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

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

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

I will also note that we are expecting to have
here today a representative from the Secretary's office, Mr. Douglas McKalip, senior advisor, who is helping to guide the AC21's efforts. He was away last meeting, out of the country, and this morning he's been called away to another meeting, but we expect him probably later this morning or certainly by, by midday.

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

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

Members of the public who have preregistered to provide comments, please be sure you have signed up on the comment list so we can call you in order. Some members of the public have submitted comments electronically before this meeting, and we've prepared a notebook of those comments. AC21 members and members of the public can peruse that notebook at your leisure on the documents table near
the door any time over the next two days. Please don't
remove it from the table, though.

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

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

I'd also like to request that all members of the AC21, as well as all members of the audience and the press, please shut off your cell phones and beepers while in the room. They interfere with the microphones and with our recording of the meeting in order to produce our publicly available transcript.
For a housekeeping matter, bathrooms are located on the far side of the elevator, either to the left or to the right. One other important housekeeping matter, members and ex officio members, you each have tent cards in front of your place. Please turn them on end when you wish to be recognized. Also, for the transcript, please identify yourself when called upon to speak.

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

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

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

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

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

Since that time our Office of General Counsel has informed us that we lack the legal authority to specifically implement that recommendation, but the Office of the Secretary has followed up on the spirit of that recommendation with the following new charge, which was announced at the committee's December 2015 meeting, and that is: Is there an approach by which farmers could be encouraged to work with their neighbors to develop joint coexistence plans at the state or local level? If so, how
might the federal government assist in that process? This
is what the committee is now in the process of considering
and has been over the last two meetings.

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

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

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

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

The list of documents are the Federal Register
notice announcing this meeting; the meeting agenda; biographies of the current, all the current members; the AC21 Charter; the AC21 Bylaws and Operating Procedures; the previous report produced by the AC21 entitled Enhancing Coexistence: A report to the Secretary of Agriculture; the meeting summary from the March 14th through 15th, 2016, plenary session of the AC21; the new draft charge from December of last year; a package of meeting summaries from all the conference calls held intersessionally for the three subgroups -- these were the two, there were two meetings for two of the subgroups, two meetings each, and one meeting for the third subgroup; so the package contains a total of five summaries -- then a Notional Outline we have drafted for the overall report to be prepared; the outline focuses on the proposed elements of the report outside of the two stand-alone, semi-stand-alone pieces; then the current version of the draft guidance document entitled Factors for farmers to consider when you or your neighbor is growing an identity-preserved crop; this document has been reviewed by the Guidance Document subgroup, and the full committee has seen it previously as well; then a very rough first draft of the other document on a model for convening these local conversations; this was put together over the past 10 days by, by me and the chair, using materials developed by one of our members, North Dakota Agriculture Commissioner Doug
Goehring, plus recommendations from the Models subgroup, and it also incorporates work from the Venues and Conveners subgroup as well. It is a first attempt to balance a number of disparate needs and really is a trial balloon for the committee. You will have received it just a few days ago and, finally, as per a request made by committee members at the last meeting, one additional draft portion of selected text for the final report.

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

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

After our morning break, we will have report outs from our three subgroups. I believe that Lynn Clarkson, Laura Batcha, and Leon Corzine will be speaking about each
group's work. We can also discuss the overall views of the committee on the thoughts put forth by the subgroups -- now articulated, we hope, in draft form and pieces of text -- and how they may fit together. For the remaining portion of the morning, we will talk about committee procedures for drafting and reviewing documents and then have our initial discussions on the draft guidance document for IP producers.

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

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

Tomorrow we'll start with a recap of today's discussions followed by what is envisioned as a fairly loose agenda, starting with revisiting topics we've already covered, the overall document outline and the models piece, and then we will discuss some new materials you've been
provided the first draft of, dealing with the additional
difficult or complex issues.

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

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

MR. KEMPER: Mr. Chairman --

MR. SCHECHTMAN: Alan.

MR. KEMPER: Alan Kemper.

MR. SCHECHTMAN: Thank you

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

Thank you, Mr. Chairman.

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

MR. KEMPER: Thank you, Mr. Chairman.

MR. SCHECHTMAN: Any other thoughts or comments?

(No audible response.)
MR. SCHECHTMAN: Okay. Then we will move on in our agenda, and the next topic are some updates on regulatory developments, and these are not all actually entirely regulatory. We'll also talk about some scientific studies as well, but let me turn first to Michael Gregoire, who is the associate administrator of USDA's Animal and Plant Health Inspection Service, who has spoken to you before. Mike.

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

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

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

Since our last meeting, APHIS deregulated two lines of genetically engineered corn. One was from Syngenta, and this was corn that has insect-resistance and glufosinate-tolerant traits engineered into the plant. This is similar to a line that had been previously deregulated by the Agency. The second corn that was deregulated was a product from Monsanto that's resistant to herbicides dicamba and glufosinate. In both cases we concluded that they were
unlikely to present -- to pose a plant pest risk, which is our regulatory standard for making those determinations.

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

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

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

Two recent Am I Regulated? requests generated some interest in the press. One was a white-button mushroom
developed by Penn State and a waxy corn developed by DuPont Pioneer. Both these organisms were developed using CRISPR technology, a new plant-breeding technique that can delete genes without introducing new material.

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

With respect to other biotechnology regulatory developments, at the time of our March meeting, APHIS had just recently published a notice of intent regarding our plans to prepare a programmatic environmental impact statement in connection with potential changes to our biotechnology regulations, and in response to requests we received from a number of stakeholders for more time to comment on that notice of intent, we extended the comment period until April 21st, 2016, an additional 45 days. So there was a total of a 75-day comment period on that notice of intent. I'm going to tell you a little bit about the input that we got from the public on that notice.
In the notice, we solicited public input on four alternatives, regulatory alternatives that we're planning to analyze as part of the programmatic environmental impact statement and invited possible changes to those alternatives and what environmental impacts and issues APHIS should consider as part of the programmatic EIS.

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

We received 126 unique submissions in response to the NOI. It included two petitions with nearly 12,000 and more than 20,000 signatures respectively. We also received more than 9600 identical form letters. The petitions and form letters, generally speaking, called for process-based
regulations, a mandatory safety testing, regulation to
protect non-GE crops, and liability for contamination
issues.

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

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

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

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

So that's a quick snapshot of where we are right now on the regulations front and some of the things that
have taken place in our program since your March meeting.

Michael.

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

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

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

The report discussed demonstrated environmental
benefits accruing from the use of insect-resistant crops as well as the management benefits and the weed-resistance issues attached to the widespread use of herbicide-tolerant crops. It also discussed socioeconomic impacts as well as claims that the use of GE crops had increased crop yields.

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

I will confess that I have not yet read the entire thing. It is hundreds of pages long. It's available online, and I will note just one or two other facts about the overall process: First, the Academy went out of its way to listen to the comments of biotech critics and also comments at its public sessions, carefully -- and carefully recorded all of the comments it had received; it made sure to address each of the issues that was raised in those contexts in the final report, and in fact, an appendix to the report notes the comments that they received and specifically where in the report they are dealt with.

Second, because of interest in the topic, the Academy is going to greater lengths than for the typical report to make the report more accessible to the public. So that's the
summary of the National Academy report, and I invite committee members and the public to take a look, to take a look at the report at leisure.

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

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

The group has three tasks: to update the coordinated framework to clarify the current roles and responsibilities of the agencies that regulate the products of biotechnology, to develop a long-term strategy to ensure that the federal regulatory system is well prepared for the future products of biotechnology, and to commission an external, independent analysis of the future landscape of biotechnology products. The White House memo also affirmed the existing principles on which the coordinated framework is based.
So the first task has been to work diligently on the description of the current roles and responsibilities to clarify that information for the public. This has been important because certainly there are classes of products that are in existence or under development that may not have even existed or been thought of at the time of the initial coordinated framework draft. With respect to that task, three public meetings have been held -- in the Washington, D.C., area last November; in Dallas, Texas, in early March; and in Davis, California, in late March of this year. Those meetings discussed the update process, case studies on regulation, and some longer-term issues as well.

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

For the third task, the National Research Council of the National Academies of Sciences has been commissioned for the analysis of the future landscape of biotechnology products and has initiated a project entitled Future Biotechnology Products and Opportunities to Enhance Capabilities of the Biotechnology Regulatory System. This National Academy report, in preparation, is separate and
distinct from the one that I just reported on. For this new study, the panel has been formed, and in fact, three meetings of the panel have already been held. A report from the Academy is expected within a year.

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

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

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

MR. SCHECHTMAN: Would you hit the button?

There's a button on the -- over here.

MS. LEWIS: Right. I'm out of practice here. With the APHIS EIS process, to what extent are you actually looking at the sort of future direction? You've obviously
made a couple of rulings on new breeding techniques using the CRISPR technology, but how much is that sort of forward-looking new technology applications brought into the current EIS process that you're undergoing?

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

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

We've also been in discussions with other
countries around the globe in different fora about these same kinds of issues. Other -- many other countries are wrestling with these same kind of questions and issues right now, and then there's a number of countries that are in the process of reviewing and updating their regulatory systems as well.

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

MR. SCHECHTMAN: Very good, Mike. David.

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

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

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

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

I can say that discussions of the definitions of
those terms, as they relate to scope of regulation, scope of
things that people are thinking about in one way or another,
is a subject that has been a topic of discussion for -- an
ongoing subject that's been the topic of discussion for the 28 years that I've been doing biotech stuff with USDA and I have no reason to think it won't continue. Chuck.

MR. BENBROOK: Yeah.


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

THE REPORTER: Your microphone is not on.

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

And I would, I would simply suggest to my colleagues on the committee and to the, to the chair that in our section of our report where we talk about important issues or difficult issues, we at least tee this up, because I, I don't think there is widespread understanding in, in any of the respective communities about what the
implications are of the U.S. having a different definition of genetic engineering relative to Codex, our European trading partners, and most of our trading partners in Asia. I think it's a, it's a huge -- potentially, it's a huge problem, and the -- there's a lot of uncertainty about it.

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

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

MR. GREGOIRE: So Michael and I have both been engaged in discussions with trading partners on these issues. To my knowledge anyway, not too many countries have actually defined this or determined whether or not these gene-editing techniques are subject to the regulations or not. The EU has taken this under consideration for some
time, but I don't think they have ruled on that as yet. Argentina has some guidance that provides instructions on how procedurally they will look at those sort of things.

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

So why don't you edit here.

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

MR. GREGOIRE: Testing, yeah.

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

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

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

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

MS. OLSSEN: Okay. That would be great.

MR. SCHECHTMAN: And I know that the American Seed
Trade Association is very interested in these technologies, and I know they've provided comments about the -- about what they see as the importance of these technologies for breeding in a whole host of crops, not the -- not just the major commodity crops we've, we've talked about but also for lots of vegetable crops, for the interest in sort of democratizing the availability of breeding, new breeding tools for other crops. Given how difficult it is to get new GE crops to market, they would like to be able to speed up a lot of the breeding processes.

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

Do you want to add anything else, Angela?

MS. OLSEN: (No audible response.)

MR. SCHECHTMAN: Laura.

MS. BATCHA: Laura Batcha. I have a, I think, a question and then -- well, first a comment and then a question. I'm going back to the issues that Chuck raised on CRISPR, and Alan, because I think this is sort of a new
thing that's coming at us rapidly. So I appreciate the clarification on international markets.

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

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

We did have an interesting, at the last National Organic Standards Board meeting, a panel on some of these
questions around definitions and biotechnology, and there was an interesting presentation by a scientist on this. I think, if I got it right, Michael, you called it those polyploid traits, and what happens when you use it to accelerate, say, in tree-fruit breeding, then you go back out and the original product or process is not included in the, in the generations that are then planted out, and that's even sort of a more complex, sort of nuanced thing as well. So I'm flagging that because there was some discussion in Organic about how to, how to think about that.

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

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

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

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

MR. SCHECHTMAN: Yeah.

MS. BATCHA: So in follow up to this, this is just an interesting terrain that we find ourselves in because
we're having a lot of discussions about this as it relates to potentially pending legislation on labeling, as well, for biotechnology. So if something isn't either required to be reviewed for commercialization or labeled -- and you've got that boundary here -- but the boundary for qualifying for disclosure as not bioengineered is over here, then you've got this whole new space in the middle. And up until now we've had one line where you're on one side of the line or you're on the other side of the line, and now we're going to have a line where you're on one side or the other and another line that's over here where you're on one side or the other. So --

MR. BENBROOK: That's life.

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

MR. BENBROOK: Yeah.

MR. SCHECHTMAN: Chuck, then Josette.

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

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

MR. SCHECHTMAN: I think it's a powerful technology that can be used in a variety of different ways.
So it could be used to actually delete a gene. It could be used to make a gene not work. It could be used to silence the expression of a gene.

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

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

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

But my substantive point and question is, the federal government is also engaged in a, in a substantial
policy review process on the herbicide-resistance management front. The EPA has put out for public comment a PR notice on -- actually, two -- on new ways to try to mitigate and address herbicide-resistance management through the labeling and approval process for new herbicide-tolerant crops. This is a quite significant policy statement. I think it should be noted in our report that herbicide use and herbicide-tolerant crop issues are an emerging and important component of the coexistence challenge that exists around the country and that we should -- people should at least follow that policy process.

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

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

MR. BENBROOK: Well, you know, I just -- I'd rather read a hard copy than look at the computer screen on the plane, but I do, I do want to alert the committee that
this other sort of parallel policy process is going on with some participation by USDA, and it's certainly addressing one of the important coexistence-related issues that we've been talking about for five years now.

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

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

MR. GREGOIRE: I can --

MR. SCHECHTMAN: You can --

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

MR. SCHECHTMAN: You can --

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

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

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

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

MS. LEWIS: In thinking about this question that Laura raised and that we've been discussing for a bit here
around new breeding techniques, seems, as I think this
through, one of the challenges that creates this situation
is that APHIS is looking at these within its sort of safety
regulatory framework, the Plant Pest Act and the National
Organic Standards, and labeling of GM foods that's coming up
through various initiatives are more market-based standards.
So there is a distinction as to why there may be different
approaches to these two things. That sort of seems like
that's the crux of our issue here.

MR. SCHECHTMAN: Thank you. Leon.

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

MS. BATCHA: Antibiotics, right.

MR. CORZINE: Okay. And antibiotics, but there
are a lot of things in the process, especially in the
raising of any crops or any products that, until you get the
antibiotics, that you don't test for anyway, and it's all part of the, where you get certified and do your reviews and those kind of things. So this really wouldn't be any different than those other things in the process-based system. Is that right?

MR. SCHECHTMAN: Please, Laura.

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

And then many, many substances are subject to analytical testing under investigation when there's some reason to believe through the relationship between the certifier and the client that there's a noncompliance to the practice standard that's processed-based, and analytical testing would be used as part of the investigation and verification process, including nitrogen sources and farm inputs, antibiotics, hormones, pesticides, GMO presence, so a whole host of things; that, while they might not be the way you first verify compliance under investigation, they would be subject to those tests. But I, but I was really talking about the former in this because it might create a
scenario where ready disclosure isn't as available as it
might be for other things that would be deemed biotechnology
when you do the process verification. Hope that helps.

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

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

MR. SCHECHTMAN: Thank you.

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

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

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

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

We confronted the seed issues by transferring responsibility to that. I wish to just put in one update to let you know what the market is doing on seed purity issues. There are a number of seed companies who this year are making arrangements for next year to offer non-GMO seed in the United States as being multiplied in Europe, and we're taking advantage largely of international zoning. So if we can't be sure that we're going to get what we want in one
location and we can get it in another, that's what we'll use. Almost everyone would prefer to get it here, but that's increasingly difficult.

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

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

MR. SCHECHTMAN: Oh, okay. Angela.

MS. OLSEN: Okay. I'm on green now. I think Lynn did a great job summarizing our conversations. The one point that I will add is that this document couldn't do everything for everyone, meaning it's not prescriptive. We
-- you know, our goal was really to have a framework that could be fleshed out and adapted to local conditions.

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

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

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

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

MR. CLARKSON: Leon, I think that's more than a small thing. I think that's a big thing, and I think you're
right. We're interested in, no matter where the pollen comes, if it's going to disrupt the market, we're interested in trying to minimize the conflict. And there are examples out there immediately today that I've brought to the attention of other members of the committee where it's IP pollen that I'm worried about.

MR. SCHECHTMAN: Okay.

MR. CORZINE: Just trying to look after you.

MR. CLARKSON: Thank you.

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

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

MR. SCHECHTMAN: Yeah. Yeah.

MR. KEMPER: Thank you much.

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

(No audible response.)

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

MS. BATCHA: Thank you. So just as a reminder for folks, the Models and Incentives subgroup includes Marty Matlock, Dave Johnson, Jerry Slocum, Commissioner Goehring,
Isaura Andaluz, myself -- Laura Batcha -- and Keith Kisling.

There were two meetings of the subgroup since our last full committee meeting, one in March and one in late May.

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

There was also a discussion around the importance in terms of potential incentive for some audiences and in some regions of USDA indicating support for these local convenings to discuss these issues and that it would be very helpful for USDA to send a signal to FSA and NRCS offices to
offer their assistance in this regard as that was sort of part of our charge as a group, you know: Are there ways that USDA can support the process? So coming out of the first meeting, Commissioner Goehring volunteered to take that discussion and do the next iteration of the draft and the group agreed for that to happen.

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

When we reviewed the draft, there was some discussion in the subcommittee that perhaps the draft had sort of moved too far in that direction and maybe obscured the core of our charge around unintended GE presence, and so we had some constructive discussion about that and how to be clear about, about the purpose in the document and what roles some of the other pressing issues of agriculture that
were brought into the discussion -- into the draft played.
And I think, you know, there was an -- there was an
acknowledgment by Doug that, in fact, it didn't include much
detail on the topic of gene flow and it was an attempt to
bring audiences in for whom that wasn't their primary
correlation.

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

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

The bullets coming out of the meeting that
Dr. Schechtman was working to flesh out in the draft that
we're working off of now are around the challenges faced by
the different types of production, opportunities for all
farmers, themes around responsibility and respect, a little more focus on the issue of gene flow, more conversation about what -- I mean, more, more information about what those conversations might look like in the context, as well as stressing the importance that the purpose of the document is to enhance the communications in order to solve problems.

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

MR. SCHECHTMAN: Last Wednesday.

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

MR. SCHECHTMAN: Josette.

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

MR. SCHECHTMAN: Yes.

UNIDENTIFIED SPEAKER: Correct.

MS. LEWIS: Thank you.
UNIDENTIFIED SPEAKER: Thanks for clarifying that.

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

(No audible response.)

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

Do you have a comment, Leon?

MR. CORZINE: No.

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

(No audible response.)

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

MR. CORZINE: Thank you, Michael. I'm pleased to
report on the -- for the subgroup. That was the most
efficient one we have going since we completed our work with
one meeting. We always try, when we report, to not go
through everything that is written, because you can read
that, right, but we, we had a good discussion.

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

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

We had some discussion around -- and Laura's group
touched on it -- as far as what kind of attendance you would
get at a stand-alone meeting for coexistence, and I think in
most parts of the world it would -- attendance would be a
concern. So I think that our consensus -- and Melissa, I
should add, is going to thump me and then take the
microphone if I kind of miss a point here, so be ready --
that, that it would probably work best to be in conjunction
with another meeting, and there are sources out there. In
my part of the world, we have -- extension service has
meetings, and then there are other meetings about agronomic
issues that this could be a part of.

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

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

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

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

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

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

(No audible response.)

MR. SCHECHTMAN: If not, we are a little bit early, but why don't we take our, our coffee break now for -- until five of 11:00, and then we'll, we'll reconvene. Thank you.
(Whereupon, at 10:37 a.m., a brief recess was taken.)

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

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

I know Secretary Vilsack is in his eighth year as Secretary and recently testified before an appropriations panel for the eighth time, and they asked him to kind of summarize his time as Secretary and discuss any key issues and priorities that he sees, you know, remaining for this year and beyond. And he really highlighted coexistence as what he felt was really one of the most important issues facing agriculture and one of the biggest issues that he saw for, you know, closing out his time as Secretary of Agriculture. So I think it just really underpins what this committee is working on.
All of these issues are so vital, and the recommendations that this panel will put together, the document they will put together by this fall is something that we are very, very interested in and is going to be incredibly helpful to us.

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

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

As you know, time is of the essence. The Vermont law will come into effect, really, in two weeks. And so working on a package that will create, really, a national program so we don't have multiple confusing approaches out
there is going to be really vital; making sure that consumers have the information that they find meaningful and useful, as they're making choices in the marketplace, will be very key; and providing some flexibility in terms of the method of disclosure.

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

So really, Michael, that's the update I had on labeling, but I'll be part of this meeting for the remainder of the time and look forward to it and, again, just really appreciate all that you all do. And, again, I know everyone has another job, and trying to just set aside time to fly in here and schedule this is very difficult; folks have to leave their operations and other work. So, again, we wouldn't want you to do this if it weren't really vital, and let me assure you that it really is key to American agriculture and to our future. So Michael, thanks a lot for having me. I look forward to it.
MR. SCHECHTMAN: Thank you. With that, we will go on on the agenda. The next topic on the agenda is just a brief discussion of parameters for review of draft documents. This gives me a chance to repeat things I've told the committee before but just to sort of set the stage for the process as we go through draft documents and see how they can be improved and meet the committee's -- better meet the committee's needs.

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

So let me start by reminding you of -- you and members of the public -- what the bylaws and operating procedures provide in terms of report drafting. They say:

A report shall consist of those elements upon which there has been consensus agreement plus an accurate description of non-consensus recommendations and the points of disagreement within those recommendations, developed jointly by the AC21 chairman or chairwoman and the executive secretary. Committee members will be given the opportunity to confirm and/or improve the accuracy of the draft report. AC21
members shall be afforded the opportunity to provide to the Secretary, in parallel and in a timely manner, any comments on the accuracy of such a report.

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

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

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

How do we envision your reviewing pieces of actual text apart from the Notional Outline, which is a little bit
different? As we've mentioned before, it will be important for committee members not to act as editors, wordsmithing the entire document. It should be clear to everyone that once we go down that path, there's no way the committee's charge can be completed in the short term we have -- short time we have remaining.

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

In intersessional work, once we address the big-picture issues you raise here, we'll be happy to entertain additional comments pertaining to specific matters of fact and any typos you may have -- you may find, of course, but not wordsmithing. This has worked successfully for the committee in the past, but because it's, I think, counter to everyone's general inclinations, it's always necessary to emphasize that this is the approach we need to have in order to come out at the end with a report for the
committee -- committee members to look at. Then, as I noted, you can decide if, as a whole, the report is acceptable, and you can also individually decide whether there will be an additional statement you may wish to add with your concurrence or with your non-concurrence, and we attach those to the final report, as we did last time.

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

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

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

Where I am more troubled is by the absence of addressing what, you know, many of us feel are the most difficult and really critical issues that underlie all this tension around agricultural biotechnology. And, you know, I
know that given the nature of this being a consensus process, you -- the report will certainly focus predominantly on things that most of us can agree on, but I still feel that we as a committee bear some responsibility in explaining and teeing up what some of the underlying and unresolved issues are in the hope that as more people understand why there's such deep concern about all this, that might prove fertile ground in the future for making progress that is beyond our reach right now.

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

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

Mr. Chairman, in this, as we look at coexistence, I think you've done a marvelous job of creating a very good document, several documents, and we had a lot of pages to read, which we've done. But as we look at just
philosophically, a lot of farmers have a lot of difficulties in their situations today, and as we look at coexistence, I look at it as a positive. When I'm using Liberty technology on my soybeans or corn and we look at coexistence, I may text a farmer or neighbor, I may call him, or I might just flag him down on the road, and that creates a great coexistence of understanding who's planting what and where.

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

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

(No audible response.)

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

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

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

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

UNIDENTIFIED SPEAKER: Yeah.

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

UNIDENTIFIED SPEAKER: Yeah.

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

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

MR. BUSHUE: Got it. Thank you.

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

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

(Discussion off the record.)

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

MS. BATCHA: Back to your not sleeping.

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

UNIDENTIFIED SPEAKER: Get your microphone.

MR. SCHECHTMAN: -- and the piece that I think is missing that occurred to me is the sort of description of what the committee's recommendation is to the Secretary about how these documents should be used and how we should go -- and how the Department should go forward in talking about the two, the two pieces: the guidance document and the, and the models for local discussions. And I think, I
think you raise what is a very reasonable point, and I think we can find some time in this meeting to talk about how we want to cast the recommendation for the use of those documents, if that, if that makes sense to everyone, and had I thought of it a day earlier, I might have slept better.

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

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

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

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

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

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

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

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

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

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

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

MS. HUGHES: I'm wondering if it would be more helpful or additionally helpful in this context to take some time, either in the report or at the beginning of this document, to further describe what the committee means when it talks about diversity and agriculture. I think we -- the Secretary touches on it, but it doesn't really identify what, what diversity is or why we think the benefits of diversity are important, and that might help bolster the idea of why IP producers coming in serve a role in that diversity.
We just -- you know, at the beginning of your Notional Outline, you say, you know, coexistence is important because it encourages diversity, but for what end? Why do we care? And it just might help to say the whole committee has embraced the idea that diversity is beneficial in agriculture, the Secretary has embraced that idea because, and you know, I think it's relatively straightforward. I don't think it's a big deal, but it might save having to rewrite this document if we can demonstrate why having this conversation about IP production is very important.

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

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

I'd like to keep it more concise, and really, the
direction of the Secretary was how we make coexistence work, and so I have a concern. That's my initial with, with Laura's suggestion. Thank you.

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

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

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

MR. SLOCUM: Well, my thought about that is that we probably should move Coexistence, that paragraph, higher into the document but, at the same time, to speak to it, Laura said -- and I couldn't agree more, Laura, because I think, I think the expansion in organic, the expansion in non-GE or non-GMO, the expansion in identity-preserved products are going to come from your existing agricultural base, the existing landscape, and existing farmer.
So when we talk about coexistence with your neighbors, we're really talking about coexistence among ourselves, if you want to. Leon, you do IP on your farm right now; so you coexist within Corzine Farms. In my farm operation, where we're largely, largely biotech, we still have a non-GMO component; so we coexist with ourselves.

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

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

MR. BENBROOK: I like the idea of moving that section up, and I do think this is a very important insight about the transition in farming systems that's actually occurring. So I think more discussion about the thought
process that goes on within a farm operation when they start
down a road of transitioning and the factors that they have
to deal with, you know, would be a valuable addition to the
report.

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

So when Alan stops his neighbor to ask what seed
is being planted, you know, sometimes it's going to be
important for him to ask, well, and also, what are you going
to spray on it, because if you take -- take the 2,4-D corn,
glufosinate-resistance, glyphosate-resistance, and resistant
to the fops, so it's what, eight herbicides, and the
implications of different combinations of them being used at
different times of the year are dizzying to try to keep
track of.

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

MR. KEMPER: Mr. Chair --

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

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

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

MR. KEMPER: Oh, thank you, Mr. Chairman. Just in
response to Charles' comments, I mean, it's not a big of a
subject as he may think it will be. It's an ongoing every
hour or everyday subject on my farm. We're using dicamba --

MR. BENBROOK: Already.

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

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

MR. SLOCUM: No.

MR. SCHECHTMAN: Okay. Leon.

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

So we can maybe point out or -- the continuing,
but I wouldn't use that emerging because it's pretty common out there to farmers as well as to chemical applicators now.

Mr. Schechtman: Okay. Other questions, comments? Thank you. You were hiding behind your water bottle there. Barry.

Mr. Bushue: I don't know if it's on or not.

Mr. Schechtman: Yep.

Unidentified speaker: It is.

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

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

Mr. Schechtman: Other comments? Laura.

Ms. Batcha: I just think I'll weigh in on the
diversity question, and I do think it would be helpful to expand a little bit on the why, because I think that that -- you know, we identify that we need it and what it might look -- what it could look like, but again, I would concur that I think a little bit on why would be good.

MR. SCHECHTMAN: Other thoughts, comments? Josette.

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

MS. BATCHA: I've got one question.

MR. SCHECHTMAN: Laura.

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

I think my question is -- maybe, Lynn, you can help me a little bit -- in terms of much of IP production being contracted. I get that, absolutely, for sort of functional stuff or, say, blue corn. Is the market on just for sort of straight non-GMO corn or soy changing in that there's also a spot market for it or open market not under
contract, similar to organic, or are you seeing the volume
there primarily trading under contract?

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

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

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

So despite the consideration -- and we read
newspaper stories all the time about a shortage of non-GMO
-- my company has never seen a shortage of non-GMO. We've
always seen a surplus of non-GMO on the market, and I don't believe that's going to change in 2016.

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

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

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

MR. SCHECHTMAN: Yes. Yes.

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

MR. SCHECHTMAN: No. No.

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

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

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

MR. SCHECHTMAN: Okay. Got it. Thank you.
MR. BENBROOK: On this same point, Lynn, would it be useful to differentiate between domestic production and imported production relative to the use of contracts?

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

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

MR. SCHECHTMAN: Josette.

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

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

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

THE REPORTER: Your mic, please.

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

MR. BUSHUE: Right.

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

MR. BUSHUE: Got it. Thank you.

MR. SCHECHTMAN: Can I ask, is this a subject that
is perhaps not, not in the guidance document but is part of the overall context, you know, the subject that sort of talks about some of the larger challenges? Is that -- does that make sense to folks around the table?

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

MR. SCHECHTMAN: Depends what -- as always.

UNIDENTIFIED SPEAKER: Right.

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

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

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

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

There are plenty of issues that I think, you know, we put in the parking lot, and we all acknowledge they're
important issues. I don't think anybody says they're not important in agriculture, but there's a whole host of issues that are important, and we really need to, or I would ask our group to stick to our charge, to make sure that we really are giving that, that deliverable to the Secretary.

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


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

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

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

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

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

MR. SCHECHTMAN: Okay. Laura and then Alan.

MS. BATCHA: Thank you. Laura Batcha. On the question of addressing international trade or referencing it in the report, I think I would respectfully disagree that it, that it's outside of the scope. I don't think that it belongs in the guidance document, though. I agree that it
belongs in context, and it might be part of the why diversity matters, and I think that's both on the export side and in the import side. And maybe some just reference to putting it on the map there is appropriate because I think -- I don't view referencing the international trade in that context out of scope, especially given that we've tried to be flexible and accommodating about space for people to enter the conversation. For example, in the models document, we brought in all kinds of things that weren't originally part of the charge in terms of spread of weed seed and water and soil conservation and tillage and all kinds of things. So I think I would support it in the context, not in the guidance document.

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

So I know we had a lot of conversation about that; so I'm just interested in people's thoughts about those two
paragraphs and whether or not we think we've, we've gotten close enough to that or appropriately addressed that there. So it's just really a question to the group.

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

    MR. KEMPER: Go ahead, Josette.

    MR. SCHECHTMAN: Josette, Alan, then Lynn.

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

    MR. SCHECHTMAN: Yes.

    MS. LEWIS: So I don't have the answer for me to -- your question, but I think you have to actually look at both of these because they both go into seed purity in quite a detail, and so if we were going to -- I guess, almost the question is, do we take some of this and put it into the guidance document, the one that's coming from the Issues Discussion, Version 2, document, the parking lot, and bring it into the guidance, or are both going to have some portion brought out into the text of the outline that you provided? I was a little confused by the number of times seed showed up in all of these things and yet, you know, wasn't one -- it wasn't the common discussion each time. So
maybe that's just something we should grapple with if we're going to focus on seed, is --

MR. SCHECHTMAN: Yeah.

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

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

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

MS. LEWIS: I just called --

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

UNIDENTIFIED SPEAKER: What's it called?

UNIDENTIFIED SPEAKER: It says, Draft Portions of --

MR. SCHECHTMAN: Complex Issues. Sorry, sorry.

Please, please use the microphone. Our, our transcriber back there is at a moment's panic.

MR. KEMPER: Mr. Chair --

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

MR. KEMPER: Okay.

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

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

MR. BUSHUE: It starts, Functional Traits.

MR. KEMPER: Pardon?
UNIDENTIFIED SPEAKER: Functional Traits.

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

MR. KEMPER: Okay. Thank you.

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

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

MS. LEWIS: Right.

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

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

Okay. So now I see Lynn and then Angela.
MR. CLARKSON: Lynn Clarkson. I think Michael has phrased this about as well as you can, given the conflicting strains here. This issue is really a critical issue because of the emerging market standards for non-GMO.

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

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

So I think you're seeing a move, as I mentioned earlier, to, for the very sensitive, to acquire their seed either from U.S. hybrids multiplied in Europe, U.S. varieties multiplied in Europe, or European varieties and hybrids that do well in the environmental situation of different latitude zones, production zones in the United
States. But nobody that's contracting grain that I know of wants a farmer to be planting something that doesn't originally meet the standards. It would be another exercise in frustrating futility.

MR. SCHECHTMAN: Angela.

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

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

And as Lynn brought out in our working group session as well, there are these companies out there that are looking at this as an opportunity in terms of, you know, as part of their business model, they decide that they do
want to provide that information and charge for it, certainly, but that -- it is out there if somebody wants it. Not every company is going to move to that model, but you know, companies look all the time and see what are the opportunities. And, you know, we're all businesses. If there's a great opportunity there, certain companies are going to fill that niche market and, you know, and kudos to them for filling that.

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

MR. SCHECHTMAN: Barry and then --

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

MR. SCHECHTMAN: Okay. Laura.

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

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

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

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

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

MR. SCHECHTMAN: Angela.

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

So I don't think anything additional is needed in there in terms of thresholds, in terms of, you know -- I'd certainly be open to language if somebody wanted to propose it, but from my perspective I think this is sufficient, and I think this highlights the topic in enough detail for a farmer. It's concise. Folks can go back to that longer report if they want additional context, but I would
recommend keeping out the, you know, additional points about thresholds or, if you start with X, you might get Y; and, again, interested in everybody's thoughts as well, but that's, that's where -- that's my input.

MR. SCHECHTMAN: Alan, is your sign --

MR. KEMPER: Sorry.

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

MR. BENBROOK: Alan is up first, right?

MR. KEMPER: No, I was --

MR. SCHECHTMAN: He put his down.

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

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

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

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

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

MS. OLSEN: No.

MR. SCHECHTMAN: David.

MR. JOHNSON: So this subject seems contentious. So I'm looking at the word characteristics, and then if we look throughout the document, I'm wondering if we just switch the word characteristics to purity, quality, and traits, because I think that encompasses what
characteristics means throughout the rest of the document. And I would go into -- I was just thinking purity and quality, but I'm thinking purity, quality, and traits because I think that encompasses what we mean by characteristics, and I'm curious to see what others think of that.

MR. BENBROOK: Step in the right direction.

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

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

MR. CORZINE: Michael?

MR. SCHECHTMAN: Lynn -- Leon.

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

So I think, really, characteristic is a better word, and anybody that's going to grow an IP product is going to be talking to the -- I think one of the most important things is the, is the last sentence of that, of
that two paragraphs -- that you're going to be talking, if
you're under contract or even if you're not operating under
contract and going for a market, you're going to start with
seed that's suitable to meet the production requirements. I
mean, what more do you need than that? I think we're just
kind of beating a dead horse here and spending a lot of time
trying to add something that's not even appropriate and
trying to say we need to dumb down for farmers that I'm
offended by.

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

MR. KEMPER: (No audible response.)

MR. KISLING: (No audible response.)

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

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

MS. OLSHEN: Just a quick thought in response to
what Alan and Leon said -- I think they're right in that quality, purity, and traits maybe doesn't encompass the whole characteristic discussion, that maybe there is another component to that. So I'm not opposed to trying to define what characteristics is, but I think it is broader than -- you know, Alan brought up some good examples -- so I think it is broader than just those three.

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

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

(Discussion off the record.)

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

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

MR. SCHECHTMAN: Yes, you can, you can leave stuff in here. We will reconvene around 1:30. That is the time when I got the word on my phone that Secretary is supposed to be -- Secretary Redding is supposed to be here, and we'll go from there. Thank you.
(Whereupon, at 12:16 p.m., a luncheon recess was taken.)

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

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

We then had some updates on updating the coordinated framework and on a new National Academy of Sciences report, and then we turned to reports on the three subgroups that have been working on providing the foundational information for the documents that are being produced. We had, I think, good discussions around where, where those documents are in general at this point and some initial discussions on how they fit into the full report,
though that will continue in the discussions on the outline, and in fact, one missing piece in the outline was identified, namely, sort of a description of what the Department should do with those reports.

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

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

MR. REDDING: Okay.

MR. SCHECHTMAN: You have to push the, push the --
that one, yeah.

MR. REDDING: It's working?

UNIDENTIFIED SPEAKERS: Yeah.

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

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

So we're right on the heels of another budget, so
-- but pleased to report a very nice conversation about agriculture with the governor and this particular group of stakeholders, but in that discussion I just, in the back of my mind, knowing I'm coming here, you know, some of those themes that they were raising about ag and the future and infrastructure and needs, one, one of the points made by one of our agribusiness leaders was about the relationship with -- relationship that they need and has been the key to their success has been that relationship with the consumer.

Right?

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

And so I just want to -- I had some more extensive remarks for the morning, but I'll just abbreviate that by saying that I know that the work, our task the next day or so here really comes down to sort of two, two points: one, what guidance we give farmers and stakeholders on coexistence and, secondly, how to convene and facilitate in those discussions about coexistence. That's really been the work of the subgroup -- subgroups, as well, but important, important work.
I'm also mindful that, you know, with our next meeting planned and sort of the outcome of this meeting setting the framework for drafting, is that we are in that sort of final leg of this relay, right, and this really becomes critical for us now to take the, what we had learned in the November 12th, 2012, report to the Secretary and those recommendations and where we are with this charge. We do have to now sort of start committing, you know, what we do in terms of guidance to farmers and the ag community as well as how do we want that to be facilitated. Right?

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

Final point would be that just as we -- in the drafting of our initial report, I think all of us probably would have maybe written a different report, right, to
reflect sort of our own perspectives and engagement, but we came together and found that compromise between all of that for a really substantive report.

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

To the Secretary and to the USDA team, it's really been, been great to work with Michael, and what you see here today and what you've received via e-mails, both in terms of summaries but also documents that are core to our discussions here, many thanks to Michael for framing that up and really finding a way to take volumes of information and discussions and putting that into some really constructive draft documents for our discussions here this, this day and tomorrow.
So with that, I'll end where I began with a simple thank you for being here, staying involved, look forward to the conversation next day and a half. Thank you.

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

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

From the last plenary session, there seemed to be agreement that the report should include a document which could serve as information for local communities to help initiate farmer-to-farmer discussions around coexistence. There was acknowledgment last time, as well -- and this has already been brought up today -- that in order to bring
everyone to the table, IP and organic farmers and farmers producing commodity crops, whether conventional or genetically engineered or a mix, local conversations would need to potentially cover not only pollen movement, which might be of more interest to some farmers than others, but also to other farm management topics on which neighbors might interact.

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

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

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

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

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

UNIDENTIFIED SPEAKER: Strategies, best management
strategies.

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

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

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

MR. REDDING: Initial thoughts? Yes, Alan.

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


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

        I leave open whether we want to be more specific on some of those areas where perhaps it has a very direct impact on coexistence. For example, cross-pollination is
one of the topics that's identified there and not really
specified as to be potentially a substantial factor with
respect to coexistence, as you yourself suggested, maybe
something we want to discuss.

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


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

MR. REDDING: Thank you. Is that Chuck?

MR. BENBROOK: Mr. Chairman, before, Barry and
Michael and I had a brief conversation about some useful
insights that Barry might share at an appropriate time in the meeting -- I think this is the right time -- speaking about the circumstances in Oregon around which some local conversations about coexistence have percolated along to the point where they're, I mean, perhaps close to the boiling point.

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

But, Barry, hate to set you up with that intro, but if you would share with the committee some of the things
going on in our great state of Oregon, it might be useful to
the committee.

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

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

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

MR. REDDING: Yeah. I'm --

UNIDENTIFIED SPEAKER: I can tell.

MR. BUSHUE: I like, is it --

MR. REDDING: What -- yeah.

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

We have several initiatives in Oregon. Some have
been defeated; some have been passed. The difference is
that they're really not about coexistence. They arise
because of groups of folks who want to totally ban the production of GE crops. So it's not about a collaboration. It's not about a discussion. It's not about sitting down and talking about how you can both survive. It's about we are going to survive at your expense.

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

The complexity and diversity of agriculture is such that most local governments don't have the expertise, the funding, the technical experts to be able not only to manage the types of processes that they want to impart upon agriculture and the system, they really ignore interstate commerce, they ignore all things that USDA does, and it is -- it's increasingly frightening to me as a farmer who relishes the value of diversity.
I mean, by spring of next year, our farm will have a certified organic component, it will have a GE component, and it will have a conventional component on less than 50 acres. I mean, it works. It can work. There are markets out there to support all of those entities, and for a local entity, a group of people whose goal is merely to preclude a particular type of production agriculture concerns me.

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

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

MR. BENBROOK: Yeah, absolutely, and I would just -- gosh, I hope I'm not going to regret this -- but, you know, we've had a, we had a pretty troubling and tragic event occur out in Oregon over the wildlife refuge at Malheur, where some people who felt that the federal government wasn't listening to local needs and concerns, you
know, they took over this wildlife refuge, and it was -- it
strikes me that when these issues are not dealt with in an
effective and responsive way at the federal and/or state
level, sometimes the way they play out at the local level
can get, you know, really out of control.

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

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

But I will agree with what Alan and Barry said.
Whenever -- even in those intense situations, when it gets
down to the farmers, they almost always can work things out.
It's when people with other agendas get brought into it and
bring their passions and their biases, that's when things
can become very difficult to control. And I'm concerned
that in the area of agricultural biotechnology, for the last
certainly five years, as a nation we have become
progressively less able to work through the tensions in the
system, and I certainly think there, there's no shortage of
tensions now. So that, as a trend, you know, I hope we can
find some ways to get ahead of that, and I simply am
skeptical that -- hoping that local entities will work it
out is going to be a very important part of the solution.

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

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

A couple of issues that I did come across was that
there's this change between farmers and producers. Part way
through the document we're talking about farmers are really
into it and reading it, and then it jumps in with producers,
and I was like, are those the same people we're talking
about, where there's a -- is there a difference between the
farmer and the producer? So that was a little bit -- needs
to be clarified a little bit.
And then perhaps there's a wrap-up statement somewhere in the, in -- that'll bring it all together, didn't seem to have that. But, again, I agree with those who've spoken earlier that it's very straightforward and easy to read, get through.

MR. REDDING: Thank you. Angela.

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

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

I do take Barry and Chuck's comments regarding -- we want to make sure that we're doing something that's positive and productive and is going to promote diversity
and is going to promote these discussions and enhance coexistence at the level. This is not an opportunity for some group to come in and say, we're going to, we're going to ban organic, or we're going to ban GE or whatever, you know, whatever the crop du jour is. It's not about that. And so I do agree that we need to make sure that, and reflect, that the spirit of this is to bring people together so that farmers can have conversations about local issues and local -- have local conversations, you know, and it's not that opportunity to allow somebody to come in with a private agenda, to take away those opportunities.

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

MR. REDDING: Okay.

MS. OLSEN: -- so thank you.

MR. REDDING: Yeah. Thank you. Laura.

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

MR. REDDING: Oh, okay.

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

MS. BATCHA: -- before we were up. Are you sure, Alan?
MR. KEMPER: Yeah.

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

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

And the thing that is in my mind is to create the incentives -- and, you know, Doug really brought this to light about having there be discussions about these other agricultural activities at the table in order to not just, you know, send out a postcard, come to a coexistence meeting, and people would see something -- is there a way in the Convening Discussions to suggest that it could be helpful when folks around the table look at the activities
and plan for these farming practices where they may be enrolling in programs or not enrolling in programs that have conservation benefits?

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

So you get the conservation, the water quality benefits, the soil quality benefits, the pollinator benefits, and oh, by the way, we get this other benefit on top of it, because I think, you know, farmers everywhere are really -- I think Doug identified it -- focused on soil resources and water, water resources, and they're actively engaged in making management choices about those programs.
that are offered through NRCS. So I think it's like almost there, if there's a way we could just, you know, suggest that the connections be made.

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

MS. BATCHA: Yeah, I think it --

MR. REDDING: Okay.

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

MR. REDDING: Okay.

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

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

MR. REDDING: It's all right.

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

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

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

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

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

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

So I appreciate what Angela said, and I would strongly encourage somebody to, you know, make that kind of just a very simple, straightforward statement based on the,
you know, the preclusion that we've already said, that all
of these things are important, so thank you.

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

MR. KISLING: Keith Kisling.

MR. REDDING: -- and then we'll come back to Alan.

Okay?

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

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

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

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

MR. BUSHUE: You just want him to cut you a check
right now, Keith?
MR. KISLING: Yeah. Yeah. I mean, if I'm going to put on a meeting, how much money is there? Evidently, if there's money there, it wouldn't be here.

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

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

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

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

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

MR. MCKALIP: No, I'm not aware of a statutory
definition. I mean, there's several conservation definitions throughout the NRCS Handbook and materials that the Department maintains, but for sustainable agriculture, I'm not certain about that. It's something I'm happy to check out and maybe even have additional details by tomorrow's meeting.

MR. KISLING: Thank you.

MR. REDDING: Thank you.

MR. KISLING: Thank you, Mr. Chairman.

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

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

Thank you, Mr. Chair.

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

Second thing, on that same paragraph, Michael, when we talk about the land, we want to talk about the environment, including water. But the main thing is, about
on line 3, at least on my document, it has the words every
management decision. I would definitely strike out the word
every because, I mean, if I'm buying a tractor, that's still
a management decision; if I'm marketing, that's a management
decision but it doesn't necessarily affect how my neighbor's
farm is going to be. Thank you, Mr. Chair.

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

MR. SCHECHTMAN: Second line under Challenges for
All.


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

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

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

MR. REDDING: Yeah. Thanks. Laura.

MS. BATCHA: On Keith's question about the money
for the, for the, for the meetings, I've lost track of which
document it was in, but we had something in there about a
recommendation that USDA signal the importance of convening
these things as something that could be done federally as an
incentive. We might get more specific in our recommendation back to the Secretary and that perhaps the places where it wouldn't conflict with the authority, that convening coexistence meetings might be included as a priority in the RFPs for those programs when they go out, so people know.

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

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

MR. SCHECHTMAN: Where is this again?

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

MR. MCKALIP: So the 1990 Farm Bill contained a definition for sustainable agriculture. My first farm bill
was '96. So that one caught me prior to my -- the term sustainable agriculture means an integrated system of plant and animal production practices having a site-specific application that will, over the long term, colon, and then there are five bullets that follow: one, satisfy human food and fiber needs; two, enhance environmental quality and natural resource base upon which the agricultural economy depends; three, make the most efficient use of nonrenewable resources and on-farm resources and integrate, where appropriate, natural biological cycles and controls; four, sustain the economic viability of farm operations; and, five, enhance the quality of life for farmers and society as a whole.

UNIDENTIFIED SPEAKER: Good definition.

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

MR. MCKALIP: Sure.

MS. RAKOLA: I also wanted to just share the consensus statement that was created by the Sustainability Office within USDA. This is from 2011. I'm not sure how current this is, but at the time, the consensus statement they were working towards was that USDA is committed to working with partners and stakeholders toward sustainability of diverse agricultural, forest and range systems. USDA seeks to balance goals of satisfying human needs; enhancing
environmental quality, the resource base, and ecosystem
services; sustaining the economic viability of agriculture;
and enhancing the quality of life for farmers, ranchers,
forest managers, workers, and society as a whole. So you
can see where that reflects very much the language that Doug
just shared from the farm bills.

MR. REDDING: Thank you. David.

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

UNIDENTIFIED SPEAKER: This document is part of?

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

MR. SCHECHTMAN: And move it where again?

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

MR. SCHECHTMAN: Okay.

MR. JOHNSON: -- you wouldn't have to call it
anything, but it clearly states what this document is about
and it's right up front then. And then the very last
sentence in paragraph 4, where it says, this document also
offers suggestions, I think that we could insert that before
the last sentence of that paragraph, just take it out of
paragraph 4 and put it in what would now be new paragraph 1, right before the last sentence, and it -- I think it puts a nice summary as to what this document is right up front.

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

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

So I don't know how to get at the concern, you know, that you've raised in terms of whether local is in
fact the best, at least in some of the Oregon communities, the best spot to find that resolution or not. I don't know how to deal with that.

    Yeah. Josette.

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

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

    I did have another comment on page 2. There's a section called Consideration for Identity-Preserved
Production, Including Seed Production, and I would just note here, this talks about seed production, rightly so, in the context that is a form of IP, but in all the -- the other two documents we have, seed is called out specifically within the context of the quality of that seed being a critical starting point for an IP system.

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

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

MR. SCHECHTMAN: Anything missing?

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

(No audible response.)

MR. REDDING: No? You're pretty satisfied with --
obviously a good discussion the last hour here about what else we can improve. I mean, I think, you know, the challenge becomes, you know, what all do we include and get the framing -- I think the framing is generally right. So the question is sort of the fine-tuning here, right, with what to include, how to modify a couple of these areas that you've mentioned. Okay. Chuck.

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

So if you -- one of the scenarios that's playing out in Oregon -- and I'm sure Barry knows way more about it than I do because a lot of it played out kind of on his watch -- it involves the aftermath of the release of genetically engineered bentgrass in some counties, that it's out there now and the local communities are concerned about how they're going to deal with it in the absence of any dedicated resources. And there's, you know -- I mean,
basically, my knowledge about it is limited to what I read in the Capital Press, but it's a, it's an example of a very localized, specialized issue but one where a lot of people are really concerned about it. And, you know, going into a meeting with our little, you know, tool kit for having a constructive dialogue about coexistence wouldn't get you very far in a meeting like that.

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

MR. BENBROOK: Yeah. Yeah.

MR. REDDING: Okay.

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

MR. REDDING: Yeah.

MR. BENBROOK: -- I mean -- and I think everybody knows what that means -- about something related to coexistence, and in, when -- it's sort of, it's sort of like when you're going into an environment like that, it's really incumbent on whoever is organizing a meeting to be mindful of the fact that the dialogue and the processes and the emotions that are preexisting require some special care and handling. And I just am, you know, I'm afraid if we don't become a bit more conscious of that, there's going to be a continuing series of unnecessarily, not -- I mean, look at
what's happened in Oregon. You know, first, the state ballot initiative didn't pass, and that left a lot of people angry. They organized, in Jackson County, was it, Barry, that they passed the -- so Jackson County passed a county ballot initiative banning the planning of GMOs, and then that got a lot of people riled up, and a lot of those folks are the ones that are now involved in this discussion about the ongoing issues with this bentgrass.

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

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

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

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

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

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

MR. REDDING: Barry, just a question, in Oregon
was part of the -- is part of the concern just sort of the
local leadership, and where was agriculture's voice in this
discussion? I mean, I realize there's external forces, but --

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

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

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

THE REPORTER: Your mic is off.

MR. SCHECHTMAN: Mic is off.

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

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

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

MR. REDDING: Yeah, but we certainly don't want to -- you know, if there are lessons learned from Oregon in the framing of this document, you know, for, on coexistence and those discussions -- facilitation, who hosts, how do you frame the preexisting -- I guess, for all of us, just making sure that we do the best job we can to capture those
experiences, and there may not be, you know, you know, a
simple way to frame that. But, I guess, as we've got an
open document here that talks about the need for engagement,
the need for resolution, the desire for resolution around
different forms of agricultural production, so I'm just
asking for Barry and Chuck, that that local knowledge; if
there's something that's missing or we need to amplify what
is here, I just would put that on the table.

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

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

So, as you read through the document and think
about steps that were taken in this 20-year effort to deal
with the Bay that worked or didn't work, you might draw a
couple of analogies into this biotech concept, because I think
there are some important lessons learned in how the effort
to deal with the immense challenges of water quality around
the Bay was dealt with. I mean, certainly, you know that
as --

MR. REDDING: Yeah.

MR. BENBROOK: -- as well as anyone.

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

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

So I would suggest, as we review this document, to
be sure in there that that -- the point is brought out that
the best solutions and the way you make things work are
having farmers and agriculture in the discussion at the
onset, that we need to be proactive. No matter what system
we're talking about, no matter what IP we may be talking
about in coexistence, it needs to be driven by farmers. We
don't need outsiders, whether it's government or whether
it's an NGO with a, with an agenda, to be driving the
discussion. It needs to be the farm community and then dealing with their consumer base, their customer base. Next question I had, when we finish up, if I may, are we going to now go to another one of these documents we have, Mr. Chairman? Is that what we're going to do?

MR. SCHECHTMAN: Today, you mean?

MR. BENBROOK: Yes.

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

UNIDENTIFIED SPEAKER: The outline --

MR. SCHECHTMAN: Yeah.

UNIDENTIFIED SPEAKER: -- is next on the agenda.

MR. REDDING: Oh, the draft outline.

MR. SCHECHTMAN: Yeah, the outline.

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

MR. SCHECHTMAN: Yeah. Yeah.

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

UNIDENTIFIED SPEAKER: It's all in bold.

MR. SCHECHTMAN: It's --

MR. CORZINE: Draft Portions or the --

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

MR. CORZINE: Okay. Are we going to talk about
the Draft Portions of Text Under the Next AC21 Report on Complex Issues?

MR. SCHECHTMAN: That's tomorrow.


MR. REDDING: Missy.

MS. HUGHES: Back to this conversation about farmers talking to farmers, you know, I think we have brought two different issues together. One is the work that we're trying to do here, which is to say, if you can convene a group of farmers talking to farmers about how to coexist, how to work together, how to have agronomic practices or agricultural practices that will help each other, that's one conversation. But this idea that conversations about coexistence should only happen between farmers is what has gotten a fair amount of agriculture to where it is today, because there's your consumers who want to know how their food was produced, what's in their food and, if you ignore them, you're just going to end up in the same place, where the, where the consumers don't have any knowledge of who's growing their food and how hard it is and the work that they're doing, and all that they get to do -- the Secretary spoke at the Organic Trade Association Policy Days and very eloquently talked about how we all who are not farmers, speaking for myself and others who are not farmers at the table, get to do all sorts of things because we don't have
to worry about where our food comes from, but that doesn't mean we're not part of the system, and we're helping and the farmers are helping, and we're all part of bringing food to the United States.

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

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

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

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

If it's the right thing, then let's defend that, and I think that's partly what is sort of in this whole coexistence conversation, is the confidence to have and engage in that, and that's also being, being prepared to, being prepared to engage, because I see that as a -- you know, back to the water quality discussions, I mean, again, a lot of people in that conversation, but the person I want to have in the conversation is the person who is actually, one, trying to make a living doing this and, two, talking
about, you know, why it is that they've adopted the practice
that they've adopted, and in not doing that, that void has
been filled by those who are less informed. Right?

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

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

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

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

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

MR. REDDING: Josette.

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

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

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

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

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

MR. KEMPER: Thank you, Mr. Chairman. Missy, I
agree with you that I think it needs to be somewhere. I
don't think it -- where we address farmer-to-farmer coexistence is one area, but where we look at opportunities for agriculture in future dialogues, I think that would be a place that we would list several things. As you noticed, I used the word opportunity, not challenges, for future dialogues because I think we need to have an ongoing one, but with the consumers. Thank you.

MR. REDDING: Barry.

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

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

But in the end this document, I also think, serves a good purpose, which goes a little ways towards the consumer. If you take a guidance document like this, which is a national document, a USDA document, that says these are the things that farmers are interested in doing, these are the things that farmers value, these are the things that
farmers are doing in their farms right now and will commit
to doing in the future, I think that gives some credibility
to what we're doing and maybe, it maybe engages a little bit
more with consumers as to they are doing something, here's a
start. So I think it serves a multiple purpose.

MR. REDDING:  Good. Thank you. Chuck.

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

I can remember in my early days on the Hill, you
know, when we would do a hearing, yeah, people would talk
about, you know, Pioneer and Cargill, but when people talked
about agriculture, it was really the image and the vision of
the farmer that dominated the dialogue. And I think what's
-- you know, and again, this, I'm very sensitive to Angela's reminding us that we have a, we were given a charge and we have a scope of our efforts, which, by the way, I always thought was perhaps drawn too narrowly -- but I think that what we're missing in a lot of our conversations is how profoundly the, sort of the, the political context of these issues has changed underneath our feet, and without some recognition that -- you know, farmers, farmers can work a lot out, but you know, if Bayer wants to buy Monsanto, that's going to create a whole nother set of issues that farmers are not necessarily, you know, they're certainly not going to be able to control, but they'll have to deal with the implications and ramifications of that as it triggers discussion.

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

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

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

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

(No audible response.)


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

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

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

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

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

MR. SCHECHTMAN: Yeah.

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

MR. SCHECHTMAN: Yes.

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

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

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

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

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

Okay. Missy.

MR. REDDING: Missy.

MS. HUGHES: Michael, in just, in looking at your outline -- you cover so much, and I think, you know, I can't imagine that anybody could read a report that included more information than what you've just included in this outline -- but the two pieces, What This Report Will Do and the
Process of Preparing This Report, to me feel like you could shift those downward and have these kind of, these, these topical discussions before and then kind of dive into the report and the two attachments, and that would be, kind of bring you back out of the -- so all of these things have discussed, all this work was done, here's our report and here's the two documents that we produced associated with developing the, the work that we did and -- it's really just reporting on the work and here's the work, but have all these, this kind of conversational pieces up above that.

MR. SCHECHTMAN: So --

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


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

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

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

So --

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

MR. REDDING: Okay. All right.
UNIDENTIFIED SPEAKER: Yeah.

MR. REDDING: Okay.

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

THE REPORTER: Please use your mic.

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

MS. HUGHES: The former.

MS. BATCHA: Okay.

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

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

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

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

UNIDENTIFIED SPEAKER: Yes.

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

MR. REDDING: Yeah, that's --

UNIDENTIFIED SPEAKER: Couldn't we take a break
and then dissect?

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

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

MR. REDDING: Okay. What time is it?

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

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

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

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

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

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

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

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

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

MR. SCHECHTMAN: No. You have to push the button.

Yeah.

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

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

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

We support a community-based approach facilitated by USDA that includes education and collaborative action but
urge that the outcome of this approach is carefully monitored and evaluated to determine its effectiveness in protecting non-GE farmers.

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

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

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

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

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

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

We urge AC21 to advocate for farmers, be given full information on drift-resistance problems and ecosystem
effects of GE crops so that they can take measures to ensure that they and their non-GE crop neighbors are protected.

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

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

MR. REDDING: Great. Thank you.

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

MR. TOHER: I have.

MR. SCHECHTMAN: Okay.

MR. TOHER: Okay.

MR. SCHECHTMAN: Thank you.
MR. REDDING:  Great. Thank you. All right.

We'll pick up with the discussion then about the outline.

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

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

MR. REDDING: Angela.

MS. OLSEN: Okay. Great, I'm on. With regards to the outline, I think it is important somewhere to frame what the report is. I know we have that section What the Report Will Do, and Missy has asked whether we might move that part
in the document. I don't have strong thoughts about whether
we move it or not, but I do believe that some, some aspect
of this needs to be at the very beginning so that when folks
read the report, before they get into the substance, they're
looking at it through the same lens that we looked at it
through. This isn't a document that has everything about
agriculture for everybody, and so I do believe that it's
important so that people understand what the report does and
what we intend it to do and what the report doesn't do.

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

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

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

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

I personally would like to see us put out a report that is short and substantive and interesting. I'm not aware that a lot of people read our earlier report. I think there was certainly more people that read the executive summary or a news story on it, but I think it's, it's hard to get people to read long reports these days. It's getting harder all the time, and one way to counteract that is to right up front get right to the substantive recommendations that have some potential of changing things and second would be to incorporate in the report -- and there's lots of different ways to do it -- you know, short case studies of, you know, coexistence opportunities, to use Alan's term, or challenges or hot spots, like Jackson County, Oregon, to
recount over the -- we've been at this how many years, Michael, this AC21? Is it six years? Something like that.

MR. REDDING: '11.

MR. SCHECHTMAN: 2011, six years.

MR. REDDING: '11.

MR. BENBROOK: Five or six years. I mean, in that period of time, there've been a number of coexistence challenges of significant importance that have played out, and why not talk about what happened with alfalfa, for example, which really, one of the reasons the Secretary reconvened AC21 is because there was obviously work to be done after that alfalfa working group finished its report and the approval came through for Roundup Ready alfalfa.

Well, there were certain issues and concerns raised in that report and certain recommendations made about how to possibly curtail and deal with the problems.

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

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

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

It seems like even both of those documents seem to want to -- they, very importantly in our conversations today, have brought in that there is a larger context for those two things, that agriculture is -- you know, growers are making decisions based on a lot of different factors of
which coexistence of GE and non-GE is one of many factors; sometimes it's occurring on an individual-operator basis, not just between neighbors. But some of that context seemed pretty central to our discussions to date. I'm taking that as something I gleaned from some of the other working groups.

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

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

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

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

MR. SCHECHTMAN: Let me, let me just make, make one point. I think, I think that's -- you're raising some of the important unresolved issues we have. We have left to
talk about how this, how this is framed, but one thing that
I think you alluded to, which is important, is that the
report, as it's talked about so far, doesn't have any
recommendations in it as yet. There are these two reports,
but -- and presumably, the committee, in endorsing those two
things, will recommend to the Department that they should do
something with those two things, but exactly what that
recommendation is has not yet been, been discussed, and
whether there are additional recommendations that would be
made that are within the charge is, is another question to
be, to be answered; so -- which brings to mind something
else I wanted to go back to from what Chuck said before.

So you were speaking before -- Chuck, you
mentioned a forward from the Secretary, I think you said,
and I don't think, certainly on this report -- previous
reports have not had a forward, a forward from the
Secretary. It may be that the committee would recommend to
the Secretary that, in sending out some of these pieces,
that he do something or other that goes on those, but I
don't know that that -- this is something that goes to him,
so just a clarification to make sure we're on the same page
here. But, again, that's in, that's in the nature of what
does the committee recommend to the Secretary that he do
with this report, with pieces of the report in looking to
the future.
MS. HUGHES: I thought that potentially Chuck could have meant Secretary Redding. I don't think he did now that you say that, but it could be.

MR. REDDING: I was thinking Secretary Vilsack.

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

MR. REDDING: Yeah. I was thinking --

MR. SCHECHTMAN: Which had you meant?

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

UNIDENTIFIED SPEAKER: There you go.

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

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

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

MR. REDDING: Yeah. Sorry. So just on the outline, one of the points, when Michael and I talked about this, was, you know, there's a really -- there's good framing in the first document, and we wanted to make sure that we carried forward some, some of that. Right? So you'll see even those themes, but -- so just to say, well, I start there, was trying to reach back but also putting context to this charge and discussion. We can certainly vary from that but was trying to at least make sure that we
captured, you know, some of those principles that we had identified and thought really were central to, to the first report and will be central here. So -- Paul.

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

MR. REDDING: Okay. Thank you. Leon.

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

So my thought is, I would keep those one and two and then I could go two ways. I could see that moving Coexistence as Far as an Ongoing Process, or Paul's new
wording there, as number three or keep What, What the Report
Will Do number three and then -- to keep it concise, I'm not
sure if you even need to put much of anything, that Process
of Preparing the Report. But also, that being said, so that
we don't lose those other two documents, maybe in that first
or second one, just have a statement recognizing the two
additional documents that are really targeted to the issue,
one sentence to recognize those and whether we end up with
them as an attachment or a tear-out or however we would do
that, but that has pretty good flow, I think, especially
those -- I think we have to keep those first two,
especially, at the top. Thank you.

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

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

MR. REDDING: Yep, good point. Missy.

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

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

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

MS. BATCHA: I really like Missy's suggestion
because that helps me find a home for the discussion we had first thing this morning on some of the conundrums around gene editing, gene deletion, and new technologies and how they fit into all these discussions based on that.

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

MR. REDDING: Thank you.

MR. SCHECHTMAN: So let me see if I've got a couple of points down. I'm not going to capture everything that I heard from folks, but -- so this, this would go Section 1, Coexistence—Why It's Important; Previous Work by the AC21 on Coexistence; three, what used to be called Coexistence Is an Ongoing Process but Is Not New and is now The Evolving Complexity of Coexistence; then What This Report Will Do and, in that section of What This Report Will Do, also set up the two documents as being the core piece of this, followed by those two pieces, followed by recommendations as to what the Secretary should do with those, followed by Challenges for Coexistence Now and Into the Future, followed conceivably with an appendix on how
this report was developed. Now, I didn't write that down, but hopefully the transcript will have it.

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

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

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

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

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

MR. SCHECHTMAN: Okay. So, so the, the reason that I hadn't suggested that was because of the earlier
suggestion that the two reports -- that the two stand-alone pieces not be sort of at the very end of the report. So that had been the reason that I had rearranged it this way, to get them higher up in the report and then to talk about some of the ongoing challenges that will, that will follow that, but in your hands on this.

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

MR. REDDING: Chuck and then Latresia.

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

MR. SCHECHTMAN: (No audible response.)

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

MR. SCHECHTMAN: So, so I, I was planning to talk about a draft time line tomorrow. I can pull it out now, if
you would like. I think we were certainly thinking about by late, by, by late August; certainly -- I think, I think it was by the 25th you would have a full draft of everything and conceivably a number of pieces before then, and you would have gotten all of the revised bits of the things that we will have talked about at this meeting considerably earlier as well. But I'll get that, I'll get to you the draft time line out -- well, suppose I could, I could pull that out now.

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

MR. SCHECHTMAN: Hold on.

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

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

UNIDENTIFIED SPEAKER: We changed it.

MR. BENBROOK: Oh, did you?

MR. KEMPER: Mr. Chairman, just to add on to that, there's seven challenges on that page. Chuck's now talking about a challenge of a time line. Let's start talking about -- this is such a negative report. You actually are losing me as a member because you're making it so much difficult to
have coexistence with all your challenges, instead of the 
opportunity for modern agriculture to progress through 
coexistence. Thank you, Mr. Chair.

MR. REDDING: Okay. Thank you. Angela.

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

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

So I don't know if I shouldn't -- maybe perhaps I 
shouldn't get caught up in the headings right now and focus 
more on the, the order of, and the substance, of what's 
going to go into each of those. But, as we've talked about 
before, words matter, and let's -- you know, we've talked 
about creating a report that was really unbiased, that was 
positive, to incentivize folks and not using a lot of 
negative terms. So that was a reaction that I had as well.
So I'd like, you know, overnight, to be able to think about some of the, the heading topics, or Michael, is that, do you want that kind of feedback, or do you want us to focus more on the broader substance and the order of things, because I had the same reaction that Alan did with some of the terms, but if I shouldn't get bogged down in that now, then I won't?

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

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

MS. HUGHES: I think the only piece I would add -- and Alan and I spoke about it during the break -- that, you know, I agree framing this in a positive manner, but at the same time, I would like to see a sense of urgency imparted
in moving forward with our recommendations. So if you can positively urge.

MR. REDDING: Okay. Time line, Michael.

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

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

Do we -- do you think we will need a meeting of
the Models group to do that, or can we go forward, move that up 10 days?

MR. REDDING: Josette.

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

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

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

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

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

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

MS. LEWIS: Right. I'm just putting my vote that --

MR. SCHECHTMAN: Okay.

MS. LEWIS: -- a different path.

MR. REDDING: Angela and then Chuck.

MS. OLSEN: Yeah, my vote, I think that we can have a good plan at the end of this meeting, and I would leave it to, Michael, to you and to Russell to take your magic pen and do another great job in terms of assembling the report.

I think that you've heard the discussion, we're going to have more discussion tomorrow, and I, you know, I think as a, as a group, if we can all have agreement that we
will work productively to come up -- and I think we're moving certainly in that direction -- to come up with a good plan, I think we leave it in your hands to, to do that draft and then turn it back around to us as opposed to having one of the subgroups do that, that assembly.

MR. REDDING: Okay. Thank you. Chuck.

MR. BENBROOK: My suggestion for bringing this to closure would be, Michael and Mr. Chairman, for you, fairly quickly after this meeting, to finish the two stand-alone documents, in effect, a final draft -- I think they're quite close -- and get them out to us so that you can basically vet those as finals before we see a draft of the stand-alone document.

I personally don't feel it would be necessary or hopeful to put a lot of content about the two stand-alone documents in our report. I think we should describe what they are and tell people how to get them, and for those people that are going -- have need for them, they'll, they'll go get them. But I think it kind of undermines the value of having a stand-alone document if we repeat most of the substance in the full report, and plus I really urge us to keep this full report as short as possible in the hopes that more people will read it.

I would like to see you move up the, the time when a full draft goes to the members so that you build in enough
time between our getting the full draft and getting comments back to you, to produce another draft four or five days before our meeting so that we, we can take care of the first round of stuff before we get together. And I think with that change in the process, I could, I could see us realistically getting to closure.

But if, I mean, if we really look at this schedule, we would have one opportunity for written comment in to you, none of us would know what you were going to do with any of those comments, and then we're all going to come together and talk about what we don't know, which is what you're going to do with the comments, and then a week later we're going to see a final draft. Well, that just, that's, that's putting a huge burden on you to try to parse all this out, and I think if, without sort of a round for internal vetting, you'll have more, additional reports, minority reports, than you'd really like to see.

MR. SCHECHTMAN: Before I respond, maybe go to Alan first and then --

MR. KEMPER: Mr. Chairman -- thank you, Michael, for allowing me to speak before you have a chance to respond on that, and we'll let you think on that a little bit -- Mr. Chairman, first of all, I believe in staff's knowledge of their own schedule. I think the staff has done a fine job to lay out this schedule. Everybody's entitled to their
opinion; mine will be different than Chuck's.

I have no problem with the August 25th and the September 8th/9th dates. I think when we do make those comments, we come back and give them to you in written or electronic or voice form between the 25th and the 8th, but I would like to have the discussion, as we go forward on the 8th, about that draft document. So I appreciate your scheduling this to fit your needs. You're the only one that can know your own schedule. Thank you, Michael. Thank you, Mr. Chair.

MR. REDDING: Latresia.

MS. WILSON: Latresia Wilson. I agree that we definitely don't need the subgroup model at this point in time, and getting the preliminary draft report to us before September the 8th probably would be more beneficial, like you said. Whether we need to get comments back to you before that date or just wait and have those comments when we get there is, I think, will depend on how well the report goes.

So I would urge you to probably get the draft out maybe a little bit earlier than the August 25th, and then we'll get a sense of what needs to be done.

MR. SCHECHTMAN: Yeah. The gap until August 25th was really based on the idea of trying to find a time to accommodate a work group meeting among folks' schedules in
August, which is not necessarily an easy time to do it. If that subgroup does not need to meet, I can, I can certainly, I think, get you a draft of the report by the 10th.

As for getting a round of comments in, I will be -- I don't know that I'm going to force everyone to try to send in comments at that point. We'll certainly entertain comments if, if they come in. People may have schedules and be on vacation in October, as I otherwise might -- in August -- as I otherwise might be, but we'll certainly welcome comments at any point coming through on this process, and we'll try to incorporate whatever I get in -- again, not of the, of the wordsmithing kind, but of the, the big-picture stuff -- to make sure we've gotten it right and gotten the facts right. Does that sort of accommodate what folks need?

UNIDENTIFIED SPEAKER: Uh-huh.

MR. REDDING: All those in favor say aye. No --

UNIDENTIFIED SPEAKERS: Aye.

MR. REDDING: -- only kidding. Well, I think, I mean, this will be a press, you know, to get, to get the, you know, documents drafted, out, back, comments, you know, to put it all together, and then be in a position where, when we get to the plenary session September 8th, ideally we will have had feedback from committee members about, you know, what we've missed -- again, not the copy editor, but making sure that we've got, we've got the right story told,
right -- but that'll be a hustle to get there. We'll certainly make every effort to do it, and then just looking ahead, I mean, that September meeting will really be focused on the report. Correct? I mean, that's going to be the final act to sort of look at what is before you and comments and final framing.

Other comments, thoughts about -- so any, any final thoughts on the time line and/or the outline? Yeah, Josette.

MS. LEWIS: Really just a housekeeping suggestion since tomorrow, I think, we're also scheduled to discuss the outline in the morning. I don't know if between the notes and your memory, Michael, if it's possible to rejigger the document so that we can really start fresh from the concept of what the outline flow would look like from our discussion today. I think that would get us forward a lot on finalizing an outline so that it makes writing the report easier, but I don't want to put too much pressure because I know you have a great dinner tonight.

MR. SCHECHTMAN: And I won't be back in the office.

MS. LEWIS: Got you.

MR. SCHECHTMAN: I can, I can certainly, at least, handwriting, if that's okay, what the --

MS. LEWIS: Sure. Yeah.
MR. SCHECHTMAN: -- just sort of what the bullets of the main pieces of the outline would be again. I do think one thing that we will need to talk about tomorrow is, after the two stand-alone pieces, what are the committee's recommendations to the Secretary about what to do with these two reports, and that is not on the agenda at this point, but some input from the committee about what that is in a few succinct recommendations, I think, would be, would be very handy, sort of -- since, since the purpose of, of reconvening this committee, as opposed to previous versions of this committee, was to get direction for USDA, and if, if the recommendation is that USDA should promulgate these things, USDA should make this a priority in ways x, y, or z, we want to hear about that.

MR. REDDING: Okay. What haven't we talked about for the, on the agenda that was scheduled for today that we needed to? Any other comments, observations? Chuck.

MR. BENBROOK: Mr. Chairman, just for Michael, a process question, what happens to AC21 after the election and the inaugural of a new president?

MR. KEMPER: We take a vacation.

MR. BENBROOK: That's what I thought, but I mean, is that, is that true in the event of either candidate winning?

MR. SCHECHTMAN: Okay. So, so my, my plan, to the
extent that I can control any of this, is -- there's just one piece of it that I can control, and that is that the charter for the committee can be submitted for renewal. The charter can be renewed after which point it will be the Secretary's -- the incoming Secretary's decision as to whether or not this committee continues to exist and to work.

It's a discretionary committee. So if the Secretary decides I want this to keep working, he will have to -- he or she will have to, what's the word I'm looking for, repopulate the committee. Most members on this committee will have been term-limited by virtue of serving three consecutive terms, six years, which would mean that the committee would need to be wholly repopulated. But my experience with new administrations coming in is that there are a whole lot of other issues that have to be dealt with before discretionary committees come onto the radar screen, regardless of how important the issue is. So, you know, so that's -- so that might take some time regardless of who comes in.

MR. MCKALIP: And as a matter of policy, it would be our intention to ensure that all of the work of AC21 is well summarized for whoever comes in in January and they understand the complexities of the coexistence issues and how AC21 has contributed up to this point.
We wanted to ensure that this process on the document was about to close -- that we had a clean campsite, so to speak, at the end of calendar year 2015 -- 2016 -- and be able to, be in a position to, you know, show here's what we've done and then put the next folks in the position of making a decision on how to best engage on coexistence and how and if to utilize this body.

MR. SCHECHTMAN: Yeah. One of, one of the things that, that senior staff do in Department, when there's a -- when there's going to be a transition, is prepare a whole pile of transition documents to help inform the incoming folks what are all of the nuts-and-bolts issues that they're going to need to deal with, and this would clearly be --

UNIDENTIFIED SPEAKER: A big one, yeah.

MR. SCHECHTMAN: -- be a big one, one of those things.

MR. REDDING: Yeah, which raises a good point. I mean, I think, you know, just listening to the discussion today, I mean, I think it's easy to rush past, I mean, where we've had success, right, and as we've listened to, even in the, the new charge and, you know, really heard what the USDA was doing between the issuance of the November 2012 report and the reconvening, that there were actually, were a lot of -- there was a lot going on; there was a lot of good work.
So how to capture and represent that, I think, in this document, again, as part of the final report, you know, I just put that on the table. I would not want to have, you know, that moment missed; that I think it's a good summary document that you look at in tandem with the initial report, but there are installments, if you will, of recommendations -- from the recommendations we made from the November 12th, 2012, report and this final document. So I just put that on the table for thought.

How to capture that, I don't know, but I know that I was pleasantly surprised and impressed, you know, with the amount of work that was being done while we weren't, we weren't convening and talking about -- there was actually a lot of good work being done. So put that on the table, how to do that, what's the best form for that, how to reference it in this report, which will be the final installment of this AC21. Chuck.

MR. BENBROOK: Michael, is there any particular reason why the Secretary is determined to issue the report right before the election? Let me flesh out my question. I mean, there may be some considerable advantages to us waiting until after the election to finish what we have to say, because it could make a difference who wins it.

MR. MCKALIP: Can you repeat the last part of that sentence?
MR. BENBROOK: The challenge that senior staff in USDA will have in briefing a Trump administration and their people versus a Clinton administration and their people will be very different. Obviously, if Secretary Clinton wins, there'll be a high likelihood of continuity with the kinds of policies and approaches that have occurred in the last eight years in which case we can finish our report and, I think, life would go on fine, but if Mr. Trump wins and a lot of issues are flaring up on international markets and trade, I would imagine that this committee might want to put a slightly different emphasis on certain aspects of the coexistence challenge, going forward, because, I mean, for heaven's sake, it's not Secretary Vilsack that's going to act on these recommendations, it's the next Secretary.

MR. MCKALIP: Yeah. None of the factors that you brought up went into the thinking on timing. I think it was just purely making sure that we get ahead of all the trains that are going to be running then on a lame duck of last-minute regulatory things happening, of discussions on an omnibus bill, you name it. Again, trying to get the campsite clean, if you will, at the end of the administration, it was a time line that the Secretary was aiming for to make sure that the excellent recommendations were appropriately put into the policy process.

MR. REDDING: Okay. Any other comments?
(No audible response.)

MR. REDDING: All right. So just in terms of looking ahead to tomorrow, we'll certainly come back to the outline, we'll recap the -- and just on the outline, I guess I would just ask everybody to be thinking about our discussion here today, again, the flow of that document, the content of that document. I would add to that, you know, again, this piece just noted of, you know, how to capture and represent sort of the work of the AC21 over the, over the years and not by volumes of information but making sure that if you pick this up and you read it, you know that you've got a companion piece in the original report but you also have a lot of work that's happened and deliverables on the recommendations in between, but be thinking about that outline.

I would also ask you to look at that time line again, just to make sure that everyone's on the same page in terms of what is laid out, what was agreed to this afternoon in terms of modification of that. What else do you want to have overnight?

MR. SCHECHTMAN: I think, I think that's --

MR. REDDING: The main points? Okay. All right. Anything -- the complex issues, I mean, we've mentioned two of them that are noted on this outline, this Complex Issues. The question, are there other complex issues? We were going
to have a separate -- we'll have a separate document.

MR. SCHECHTMAN: Yeah. That document is there.

It's got three components in it now. Does it have what's needed?

MR. REDDING: Yeah.

MR. SCHECHTMAN: Okay.

MR. REDDING: All right. You have that. Oops, sorry. So the only question is, are we missing something on the Complex Issues. If so, we want to hear that in the morning as well. Okay? All right.

MR. SCHECHTMAN: I think --

MR. REDDING: Good. Yeah. I think we'll go ahead and call it a day, pick up tomorrow morning 8:30 here with kickoff at 9:00. Okay?

UNIDENTIFIED SPEAKER: Can we leave our paperwork here tonight?

MR. SCHECHTMAN: I would take your notebooks and papers with you. I'd leave the tent cards and things, but I would -- I'm not exactly sure what happens in the room overnight.

UNIDENTIFIED SPEAKER: Address of the restaurant and time?

MR. REDDING: Yep. So we'll --

MR. SCHECHTMAN: Okay. So as soon as we go off the microphone, I'll do that.
MR. REDDING: Yeah. So we'll just adjourn for the day, okay, and we'll see you tomorrow morning.

(Whereupon, at 4:24 p.m., the meeting was adjourned.)
Digitally signed by Wendy Campos

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Wendy Campos, Transcriber