll certainly entertain  
7 comments if, if they come in. People may have schedules and  
8 be on vacation in October, as I otherwise might -- in August  
9 -- as I otherwise might be, but we'll certainly welcome  
10 comments at any point coming through on this process, and  
11 we'll try to incorporate whatever I get in -- again, not of  
12 the, of the wordsmithing kind, but of the, the big-picture  
13 stuff -- to make sure we've gotten it right and gotten the  
14 facts right. Does that sort of accommodate what folks need?

15           UNIDENTIFIED SPEAKER: Uh-huh.

16           MR. REDDING: All those in favor say aye. No --

17           UNIDENTIFIED SPEAKERS: Aye.

18           MR. REDDING: -- only kidding. Well, I think, I  
19 mean, this will be a press, you know, to get, to get the,  
20 you know, documents drafted, out, back, comments, you know,  
21 to put it all together, and then be in a position where,  
22 when we get to the plenary session September 8th, ideally we  
23 will have had feedback from committee members about, you  
24 know, what we've missed -- again, not the copy editor, but  
25 making sure that we've got, we've got the right story told,

1 right -- but that'll be a hustle to get there. We'll  
2 certainly make every effort to do it, and then just looking  
3 ahead, I mean, that September meeting will really be focused  
4 on the report. Correct? I mean, that's going to be the  
5 final act to sort of look at what is before you and comments  
6 and final framing.

7 Other comments, thoughts about -- so any, any  
8 final thoughts on the time line and/or the outline? Yeah,  
9 Josette.

10 MS. LEWIS: Really just a housekeeping suggestion  
11 since tomorrow, I think, we're also scheduled to discuss the  
12 outline in the morning. I don't know if between the notes  
13 and your memory, Michael, if it's possible to rejigger the  
14 document so that we can really start fresh from the concept  
15 of what the outline flow would look like from our discussion  
16 today. I think that would get us forward a lot on  
17 finalizing an outline so that it makes writing the report  
18 easier, but I don't want to put too much pressure because I  
19 know you have a great dinner tonight.

20 MR. SCHECHTMAN: And I won't be back in the  
21 office.

22 MS. LEWIS: Got you.

23 MR. SCHECHTMAN: I can, I can certainly, at least,  
24 handwrite, if that's okay, what the --

25 MS. LEWIS: Sure. Yeah.

1           MR. SCHECHTMAN: -- just sort of what the bullets  
2 of the main pieces of the outline would be again. I do  
3 think one thing that we will need to talk about tomorrow is,  
4 after the two stand-alone pieces, what are the committee's  
5 recommendations to the Secretary about what to do with these  
6 two reports, and that is not on the agenda at this point,  
7 but some input from the committee about what that is in a  
8 few succinct recommendations, I think, would be, would be  
9 very handy, sort of -- since, since the purpose of, of  
10 reconvening this committee, as opposed to previous versions  
11 of this committee, was to get direction for USDA, and if, if  
12 the recommendation is that USDA should promulgate these  
13 things, USDA should make this a priority in ways x, y, or z,  
14 we want to hear about that.

15           MR. REDDING: Okay. What haven't we talked about  
16 for the, on the agenda that was scheduled for today that we  
17 needed to? Any other comments, observations? Chuck.

18           MR. BENBROOK: Mr. Chairman, just for Michael, a  
19 process question, what happens to AC21 after the election  
20 and the inaugural of a new president?

21           MR. KEMPER: We take a vacation.

22           MR. BENBROOK: That's what I thought, but I mean,  
23 is that, is that true in the event of either candidate  
24 winning?

25           MR. SCHECHTMAN: Okay. So, so my, my plan, to the

1 extent that I can control any of this, is -- there's just  
2 one piece of it that I can control, and that is that the  
3 charter for the committee can be submitted for renewal. The  
4 charter can be renewed after which point it will be the  
5 Secretary's -- the incoming Secretary's decision as to  
6 whether or not this committee continues to exist and to  
7 work.

8           It's a discretionary committee. So if the  
9 Secretary decides I want this to keep working, he will have  
10 to -- he or she will have to, what's the word I'm looking  
11 for, repopulate the committee. Most members on this  
12 committee will have been term-limited by virtue of serving  
13 three consecutive terms, six years, which would mean that  
14 the committee would need to be wholly repopulated. But my  
15 experience with new administrations coming in is that there  
16 are a whole lot of other issues that have to be dealt with  
17 before discretionary committees come onto the radar screen,  
18 regardless of how important the issue is. So, you know, so  
19 that's -- so that might take some time regardless of who  
20 comes in.

21           MR. MCKALIP: And as a matter of policy, it would  
22 be our intention to ensure that all of the work of AC21 is  
23 well summarized for whoever comes in in January and they  
24 understand the complexities of the coexistence issues and  
25 how AC21 has contributed up to this point.

1           We wanted to ensure that this process on the  
2 document was about to close -- that we had a clean campsite,  
3 so to speak, at the end of calendar year 2015 -- 2016 -- and  
4 be able to, be in a position to, you know, show here's what  
5 we've done and then put the next folks in the position of  
6 making a decision on how to best engage on coexistence and  
7 how and if to utilize this body.

8           MR. SCHECHTMAN: Yeah. One of, one of the things  
9 that, that senior staff do in Department, when there's a --  
10 when there's going to be a transition, is prepare a whole  
11 pile of transition documents to help inform the incoming  
12 folks what are all of the nuts-and-bolts issues that they're  
13 going to need to deal with, and this would clearly be --

14           UNIDENTIFIED SPEAKER: A big one, yeah.

15           MR. SCHECHTMAN: -- be a big one, one of those  
16 things.

17           MR. REDDING: Yeah, which raises a good point. I  
18 mean, I think, you know, just listening to the discussion  
19 today, I mean, I think it's easy to rush past, I mean, where  
20 we've had success, right, and as we've listened to, even in  
21 the, the new charge and, you know, really heard what the  
22 USDA was doing between the issuance of the November 2012  
23 report and the reconvening, that there were actually, were a  
24 lot of -- there was a lot going on; there was a lot of good  
25 work.

1           So how to capture and represent that, I think, in  
2 this document, again, as part of the final report, you know,  
3 I just put that on the table. I would not want to have, you  
4 know, that moment missed; that I think it's a good summary  
5 document that you look at in tandem with the initial report,  
6 but there are installments, if you will, of recommendations  
7 -- from the recommendations we made from the November 12th,  
8 2012, report and this final document. So I just put that on  
9 the table for thought.

10           How to capture that, I don't know, but I know that  
11 I was pleasantly surprised and impressed, you know, with the  
12 amount of work that was being done while we weren't, we  
13 weren't convening and talking about -- there was actually a  
14 lot of good work being done. So put that on the table, how  
15 to do that, what's the best form for that, how to reference  
16 it in this report, which will be the final installment of  
17 this AC21. Chuck.

18           MR. BENBROOK: Michael, is there any particular  
19 reason why the Secretary is determined to issue the report  
20 right before the election? Let me flesh out my question. I  
21 mean, there may be some considerable advantages to us  
22 waiting until after the election to finish what we have to  
23 say, because it could make a difference who wins it.

24           MR. MCKALIP: Can you repeat the last part of that  
25 sentence?



1           MR. BENBROOK: The challenge that senior staff in  
2 USDA will have in briefing a Trump administration and their  
3 people versus a Clinton administration and their people will  
4 be very different. Obviously, if Secretary Clinton wins,  
5 there'll be a high likelihood of continuity with the kinds  
6 of policies and approaches that have occurred in the last  
7 eight years in which case we can finish our report and, I  
8 think, life would go on fine, but if Mr. Trump wins and a  
9 lot of issues are flaring up on international markets and  
10 trade, I would imagine that this committee might want to put  
11 a slightly different emphasis on certain aspects of the  
12 coexistence challenge, going forward, because, I mean, for  
13 heaven's sake, it's not Secretary Vilsack that's going to  
14 act on these recommendations, it's the next Secretary.

15           MR. MCKALIP: Yeah. None of the factors that you  
16 brought up went into the thinking on timing. I think it was  
17 just purely making sure that we get ahead of all the trains  
18 that are going to be running then on a lame duck of  
19 last-minute regulatory things happening, of discussions on  
20 an omnibus bill, you name it. Again, trying to get the  
21 campsite clean, if you will, at the end of the  
22 administration, it was a time line that the Secretary was  
23 aiming for to make sure that the excellent recommendations  
24 were appropriately put into the policy process.

25           MR. REDDING: Okay. Any other comments?

1 (No audible response.)

2 MR. REDDING: All right. So just in terms of  
3 looking ahead to tomorrow, we'll certainly come back to the  
4 outline, we'll recap the -- and just on the outline, I guess  
5 I would just ask everybody to be thinking about our  
6 discussion here today, again, the flow of that document, the  
7 content of that document. I would add to that, you know,  
8 again, this piece just noted of, you know, how to capture  
9 and represent sort of the work of the AC21 over the, over  
10 the years and not by volumes of information but making sure  
11 that if you pick this up and you read it, you know that  
12 you've got a companion piece in the original report but you  
13 also have a lot of work that's happened and deliverables on  
14 the recommendations in between, but be thinking about that  
15 outline.

16 I would also ask you to look at that time line  
17 again, just to make sure that everyone's on the same page in  
18 terms of what is laid out, what was agreed to this afternoon  
19 in terms of modification of that. What else do you want to  
20 have overnight?

21 MR. SCHECHTMAN: I think, I think that's --

22 MR. REDDING: The main points? Okay. All right.  
23 Anything -- the complex issues, I mean, we've mentioned two  
24 of them that are noted on this outline, this Complex Issues.  
25 The question, are there other complex issues? We were going

1 to have a separate -- we'll have a separate document.

2 MR. SCHECHTMAN: Yeah. That document is there.  
3 It's got three components in it now. Does it have what's  
4 needed?

5 MR. REDDING: Yeah.

6 MR. SCHECHTMAN: Okay.

7 MR. REDDING: All right. You have that. Oops,  
8 sorry. So the only question is, are we missing something on  
9 the Complex Issues. If so, we want to hear that in the  
10 morning as well. Okay? All right.

11 MR. SCHECHTMAN: I think --

12 MR. REDDING: Good. Yeah. I think we'll go ahead  
13 and call it a day, pick up tomorrow morning 8:30 here with  
14 kickoff at 9:00. Okay?

15 UNIDENTIFIED SPEAKER: Can we leave our paperwork  
16 here tonight?

17 MR. SCHECHTMAN: I would take your notebooks and  
18 papers with you. I'd leave the tent cards and things, but I  
19 would -- I'm not exactly sure what happens in the room  
20 overnight.

21 UNIDENTIFIED SPEAKER: Address of the restaurant  
22 and time?

23 MR. REDDING: Yep. So we'll --

24 MR. SCHECHTMAN: Okay. So as soon as we go off  
25 the microphone, I'll do that.

1                   MR. REDDING: Yeah. So we'll just adjourn for the  
2 day, okay, and we'll see you tomorrow morning.

3                   (Whereupon, at 4:24 p.m., the meeting was  
4 adjourned.)

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1 Digitally signed by Wendy Campos

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Wendy Campos, Transcriber

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