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NOMINATIONS OF MINDY BRASHEARS, NAOMI C. EARP, AND SCOTT HUTCHINS

HEARING

BEFORE THE

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

UNITED STATES SENATE

ONE HUNDRED FIFTEENTH CONGRESS

SECOND SESSION

ON

CONSIDERING THE NOMINATIONS OF MINDY BRASHEARS, OF TEXAS, TO BE UNDER SECRETARY FOR FOOD SAFETY, NAOMI C. EARP, OF MARYLAND, TO BE AN ASSISTANT SECRETARY, AND SCOTT HUTCHINS, OF INDIANA, TO BE UNDER SECRETARY FOR RESEARCH, EDUCATION, AND ECONOMICS, ALL OF THE DEPARTMENT OF AGRICULTURE

NOVEMBER 28, 2018

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Wednesday, November 28, 2018

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NOMINATIONS OF MINDY BRASHEARS, NAOMI C. EARP, AND SCOTT HUTCHINS

WEDNESDAY, NOVEMBER 28, 2018

UNITED STATES SENATE,
COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY,
Washington, DC.

The Committee met, pursuant to notice, at 9:30 a.m., in room 328A, Russell Senate Office Building, Hon. Pat Roberts, Chairman of the Committee, presiding.

Present or submitting a statement: Senators Roberts, Hoeven, Ernst, Grassley, Thune, Daines, Perdue, Fischer, Stabenow, Brown, Klobuchar, Bennet, Gillibrand, Donnelly, Casey, and Smith.

STATEMENT OF HON. PAT ROBERTS, U.S. SENATOR FROM THE STATE OF KANSAS, CHAIRMAN, U.S. COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Chairman ROBERTS. I call this hearing of the Senate Agriculture, Nutrition, and Forestry Committee to order. I thank my colleagues for joining me in reviewing the nominations of the individuals before us: Dr. Mindy Brashears, of Texas, for the position of Under Secretary for Food Safety, an extremely important position; Ms. Naomi Earp, of Virginia, for the position of Assistant Secretary of Agriculture for Civil Rights, who has a great deal of experience in this regard; and Dr. Scott Hutchins, of Indiana, for the position of Under Secretary for Research, Education, and Economics, all three very important.

Secretary Perdue, his team across the Department's 29 agencies and offices and nearly 100,000 employees have been working hard on behalf of American farmers, ranchers, consumers, and businesses that rely on their services. However, these very important missions will be even better served with the necessary key leadership in place. I could say "finally" about three times to emphasize that.

The position of Under Secretary for Food Safety, to which Dr. Brashears has been nominated, oversees the Food Safety Inspection Service, or FSIS. This Under Secretary is tasked with ensuring the safety and the wholesomeness of meat, poultry, catfish, and egg products that households all around the world prepare for their families. If confirmed to this position, the doctor will lead the Federal inspection responsibilities at more than 6,000 meat and poultry processing plants in the United States and its territories.

The position of Assistant Secretary for Civil Rights, to which Ms. Earp has been nominated, leads the Department of Agriculture Civil Rights programs, including matters related to program deliv-

ery, compliance, and equal employment opportunity. If confirmed to this position, Ms. Earp will be responsible for the leadership, coordination and direction of the numerous division and offices at the USDA that ensure the fair and equitable treatment of both customers and employees.

Finally, the position of Under Secretary of Research, Education, and Economics, to which Dr. Scott Hutchins has been nominated, leads the critical agriculture research mission of the Department. This position serves as the Chief Scientist of the USDA and is responsible for the coordination of research, education, and extension activities, including the Agricultural Research Service, or the ARS, of the National Institute for Food and Agriculture. The acronym for that is "NIFA."

Each of these positions requires unique qualification and experience to best serve their individual mission areas. There is no shortage of experience on this panel of nominees, and I look forward to hearing more detail about how they would lead their respective agencies and handle these responsibilities.

All of these positions require an unwavering dedication and commitment to serve constituents—our farmers, our ranchers, our growers, our consumers, businesses, and employees that are impacted on a daily basis by decisions made at the Department of Agriculture.

I am pleased the Committee is considering your nominations today. It is my hope we approve your nominations as quickly as possible so we can send them to the full Senate for consideration. I look forward to your testimony and I now turn to my distinguished colleague, Senator Stabenow, for your opening remarks.

STATEMENT OF HON. DEBBIE STABENOW, U.S. SENATOR FROM THE STATE OF MICHIGAN

Senator STABENOW. Well, thank you, Mr. Chairman, and welcome to each of you. Mr. Chairman, as we near the end of the Congress I am pleased that you and I have been able to continue, along with the Committee, in a bipartisan tradition, and I know that will continue into the next year as well. Working side-by-side, we wrote a strong bipartisan Senate Farm Bill that passed 86–11. As you indicated, it would have been 88 if two more Senators had been present, and it was the largest vote in history. We are very close to reaching agreement on a final bill and want to thank you for your leadership and to all the Committee for their involvement in this.

In addition to all the work we have done on the Farm Bill this Congress, our Committee has also advanced 11 nominees for important leadership positions that serve our farmers and families, and today we are here to consider three more nominees. Dr. Brashears, Ms. Earp, and Dr. Hutchins, thank you again for being here. All of you have been selected to fill very different but incredibly important positions at the USDA.

In Michigan, agriculture is our second-largest industry, supporting one in four jobs. The root of that success is thanks to the science that informs our farmers on growing the food that is on our plates. Groundbreaking agricultural research happens every day at the USDA and at our land-grant universities, including my alma

mater, Michigan State University. In fact, every dollar invested in agricultural research returns over $20 to our economy.

Michigan State-led research has directly strengthened Michigan's agricultural economy as well as the economy across the country, through studies that have improved many different production and disease and pest challenges, including blueberry production and addressing invasive cherry tree pests, as well as many, many more. From helping our farmers to be more productive to protecting our food systems from emerging threats like climate change, scientific research is key to the success of American agriculture. That is why it is absolutely critical that the USDA leadership protects scientific integrity and continues its strong investment in cutting-edge research.

In addition to using science to help our farmers, the Department also uses science to ensure the safety of the food that we eat. Through vigorous inspection, testing, and outreach, USDA Food Safety Inspection Service works hard to prevent foodborne illnesses and protect our food supply. Families should never have to think twice about whether the food they buy is safe to serve. Every food safety decision must be made transparently and objectively so that we can continue to earn the trust of our consumers.

In order for the USDA to successfully carry out this important work, every single employee and customer must be treated fairly, with dignity and respect. It is no secret that the USDA has had a troubled history when it comes to civil rights. As the arbiter of equal opportunity across the Department, the Office of the Assistant Secretary for Civil Rights must do everything in its power to build a culture of inclusion. Given USDA's challenging past, it is important to continue to correct mistakes, increase representation, and improve accountability.

The roles you have been nominated to fill are fundamental to upholding integrity and fostering trust in the Department. I look forward to learning more about your plans and vision today. Thank you.

Chairman ROBERTS. Before I introduce the nominees testifying before the Committee today I would like to recognize a very important role right behind the nominees. These are the family members and associates of our nominees who are here to lend their support. If you would all please stand and be recognized, we would like to welcome you to the Committee. Thank you.

[Applause.]

Chairman ROBERTS. Our first witness is Dr. Mindy Brashears. She is a Professor of Food Science and Director of the International Center for Food Industry Excellence at Texas Tech University in Lubbock, Texas.

What was the score of that K State game?

[Laughter.]

Dr. BRASHEARS. I do not want to talk about that today. I will say that when it happened I will tell my husband it would put me on better ground with you today. Texas Tech was not on top.

Chairman ROBERTS. Dr. Brashears' 20-year career as a food scientist began at the University of Nebraska where she was an Extension Food Safety Specialist and an Assistant Professor. The research recommendations and technology she has developed have

been adopted in the United States processing plants and farms to improve the safety of our food supply. She has also collaborated with producers in South America and the Caribbean to improve food safety systems there.

I do not have enough time to mention—we do not have enough time to mention all of the awards and acknowledgements Dr. Brashears has received for her work to improve the safety of food consumed by households all around the world, but take my word for it, they are numerous.

Dr. Brashears holds a bachelor's degree in food technology from Texas Tech and master's and Ph.D. degrees in food microbiology from Oklahoma State University. Mindy and her husband, Todd, have two daughters, Reagan and Bailey. Welcome, Mindy. I look forward to your testimony.

Our second witness is Ms. Naomi Earp, of Virginia. She has been nominated to be the Assistant Secretary of Agriculture for Civil Rights. Ms. Earp is a seasoned civil servant who retired with more than 20 years of experience in Federal equal opportunity policy, charge processing, and complaint handling and employment law.

Born and raised in Newport News, Ms. Earp received her B.S. degree in social work from Norfolk State University, her master's from Indiana University, and her J.D. degree from the Catholic University of America, Columbus School of Law.

She entered the Federal service as a GS–9 careerist, and she worked her way to the Senior Executive Service prior to appointments as Chair and Vice Chair of the U.S. Equal Employment Opportunity Commission under President George W. Bush. Specifically, Ms. Earp served as the Executive Director of the Equal Opportunity and Diversity Office of the National Institute of Health from September '94 to June 2003. In June 2003, she was appointed Vice Chair of the Equal Employment Opportunity Commission where she rose to be the Chairman—Chairperson, pardon me—and served through June 2009. At that point she began as the Executive Director of the Opportunity Inclusiveness Compliance Office of the Library of Congress, where she served until 2011.

Naomi, we welcome you. I look forward to your testimony.

Dr. Scott Hutchins has held a variety of roles in the agriculture research and development field, most recently as the Global Research and Development Leader for Corteva Agriculture Science and the Agriculture Division of Dow-DuPont. His research and publications have focused on the science of entomology and related issues. He has also served as an Adjunct Professor in the Entomology Department at the University of Nebraska since 1997.

He had no decisionmaking at all with the decision by the University of Nebraska to leave the Big 10—or go to the Big 10 and leave the Big 12. We will not go into that. He was not part of that decision.

Dr. Hutchins received his bachelor's degree in entomology from Auburn University, a master's degree from Mississippi State University, and his doctorate from Iowa State University. He is married. He has three children and seven grandchildren. So do I, by the way.

Welcome, Scott. I look forward to your testimony.

Mindy, you are up.

Dr. BRASHEARS. Thank you very much.

Chairman ROBERTS. Hold on a minute.

Dr. BRASHEARS. Oh.

Chairman ROBERTS. There is something called an oath, and if you would all rise and raise your right hand please. Well, you have to stand. I am sorry.

As is the tradition and custom of the Committee, before nominees or witnesses are to provide testimony I need to administer the oath. If all of you could please stand, raise your right hands.

First, do you swear that the testimony you are about to present is the truth, the whole truth, and nothing but the truth, so help you God?

Dr. BRASHEARS. Yes.

Ms. EARP. Yes.

Dr. HUTCHINS. Yes.

Chairman ROBERTS. And second——

Senator GRASSLEY. The Chairman is supposed to stand too.

[Speaking off microphone.]

Chairman ROBERTS. What is he complaining about now?

Senator STABENOW. He said you are supposed to stand.

Chairman ROBERTS. Oh, I am?

[Speaking off microphone.]

Chairman ROBERTS. Breaking new precedent, I choose to sit.

Second, do you agree that if confirmed you will appear before any duly constituted committee of Congress if asked to appear?

Dr. BRASHEARS. Yes.

Ms. EARP. Yes.

Dr. HUTCHINS. Yes.

Chairman ROBERTS. Thank you. We look forward to your testimony. Mindy, you are now up and official.

STATEMENT OF MINDY BRASHEARS, OF TEXAS, NOMINATED TO BE UNDER SECRETARY OF AGRICULTURE FOR FOOD SAFETY

Dr. BRASHEARS. Thank you. Chairman Roberts, Ranking Member Stabenow, and members of the Committee, I thank you for inviting me here today to testify before you. I am honored to be nominated by President Trump and for the support of Secretary Perdue to be considered for the position of Under Secretary of Agriculture for Food Safety.

If I am so honored to be confirmed by the Senate, it will be my pleasure to serve the citizens of the United States by providing a safe food supply through my leadership in this position with the Food Safety and Inspection Service. FSIS and I hold the same vision statement, "Everyone's food is safe." My education and experience, combined with my family and my faith, have all played integral roles in my preparation for this position.

I am honored that my parents, Gary and Becky Hardcastle, are here today to support me. Growing up on a farm in Wheeler, Texas, prepared me for a life in the agriculture industry. Driving a tractor, hauling hay, and raising livestock built my work ethic, my character, and perseverance at an early age.

I married my high school sweetheart, Todd Brashears, who I met while showing lambs at the Houston Livestock Show and Rodeo.

We recently celebrated 29 years of marriage and have been blessed by our three daughters, Bailey, Reagan, and Presley.

Being a mother prepared me in a very unique way for this position by making food safety a personal mission. Many young lives have been lost due to foodborne illnesses and each time I hear a parent speak about a loss, it reaffirms my dedication to protecting our food supply.

After completing my B.S. at Texas Tech, and my M.S. and Ph.D. at Oklahoma State, I began my professional career at the University of Nebraska as an Assistant Professor of Food Safety. The first day of my job, August 13, 1997, coincided with the largest recall of ground beef in U.S. history, at the time, due to E. coli O157:H7 contamination. This Nebraska-based processing facility from which the outbreak originated eventually closed, but interacting with industry, media and consumers during this crisis equipped me to assist other processors to improve their food safety systems. These actions set my career on the path of providing educational opportunities and focused research to help prevent foodborne illnesses from occurring.

Additionally, in January 1998, new FSIS regulations were implemented. My extension role sent me to many small and very small processing plants to train them in basic food safety, sanitation, and HACCP. I provided the scientific link between the industry and the new regulations.

After 4 years, I had the opportunity to return to Texas Tech to serve on the faculty and at the same time was named the Director of the International Center for Food Industry Excellence where I managed budgets, built research teams, and sharpened my leadership skills. I grew as a scientist during this time, conducting research to develop pre-and post-harvest technologies that make our food supply safer and to study the emergence of antibiotic resistance in food systems.

I have dedicated my career to protecting the food supply by studying control mechanisms for foodborne pathogens, especially Salmonella, Shiga toxin-producing E. coli and Listeria monocytogenes in meat and poultry products.

In the role as Under Secretary, if I am confirmed, I plan to take my scientific expertise and my experience in problem-solving to make sound data-driven decisions while working with our current leadership team to protect public health. I look forward to focusing on modernizing our systems with an emphasis on issues which pose significant public health threats such as the emergence of antibiotic resistance and evaluation of new and emerging products and technologies. I will work diligently to recruit, retain, and educate our inspectors to implement regulations to ensure food safety and public health.

In the past few weeks there have been multiple outbreaks associated with meat and poultry products. There will always be improvements that can be made in our system to protect the consumer. We are all consumers as are our children, our parents, and our friends, and I can use my scientific skills to inform regulatory decisions to prevent and respond to future outbreaks.

Last, but the most important thing in my life is my faith in God. I want to thank Him for my family, my education, and experiences,

and this opportunity that has been placed before me. Through my faith I will gain the wisdom I need to make sound decisions in this position.

Committee members, I appreciate the time you have taken to be here today. I am humbled by the nomination and I would be honored to serve as your Under Secretary overseeing food safety if I am so honored to be confirmed.

Thank you again. I look forward to your questions.

[The prepared statement of Dr. Brashears can be found on page 32 in the appendix.]

Chairman ROBERTS. Naomi? Ms. Earp?

STATEMENT OF NAOMI C. EARP, OF MARYLAND, NOMINATED TO BE AN ASSISTANT SECRETARY OF AGRICULTURE FOR CIVIL RIGHTS

Ms. EARP. Good morning. Chairman Roberts, Ranking Member Stabenow, members of the Committee, it is an honor to sit before you today. I am proud President Trump nominated me to the position of Assistant Secretary for Civil Rights at USDA and I am humbled by Secretary Perdue's faith in me. As I sit here with members of my family present, we are in awe because there is nothing in our lives that could orchestrate this outcome but God, and I give Him all the praise.

My mother and I share the name, Naomi. Both of our birth certificates say we are just "colored girls" born in Newport News, Virginia. We have spent our lives proving that people are so much more than limited, frozen-in-time labels. My mom was my first hero and mentor. She taught me self-discipline, never to settle, to keep my eyes on the prize. I am the first of 13 children. I do not know but I think I must have been a really great kid because my mom kept trying to replicate me.

[Laughter.]

Ms. EARP. My mother and I shared responsibility for our family. As a practical matter, she became the father and I became the mother. I loved school. My all-black high school was a sanctuary. Despite segregation, the black teachers and administrators pushed us. The black educators challenged us to work twice as hard as our white contemporaries and to make a positive contribution to the black community, no matter how small that contribution may be.

As I was discovering my place in the world, my mother was discovering President Johnson's War on Poverty. Mom took advantage of every job-related, educational, economic opportunity that was offered. She went back to school, trained as an OB/GYN technician, and she bought a home. Both my mother and I graduated in 1972, I from college and mom from high school.

During graduate school I was hired as a Civil Rights Specialist for the minority set-aside program in the Department of Commerce. That 10 percent set-aside program was both the start of my Federal career and a long and passionate love affair with equal opportunity and civil rights matters.

If confirmed, I will bring a record of achievement forged in several Federal agency cultures: large, small, geographically dispersed, single location, bureaucratically complex, and straightforward. Programs I conceived and shepherded years ago are still viable be-

cause of strategic alliances and the hard work of changing minds and business processes. The saying is, "If you build it, they will come." I say, if you build it right, it will be embraced and contribute to systemic change.

In 2012, I went to work in Memphis. I wanted, in some small way, to contribute to the legacy of Dr. King. My time there gave me an opportunity to meet some of the very same sanitation workers that marched with Dr. King.

The visit to Memphis, lasting 4 years, also underscored for me how much more work needs to be done if we are to have a colorblind society that judges us on the content of our character. I have worked for this all my life and it is what brings me before you today, seeking confirmation.

I believe that the Federal workplace can be a kind of "promised land." We can do what is right by our customers and our employees. I will aggressively, if confirmed, continue to work to make sure minority and small farmers have access to USDA programs and services. I would like to see more technical assistance for underserved populations.

Should I be confirmed, I plan to specifically target harassment and retaliation issues with new approaches to training and strict accountability. Finally, if confirmed, I will enforce the Secretary's zero-tolerance for discrimination with strict accountability.

I want to do a shout-out to my 11-year-old niece, Reagann, who is getting her first introduction to the legislative process, and I would like to say, again, thank you, Mr. Chairman, Ranking Member, and members of the Committee. I look forward to answering your questions.

[The prepared statement of Ms. Earp can be found on page 34 in the appendix.]

Chairman ROBERTS. You have quite a story to tell and you have a great legacy.

Ms. EARP. Thank you. It is all her.

Chairman ROBERTS. Reagann? Hi, Mom. Where is Reagann? Can Reagann stand up? Very cool.

[Applause.]

Chairman ROBERTS. Mr. Boozman is not here, Reagann, if you want to come up here and sit in his chair.

[Laughter.]

Chairman ROBERTS. I am serious. Come on up if you would like.

[Applause.]

Chairman ROBERTS. Do not sit on that side. Sit on this side.

[Laughter.]

Chairman ROBERTS. I mean, a man has got to do what he has got to do. Sit right there, Reagann. How are you today? It is good to see you. Thank you. What a charming young lady.

Senator BROWN. It is an upgrade.

Chairman ROBERTS. Yes. It is an upgrade.

[Laughter.]

Chairman ROBERTS. Senator Brown would have said that, if anybody sat over here. Whatever. Okay, Scott. Top that.

STATEMENT OF SCOTT HUTCHINS, OF INDIANA, TO BE UNDER SECRETARY OF AGRICULTURE FOR RESEARCH, EDUCATION, AND ECONOMICS

Dr. HUTCHINS. There is your first lesson, Reagann. Excellent.

Well, good morning. Chairman Roberts, Ranking Member Stabenow, and members of the Committee, I am pleased to appear before you today as President Trump's nominee to the position of Under Secretary for Research, Education, and Economics within the U.S. Department of Agriculture. I would like to thank President Trump for this opportunity and Secretary Perdue for his confidence and support.

I am myself a product of the U.S. Land Grant System and therefore feel a great sense of honor and pride to be considered for this position and, if confirmed, will dedicate myself to fulfill the mission as outlined by Congress and achieve the goals of USDA as outlined by Secretary Perdue.

I would also like to thank my family here with me today. My wife, Jan Hutchins from Alabama, who has been a supportive life partner for over 38 years. We have three wonderful children and seven grandchildren that are our pride and joy. My sisters, Dawn Skelley and Candy Kellner from Georgia, who are incredibly supportive siblings—we shared amazing parents, Cecil and Robbie Hutchins, who have passed on, but are here with us here today in spirit.

My cousin Randy Pfaff from North Carolina, a U.S. Army Veteran and retired fire fighter; we travel each year on motorcycle vacations with our spouses and, in fact, have enjoyed riding in many of the great States represented by this Committee.

Throughout my career, I have dedicated my professional contributions to developing innovations and novel technologies in support of agricultural production, including organic production, working every day to provide tools that allow farmers to not only succeed in their businesses, but to do so with a progressively smaller footprint to the environment.

For example, I was the Global Product Development Manager for spinosad in the late 1990's, a naturally derived insect management tool that is today the most widely used insect management tool in organic agriculture within the United States.

My journey as a scientist began at Auburn University in the late 1970s where I benefited from excellent teachers and mentors in agricultural entomology and became passionate about helping growers manage devastating pest problems.

One formative experience, as a Cotton Scout in central Alabama in 1980, I saw the real world in living color, devastating crop losses from the cotton boll weevil, with extensive chemical control necessary that subsequently "released" several additional species, creating a pesticide treadmill. If you compare that reality of that 1980 experience of cotton production to the systems of today, the boll weevil has been largely eradicated due to the great work of the USDA and the land-grant research institutions.

Worm species are controlled via biotechnology-powered host plant resistance, and the remaining pests are managed with tools that are far less toxic with a smaller environmental footprint than

their predecessors. I am pleased and proud to have contributed in some measure to this progress on sustainable agriculture.

Impacted by this experience, I elected to pursue graduate studies at Mississippi State University where I learned the art of research and experimental design. I became a student of integrated pest management and followed this interest to Iowa State University to study under the tutelage of Dr. Larry Pedigo, who was a world-renowned pioneer in the field of bioeconomics. Through his mentorship, I developed a passion for IPM in the context of farm management and elected to also pursue a minor in agriculture economics.

I have been fortunate to have worked closely with numerous university teams and administrators throughout my career, along with scientific societies to create and advance public-private partnerships. Notably, as a member of the Governing Board of the Entomological Society of America for 9 years, including as president in 2007, I have sought to build consensus on positive change while encouraging a culture of inclusivity of all members and in planning the future role ESA will play for its members. I was deeply honored to have been elected as a Fellow of ESA in 2009, the first member with a long career in the private sector to receive that honor in over 100 years of history of the society.

If confirmed, I look forward to working with Secretary Perdue and his team to fulfill the expectations of Congress and the Administration to ensure U.S. agriculture remains the most effective, efficient, and sustainable producer of food, feed, and fiber in the world. Because any model for sustained progress requires a focus on best practices and land stewardship, the Land Grant Mission is timeless in not only research, but also research-made-relevant through education and extension. This includes not only research on the healthy and productive use of the land, but on the animal and human consumers of these agricultural products.

I was honored to have met in person the Nobel Laureate Dr. Norman Borlaug, who first inspired all of us to fulfill, through the Green Revolution, what is now the current mantra of USDA and Secretary Perdue, "Do Right and Feed Everyone."

Moreover, if confirmed, I commit to actively work with and lead the REE team to address strategic themes outlined by the Secretary and Congress. The women and men of the REE agencies are truly world class with a tremendous history of impact. My goal is to ensure their full potential is realized for the continued benefit of U.S. agriculture.

I have many years of directly applicable experience in administering large, complex, and diverse research organizations. I also have had unique professional experiences through two major mergers with roles in Human Resources, Six Sigma Quality Improvement, and numerous program and portfolio management assignments that I believe will prove useful to USDA if confirmed by the Senate.

Mr. Chairman, Ranking Member Stabenow, members of the Committee, I am truly honored to have been nominated for this critical role in USDA, and, if confirmed, I pledge to do all I can each and every day to expand the long term competitiveness and

sustainability of U.S. agriculture and further develop the framework and capabilities of REE scientists and professionals.

In closing, I would like to thank you for allowing me the privilege of appearing in front of the Committee today and I look forward to answering any questions.

[The prepared statement of Dr. Hutchins can be found on page 37 in the appendix.]

Chairman ROBERTS. Thank you, Doctor.

Dr. Brashears, the Under Secretary for Food Safety holds an important position as the U.S. Codex Office Policy Committee Chair as well. At the last year, the Codex office was housed at the Food Safety Inspection Service and it was recently moved to the Trade and Foreign Agricultural Affairs mission area. How do you envision carrying out this responsibility in coordination with that mission area and what role do you envision for the United States with our international partners in Codex?

Dr. BRASHEARS. Thank you, Mr. Chairman, for that question. Through my international research I have seen first-hand that food safety can definitely impact trade, so I am in support of these two entities working together. If I am confirmed I do look forward to working with our trade and marketing group at the USDA to serve as the Policy Committee chair for Codex.

We will use science and data to work in collaboration with our counterparts across the globe to develop international policies that ensure that our food is safe and that it can be traded. I am excited for the opportunity to do this. I think my experience and background have prepared me for this role, and I look forward to serving in that capacity if I am confirmed. Thank you.

Chairman ROBERTS. Reagann, do you have any questions for Ms. Earp, who is sitting directly—you do not have any questions for her?

Ms. DAVIS. No.

Chairman ROBERTS. Okay. Do you have a preference? Would you like to still sit up here or would you like to go back to your seat?

Ms. DAVIS. I am going to sit up here.

Chairman ROBERTS. You are going to sit up here.

[Laughter.]

Senator DONNELLY. I think you look very good up there.

Senator STABENOW. She is coming for your gavel.

[Laughter.]

Senator ERNST.

[Speaking off microphone.]

Chairman ROBERTS. All right. We will settle down now here, before we have a revolution on our hands.

Ms. Earp, if confirmed, the office that you will be leading is obviously a very high-profile position and it will certainly spearhead effective leadership with the Department on these issues. What measures will you take to buildupon steps taken by the USDA to ensure civil rights issues continue to improve throughout the Department? You touched on this in your opening statement, so you can make this as short or as long as you would like.

Ms. EARP. Thank you, Mr. Chairman. I would make it short and focused on two things. On the employment side of the house, the Title VII side, I am keenly aware that harassment and retaliation

is a priority. Discrimination against women and the issues that we face in Forest Service have gone on too long. On that front, I would like to engage the Equal Employment Opportunity Commission and the Office of the Secretary, to see if we can have a pilot or an initiative to expedite complaints of sexual harassment, that we can triage them in a way to separate sexual assault from the silliness of the process that goes on as a part of harassment.

On the minority farmer, female rancher, new entrants into farm, the Title VI side of the house, if confirmed I would like to focus on access. USDA is huge, it is complex, and I think that there is a link between understanding and access to our programs and services. I would like to, in an oversight position, work with the mission areas to see if we cannot figure out what that link is in terms of preventing land loss.

So, in a nutshell, those would be my two priorities, if confirmed.

Chairman ROBERTS. I appreciate that very much. Thank you for your response.

Dr. Hutchins, the Department recently undertook a realignment and relocation effort that would move the ERS under the Office of the Chief Economist and physically relocate ERS and NIFA out of the National Capital region and closer to agriculture producers. If confirmed, you will be responsible for ensuring the research, education, and economic function of the Department will continue without any interruption.

What is your philosophy on managing change and organizational structure? How will you ensure that the consistency and integrity of these agencies will continue throughout a period of potential transition?

Dr. HUTCHINS. Thank you, Mr. Chairman, for the question. I have not been briefed by USDA or those participating with this, at this point in time, on activities already in place, and the actions that I am sure are being well considered. I will assume, of course, that the logistical challenges have been discussed.

What I would emphasize, from a personal philosophy standpoint, is that the details matter, and developing how the transitions would be made, developing a rationale on the core functions and capabilities and individuals that would remain in the Washington, DC. area in order to ensure that the collaborations with the other agencies, that the science remains strong and is not affected by the administrative aspects of this would be important.

I think the experience that I have had, sir, in mergers, where I have been in positions to close facilities, to open facilities, to merge activities, and to develop organizational design will serve me well in helping support whatever actions ultimately do occur. My time in human resources and with those Six Sigma tools, I think, will be useful to the administration and to Congress in ensuring that the science is not affected with these particular moves. I look forward to the opportunity of focusing on this, if confirmed.

Chairman ROBERTS. Doctor, as I had brought up in our meeting a few weeks ago, the success of the National Bio and Agro-Defense facility, called NBAF, in Manhattan, Kansas—home of the ever-optimistic and fighting Wildcats, despite our season—is a top priority for me. I have a question with regards to the plan in the President's Fiscal Year 2019 budget request to transfer the operational

responsibility of NBAF. However, I will enter that question in the record and look forward to your response in writing.

Senator Stabenow.

Senator STABENOW. Thank you, Mr. Chairman, and welcome again to each of you.

I wanted to followup, Ms. Earp, on something that you indicated, you said a few minutes ago, that I just wanted you to clarify. You had said you want to separate sexual assault from the silliness of sexual harassment. Could you talk a little bit more about what that means?

Ms. EARP. Thank you. Yes, ma'am, for that question. I probably should not have described sexual harassment as "silliness," although it is on a continuum. What I was referring to, sexual assault that we have seen, in some cases, is a criminal matter. It needs to be investigated, expedited, handled quickly. Sexual harassment that falls short of assault, the kind of bullying and coarse language and photographs and those kinds of things, I think that to handle all of the complaints that come forward we really could have two tracks to expedite things and speedily get them into a right track for processing.

Senator STABENOW. I understand the difference in what you are talking about, but, for instance, in the Forestry Service we have had a culture of sexual harassment and inappropriate behavior and bullying and so on. So you consider that less serious? I mean, for the people that are working there, this has been a very serious concern in terms of their capacity to, as professionals, be able to do their job.

Ms. EARP. No, I do not consider it less serious. I consider harassment and retaliation, which often follows employees who complain about sexual harassment, so significant because it chills the very workplace. It chills the environment. If I am confirmed, one of the things that I would like to do with the Forest Service is get an assessment of the crew culture, the very lowest level in the Forest Service where firefighters are working together, to look at the behavior, to look at the social norms, to look at how employees interact, and then proceed with training to address that. I think it is all very serious. That is why my priority would be harassment and retaliation.

Senator STABENOW. Thank you. The USDA has a long, troubled history of serious civil rights violations, as you know. In recent years, the USDA has settled several very large civil rights lawsuits, paying out billions of dollars in settlements.

You were working on civil rights issues at the USDA during some of the time, when the wrongful behavior was occurring in some of the lawsuits. What do you think contributed to the unlawful behavior at USDA that was alleged in the lawsuits and how would you work to make sure USDA is not involved in that type of discriminatory behavior again?

Ms. EARP. There has been change, despite the challenges that remain. In 1987 to 1990, when I worked for the Department of Agriculture, my priorities were affirmative action and disparate treatment—disparate treatment in looking specifically at black farmers, affirmative action in looking specifically at the underrepresentation of women in the firefighter job series. Today, some 25, 30 years

later, we have women represented but we have a culture that has them both excluded and conspicuous as members of that force.

On the disparate treatment side, I did not see, between 1987 and 1990, the trends that would lead to the major cases that you speak of, partly because we were looking at individual farmers and their complaints, partly because there was not the kind of data transparency that would be needed to spot the kind of trends and put in place systemic remedies.

I feel like some business is unfinished, so if I am confirmed I will be working very hard to address the issues as they exist today, and not as I saw them 20, 25 years ago.

Senator STABENOW. Thank you.

Dr. Hutchins, in August, Secretary Perdue outlined his research reorganization plan, which would move the Economic Research Service into the Office of the Chief Economist and the Office of the Secretary, and would relocate the over 700 Economic Research Service and National Institute for Food and Agriculture employees away from the Capital region. What are your thoughts on the proposal and if the agencies are indeed moved, what steps would you implement to ensure that this reorganization would not come at the expense of the USDA's world-class agriculture and economic research capacity?

Dr. HUTCHINS. Thank you, Senator, for the question. As I indicated earlier, what I know about the moves, in terms of details, is what I have read in the public press, but what I have seen is that the goals of the Secretary, I think, are the right goals, to be effective, efficient, customer-focused.

Having said that, those agencies provide a very valuable and critical service and role to U.S. agriculture, as you indicated, so my priority, if confirmed, would be to ensure, just as you have indicated, that the science is not affected, that the collaborative spirit that those agencies currently have is not affected, and that we are able to maintain, over a long kind of multigenerational approach, transformative approach, any transitions that do happen outside of Washington, DC, do not happen at the loss or at the sacrifice of the quality of the science, or the independence, if you want to think of it that way, of the economic assessments that ERS would perform.

So that would be my commitment to this Committee.

Senator STABENOW. Well, that is critically important, as you know, given the importance of these functions.

Given your extensive career in the private sector—and you and I have talked about this—how would you address concerns that you may prioritize research efforts that support industry over the interests of farmers, farm workers, or the environment?

Dr. HUTCHINS. Thank you very much for the question. So my focus, for my career, prior to retirement, has been always innovation, and innovation is in multiple areas of technology and multiple areas of focus. So what I am very proud about, as an entomologist working in the private sector, is the ability for us to have developed, and the industry, actually, to have developed some really progressive solutions, some of which I have mentioned. Others in the area of urban pest management with termite baiting would be examples. Technologies are now being driven through biotechnology, those kinds of things.

What I would just remind everyone, if you think about the technology, it has its own lifecycle. So we move, over time, with progress. So the most important aspect of research, and what it can do for agriculture, is to help us move to the next generation and the next generation. I think the public sector and the private sector do need to be partners in that, and the public sector plays a very vital role in that aspect. The private sector plays a role as well. The two have some overlapping aspects, in terms of making sure that we are all focused on the customer and on U.S. agriculture, but they also have some independent areas, and so certainly there would be no crossing of those areas that are independent.

Senator STABENOW. Thank you. Dr. Brashears, consumer demand continues to increase for locally grown and processed meat and poultry. However, many local food producers and small farmers have difficulty finding slaughter and processing facilities that can accommodate smaller-scale operations. Some States have turned to State meat inspection as an alternative to finding Federal inspectors to fill their facilities due to limited availability of Federal inspection.

Will you support small plants and the development of local meat slaughter and processing facilities, and specifically, can you commit to providing sufficient inspectors for mobile slaughter units and small processing plants in rural areas?

Dr. BRASHEARS. Thank you very much for that question. In a short answer, yes, but I want to draw on my background and experience.

Much of my work, throughout my career, has been with the small and very small processing plants. As I mentioned in my opening statement, whenever I began at the University of Nebraska it was right on the cusp of when the new FSIS regulations came into play and it was the first major change in decades. I did not even realize when I moved to Nebraska that it was the No. 1 slaughter State. Well, that was not because of the large entities that we think about. It was because of the small and very small processors.

So I had the opportunity to serve as their technical expert, because I was in an extension role, which is very important. So I visited them, I conducted training in HACCP, food safety, sanitation. I helped them with HACCP plans. So I saw firsthand the need.

Reading a regulation is overwhelming, and taking a regulation into practically applying it in a plant is also overwhelming, and we have to be sure to provide the technical expertise and the inspectors so these small and very small companies can be successful, and I will be committed to doing that.

Senator STABENOW. During your first year on the job, will you commit to work with stakeholders to develop an agency action plan to support local meat products?

Dr. BRASHEARS. At this time I am not aware of what is out there but I am definitely committed to looking into what the agency has, and I am committed to developing action items that will support our small and very small processors.

Senator STABENOW. Thank you very much. Thank you, Mr. Chairman.

Chairman ROBERTS. Senator Ernst.

Senator ERNST. Thank you, Mr. Chair, very much. Dr. Hutchins, we will start with you. Some of these questions are very similar, I think, that all of us were curious about. I am going to jump back to relocating, of course, and go Cyclones. Thank you very much. I appreciate that.

Dr. Hutchins, Secretary Perdue has started the process of the relocation, as many of us have talked about, of the Economic Research Service and the National Institute of Food and Agriculture outside of Washington, DC. I am really excited about this, because I do have an act that is called the SWAMP Act, which would move all of our headquarters of Federal agencies outside of the immediate Washington, DC, area. So while it does not go quite as far, I am excited about the opportunities, and I do think that moving these ag agencies outside of the beltway is a good step in the right direction, and an example of what I hope other Federal agencies might be able to do at some point.

So I know that you have talked about maintaining the quality of research that would be coming out of these agencies. We have talked just briefly about land-grant institutions. Can you maybe talk a little bit about where we might be able to partner, not only with private industry but also with some of our land-grant institutions, in perhaps doing research. Would that be an opportunity that we would have?

Dr. HUTCHINS. Thank you for the question. I think that opportunity is really part and parcel of what the mission of the Research, Education, and Economics is at its heart. What the land-grant system was designed to do was to really focus on those key problems. The Agriculture Research Service is a world-class organization with a tremendous history, to focus on agricultural issues of national importance. So I am not aware of any country in the world, and I have traveled to many, that have that same kind of capability.

So my goal would be to utilize that expertise, to work on those national issues, and to partner and leverage that expertise with the land-grants to work on the ones that are more local or regional, and to really strengthen, in doing that, in both of those, to make sure that we, you know, focus the resources that are best developed for ARS versus NIFA types of funding, where they are.

I think being close and proximal to agriculture is a valued trait. I think anything, at the end of the day, could be managed, and it has been managed well at NIFA here. We really need to focus, in my mind, the effectiveness and efficiency in order for the long-term investment we can make and to be able to link that to the land-grant institutions.

Senator ERNST. Very good. I appreciate that very much. We are very proud of Iowa State and their ties to agriculture, so thank you very much for that.

Ms. Earp, thank you so much. It is very nice to have all of you here, so thank you.

Ms. Earp, again, going back to the forestry and the Forest Service, this is an issue, and I do not know that we can talk about it enough. The sexual misconduct and mismanagement, all of those allegations that continue to come out by the U.S. Forest Service chief is disturbing.

If you are confirmed, then how can we increase transparency and reporting and investigations of misconduct with these types of allegations within the USDA? How can we do that so that a situation like this does not happen again?

Ms. EARP. Thank you, Senator. The Forest Service and its history is long and complicated. I look forward, though, if confirmed, working with the new Forest chief, who is a woman. I think that might give us some additional leverage in addressing the problem. I would like very much to have a sense of urgency and to work in an oversight capacity with the Forest Service to identify the culture.

There are lessons to be learned. Tailhook, from the military. Some years ago air traffic control towers were an issue for women because it had been predominantly a male area. I think that today we can identify some of the risk factors for sexual assault and sexual harassment. I am committed to try everything possible and to do it with as much deliberate speed as the government allows.

Senator ERNST. Well, I appreciate that very much. It seems to be an issue that pops its ugly head up in many of our different departments, and we just really have to own this and figure out a way to combat it and then to feed it.

So I appreciate the time that you have given us today. Thank you all very much and thank you for your continued service.

Thank you, Mr. Chair.

Chairman ROBERTS. We thank you, Senator. Senator Casey.

Senator CASEY. Thank you, Mr. Chairman. Thanks for adding to the membership of the Committee with real talent.

[Laughter.]

Senator CASEY. I want to thank our witnesses for being here today. I will direct my questions to Dr. Brashears, but for all three of the witnesses and the nominees for putting yourself forward for public service at a difficult time to do that, and also for the commitment that not only you make but that of your families as well. We are grateful for that.

Dr. Brashears, I want to start with—and I mentioned earlier, in our discussions before the hearing—I will start with salmonella, which is a difficult topic, but you said you want to talk about it because of the importance of it. We know that last week USDA's Food Safety and Inspection Service posted data that showed how individual poultry processing plants across the country are doing with respect to controlling the levels of salmonella in chicken parts.

This was the right thing to do and I, and I know many others, applaud the agency for taking this step, which provides both transparency and can also incentivize improved industry performance. I am concerned with what the agency has found, which is that some of the largest poultry companies in our country are selling products that fail to meet the Food Safety and Inspection Service performance standards for chicken parts.

There have been significant, well-documented foodborne illness outbreaks associated with these products, as you know. The first question I have is why do you think some establishments continue to struggle to control salmonella on chicken parts?

Dr. BRASHEARS. The first thing I want to tell—thank you for the question—but the first thing I want to tell you is I am also con-

cerned. I mean, this is not something that I think is acceptable for our consumers, and we have to take action to get these numbers down.

As I told you, I have spent my career studying salmonella and control measures for salmonella. One thing about the performance standards is they are a 52-week window, and I am optimistic and hopeful now that these processors look at specific areas of the plant where there is a problem, and in this case in the parts, they know where to take action and make changes to get those numbers down. I think, you know, within the agency we are going to have to watch those and watch those numbers come down as they take action, and that will be a commitment of mine. Controlling salmonella, preventing outbreaks, and looking at ways to reduce salmonella in our food supply is very important to me and it will be a priority for me in this job.

Senator CASEY. I appreciate that. I may followup in writing, but I will ask you about the steps you can take to improve performance of these so-called Category 2 and 3 plants, and I will submit that for the record. In order to get my other question—and I wanted to also ask you about slaughter and processing facilities. One of the concerns I have heard from smaller livestock producers in Pennsylvania is that slaughter and processing facilities are, unfortunately, few and far between. Too often producers have to schedule processing dates months in advance and then travel long distances, and we have a big State and that is a lot of miles for these folks.

This is particularly frustrating when there are custom slaughter establishments in close proximity that cannot be utilized because they lack Federal inspection. It would be helpful, from a rural economic development perspective, for USDA to help develop a coordinated strategy to improve the small and the even very small processing sector, including bringing some of these custom plants into the fold so that smaller livestock producers have more options.

If confirmed, is that something you would be willing to help us with? I know you addressed part of this with Senator Stabenow's question.

Dr. BRASHEARS. Yes, it is. I grew up in a rural area, and actually, my family raises cattle, and we have the same issue. If you have an animal you want to have custom harvested then it can be very challenging to know where to take it. So just personally and from a scientific perspective, to keep our food supply safe, I think we need to have better programs so we can make sure that all of our food is inspected and processed under Federal inspection or the equivalent of it within a State entity. So it is very important to me to take action on those topics.

Senator CASEY. We look forward to working with you on it.

Dr. BRASHEARS. Thank you.

Senator CASEY. Thank you. Thank you, Mr. Chairman.

Chairman ROBERTS. Senator Brown.

Senator GRASSLEY. Thank you all for your public service that you have done or will continue to do in a new position.

A comment I would like to make to you that I would make to every Presidential appointed under a Republican or a Democrat administration, about the importance of listening to people that refer to as whistleblowers, but probably when you first come in contact

with them they are not whistleblowers. All of you are going to be involved with at least hundreds, and maybe thousands and maybe, in some cases, tens of thousands of people working under you.

You cannot possibly know what is going on, and with my experience with whistleblowers, I have found that almost all of them, obviously not every one of them, because some do have an ax to grind, but they just want to government to do what government is supposed to do, and they want the money spent the way that Congress intended it for to spend.

So I think you ought to give really consideration when you hear from people below you that something is wrong, try to correct it, so that they do not have to come to Congress, and at that point they kind of appear to be treated by the agency like a skunk at a picnic. There is a great deal of peer pressure to go along, and in each one of your agencies, people below you that are responsible for these people or these programs, they do not want anybody to make them look bad, and sometimes a whistleblower does that. So if you could give them some attention I would appreciate it.

The other thing is in response to the oath that the Chairman gives you and the promise that you give to respond to oversight requests from Congress, either to appear here or to answer the phone calls or to answer our letters, and most of it is probably letters, I do not say this because I know any of you do not have bad intentions not to do what you say you are going to do. I have found that we get this "yes" answer, over the 38 years that I have been in the Congress, and in the last four or 5 years I have advised people that maybe they would be better to say "maybe" instead of to just say "yes." Because we sometimes do not get an answer, or sometimes if you get an answer it is an incomplete answer, and then you go back and forth and you go back and forth.

I know that you folks have not maybe experienced that yet but I experience it all the day. Two years ago—I cannot give you a followup figure but I wrote 555 letters to people like you, in your position, in every—probably a lot of agencies of government. I am not talking about the USDA, because probably few of them went to the USDA. It is just a pain in the butt when you do not get a full answer when you first ask it.

So that would be my advice to you, to carry out what you just said you would do, but to understand that my experience has been that if it is carried out it is not carried out fully, and eventually you get answers, and probably the reason a lot of answers do not want to be given is because of the embarrassment that comes with it.

Before I ask the one question that I am going to ask of Ms. Earp, I am going to say to you that when you were in my office I reminded you of my involvement in trying to get justice for black farmers through the Pigford issue, and hopefully that is all behind us. If it is not, then I would advise you, like I advised our former Iowa Governor, and then later Secretary of Agriculture, in the Obama Administration, and we discussed it and he did a very good job, I think, of following through on all that. If there are any latent things that have not been taken care of that I would appreciate your following through on that.

So my one question to you is more from history than it is from the immediate problem, but because you have a long and distinguished career in civil service, how do you view the civil rights challenges facing the Federal Government today with those that you dealt with a few decades ago? Are things as bad as they were, a little bit improved, or completely improved? You do not have to limit yourself to those three answers.

Ms. EARP. Thank you, sir, for that question. I would say that my life has been a testament to the improvements. I was born a colored girl. Some people may call me African American. I choose to identify as black American, bold and proud.

When I first attempted to enter Federal service you had to take a test, and that test was determined to have a disparate adverse impact on women and minorities. That test no longer exists. Change is not easy. It does not come quick, but it is vital. I think that despite the problems we have, tremendous progress has been made, and I want to do my part to ensure that that continues.

On a footnote with one of your pet projects, I would just say, also to Senator Stabenow, that whistleblowers are essential to eradicating a culture of bad behavior, a culture of harassment. Bystanders' willingness to see something and say something, to have a conversation about how we talk to each other, is essential.

Senator GRASSLEY. Thank you. Thank you, Mr. Chairman.

Chairman ROBERTS. Reagann, Senator Grassley is going to be the President pro tempore of the Senate. He is a very important Senator right now but he is going to be the President pro tempore, and that means he gets to ride in a special car, and he has security in front of him, and security in back of him. I am not sure how he is going to work out the gasoline mileage issue that he focuses on.

The one thing I noticed, that you were writing down "skunk in a picnic."

[Laughter.]

Chairman ROBERTS. That is not unusual for the future President pro tempore of the Senate.

Senator Brown.

Senator BROWN. With that introduction, thank you. Thanks, Dr. Hutchins. Welcome to all three of you. NIFA is a key partner in our Nation's land-grant universities, as you know. I am proud to say Ohio has two land-grants, Central State University and Ohio State University, and are doing some of the most cutting-edge research in the country. Pending your confirmation, I would like to personally invite you to both of these institutions at some point.

The 1890 Land Grant plays an important role in promoting agricultural research at a number of historically black college and universities. In the 2018 Farm Bill, that the Senate passed—and I again thank Senators Roberts and Stabenow for their persistence on moving forward in a bipartisan way. I mean, we passed this bill with 86 votes. The language we wrote for the—we strengthened the program, creating new centers of excellence and a scholarship program. I would like you to commit to this Committee to continue support and advocate for strong funding for 1890 Land Grants.

Dr. HUTCHINS. Thank you, Senator, for the comment and the question. I very much look forward to being briefed on the 1890 university and the role that they play. I think the purpose is out-

standing, as well as the 1994 as well. I would look forward immediately, if confirmed, to understanding the specifics of that. Everything I know about it would tell me that it certainly is a commitment that I would be willing to make.

Senator BROWN. Thank you, and just a thanks for that answer. Senator Roberts and Senator Stabenow have helped to right the wrong for decades with Central States—Central State, I am sorry. Central States is the pension issue we are working on—but Central State. I so appreciate the work they have done and they are continuing to strengthen that.

Another question for you, Dr. Hutchins. Do you accept the science of anthropogenic climate change—human-caused, for those of us that cannot say words like anthropogenic as quickly as we would like to?

Dr. HUTCHINS. Thank you, Senator. I accept the fact that climate change is occurring. It has always occurred. So to the degree that a large body of work exists that suggests that humans are having an impact on acceleration of that change in a particular direction, I accept that body of work. There are, of course, individuals that have different perspectives and there are individuals that, you know, the debate might be about the rate and the specifics and the rest of it.

From a U.S. agricultural standpoint, what I would say is two things. One is we can be—agriculture, as a "we"—can be a net partial solution to that, to help sequester the carbon, to create the more green, to use best practices that are win-win for the growers, such as cover crops and conservation practices and the rest of it, and at the same time help address, in some part, the sequestration.

The other thing I think that research specifically can do, along with education extension, is help U.S. agriculture adapt to what is happening. The kinds of breeding techniques that exist today with technology and so forth will allow for growers to have tools and to have ability to adapt to the kinds of things they have. Many of the events are extreme events, and difficult to adapt to, but in the bigger picture I think there certainly can be a lot of progress to that.

So I do accept that there is a body of work there and I think agriculture can be a very positive force in a healthy environment.

Senator BROWN. Thank you. I would have preferred you had just said you accept that humans—that much of climate change is human caused. I wish you had said that more directly than the body of work. I know you know the administration tried to bury the National Climate Assessment on the day after Thanksgiving. That is sort of what administrations do in reports they do not like, that found that climate change threatened this report, written by the government, across 13 agencies, including USDA found that climate change threatens our economy and our farms and our forests, and puts tens of millions of Americans at risk.

You are nominated to oversee one of the most pre-eminent science agencies in the Federal Government. Do you have any reason to doubt this report?

Dr. HUTCHINS. I have no reason to doubt the report itself.

Senator BROWN. The President does, if you saw, but you have no reason to doubt this report.

Dr. HUTCHINS. I believe that the body of work that supports that report is genuine, and I think the key part of the report is what should we do about it. As I say, I think agriculture can play a very positive role, and I think the mission area for Research, Education, and Economics can play a very significant positive role.

Senator BROWN. Would you answer this question, no matter what the President says to attack this report, no matter what the President says to undermine this report, you will stick to your belief that you have no reason to doubt this report?

Dr. HUTCHINS. Senator, what the President says I think would be based on some aspect of public policy that he would be addressing. From a scientific standpoint——

Senator BROWN. Perhaps.

Dr. HUTCHINS [continuing]. —from a scientific standpoint, sir, what I would say is that I think that agriculture can tell a positive story, and, if confirmed, it would be my pledge to make sure that agriculture plays as much of a positive story in that as possible.

Senator BROWN. Thank you, and we will count on you on both counts. Thanks, Dr. Hutchins.

Chairman ROBERTS. Has the Senator concluded?

Senator BROWN. I yield.

Chairman ROBERTS. You should know that Reagann is taking copious notes.

Senator Daines.

Senator DAINES. Thank you, Chairman Roberts, Ranking Member Stabenow. Thank you to the witnesses for being here today.

Dr. Brashears, as you know, this year has been an extensive debate over which agency, either USDA or FDA, will regulate cell-cultured meat products. In fact, just 2 weeks ago the FDA and the USDA issued a statement announcing the joint regulation of cell-cultured food products. The FDA is going to oversee the cell collection, cell banks, cell growth, and differentiation. Then the USDA will oversee the production and the labeling of these products.

The question for you is, what difference, do you believe, the USDA will anticipate when regulating production of these products versus livestock harvested in the more traditional manner?

Dr. BRASHEARS. Thank you very much. That is a great question. The No. 1 thing I see as a difference is not starting from a live animal. So in this joint statement that the USDA and FDA have put out, I really appreciate the approach they have taken because the FDA will oversee the cell lines, and that draws on their past regulatory oversight of cell-based medical technologies. Then once a food product is made it moves to USDA and we can draw on the strength of those of the USDA in overseeing the actual food itself.

Now in saying that it is a good start this is, as you know, out for public comment, and if I am confirmed I look forward to looking at those comments and considering them very carefully as we move ahead.

Also, we have a lot of scientific questions that need to be answered. I have extensive experience in evaluating standards of identity as well as studying processing systems and identifying the hazards in those systems. We do not really know, when we scale this up from a lab that is making milligrams of product into a large-scale production, what is going to happen on the food safety

side, and we are going to have to be very careful and have strong oversight of that.

Senator DAINES. Thank you. This is important, and Montana is a State, we have three cows per person, and we are proud of that, Senator Hoeven.

Related to that, a further issue has arisen in labeling products derived from livestock and poultry using animal cell culture technology, limiting the terms of "beef" and "meat" to products derived from livestock that have been raised and slaughtered in the traditional manner, for example. There have been other terms used to label cell-cultured products. I am going to use the kinder words here-—clean meat, lab-grown meat, fake meat. That term has been thrown out there.

My question for you is how do you believe these products should be labeled to properly distinguish them from traditionally raised livestock, while still alerting consumers of the possible allergens contained in the product?

Dr. BRASHEARS. Sure. Again, thank you for the question. This goes back to the standard-of-identity question. We are going to have to spend a lot of time to determine what this label needs to be, because we do not have a lot of information on the composition and functional properties in different aspects, and we are going to have to evaluate that. I can tell you that I am committed, as a scientist, to bring my expertise to the table to evaluate that, to make sure we have an accurate label that conveys the right message to the consumers so they know where the product came from, what is the basis of the production of this, and that is something I am very committed to in this position.

Senator DAINES. Thank you. I wanted to ask a question of Ms. Earp, and I was very pleased to meet the next Senator from Maryland, your niece Reagann here. She is getting some good practice and she is off to a great start. She has a very firm handshake and that is something I am going to try to teach my children. She has got it. Reagann, welcome to the dais.

Ms. Earp, thank you for coming here today and thank you for bringing Reagann and thank you for your willingness to serve. As you know, there has been a history of problems within the Forest Service related to harassment, sexual misconduct, and retaliation, including instances in Montana.

My question for you is, do you have a zero-tolerance policy for harassment, gender discrimination, and retaliation within the USDA and the Forest Service?

Ms. EARP. Is there such a policy?

Senator DAINES. Would you have a zero-tolerance policy.

Ms. EARP. Oh, yes. Absolutely. The Secretary currently has a zero-tolerance policy on discrimination and I certainly would attach myself to that, if confirmed.

Senator DAINES. Thank you. Could you provide a written update to my office regarding the steps the Forest Service has taken to date to help ensure that the agency has a safe working environment? It is a to-do. I am asking as a followup item. We would just like to get an update on that, to ensure we do have a safe working environment for its employees. I am out of time.

Ms. EARP. Yes, sir.

Senator DAINES. Thank you, Mr. Chairman.

Chairman ROBERTS. Senator Klobuchar.

Senator KLOBUCHAR. Thank you very much, Mr. Chairman. Thank you to all of you, and we are glad to have you here. I am going to followup with Dr. Hutchins on some of the questions that Senator Brown was asking about climate change. Like everyone else, I was alarmed by that report. I specifically would like to know what role you think the USDA's Research, Education, and Economics mission area has in helping ag producers to adapt to this. Also, would you support evidence-based tools that our farmers need to be more resilient?

I know you said it was a positive—talking about being positive—I mean, the report was not positive but what we are facing in ag country. So what do you think the USDA can do about it to help them adapt?

Dr. HUTCHINS. Thank you, Senator, for the question. So I think there a number of things that could occur, some of which in the best practice productivity area. I think I referenced a couple of these things, such as cover crops and conservation.

One of the things the report made mention of as well that would be supported long term would be how technologies, whether they are driven by public sector or private sector partnerships, can help farmers adapt and be part of that as well, to ensure that they do not take the brunt of the changes.

One of the things that, per the report, that will likely occur and makes perfect sense to me, as an entomologist, is that we will see an increase in pestilence, we will see an increase in invasive species, perhaps, or the expansion of expansive species ranges. So the USDA can play a very critical role, the remission area in particular, in terms of helping us predict that, have a handle on that, and help address that working partnership with APHIS and other agencies within USDA.

So I think the agency can play a very critical role in all of those aspects.

Senator KLOBUCHAR. Okay. Thank you. Dr. Brashears, foodborne illness, very important in Senator Smith's and my State. We also have a lot of research going on there. We were hit hard by avian flu, by H1N1, and just by a number of other diseases that have come our way. Are there lessons that the Food Safety and Inspection Service can take from the outbreaks to better regulate the safety of domestic and imported products?

Dr. BRASHEARS. Could you repeat the question?

Senator KLOBUCHAR. I am just asking about—I am mentioning that these have affected us greatly, and just talking about some of the diseases we have seen with animals, but also what we have seen with products, and what you think we can learn from how they have been handled in the past.

Dr. BRASHEARS. Okay, sure. Thank you so much for clarifying that.

I think that, as a scientist, given my background, our lessons learned are what we draw upon to make changes and to make our food supply safer. We talk about our food supply being the safest in the world, and I believe it is. The reason that it is is we have taken action when we have seen a problem and put controls in

place to control our hazards that have occurred and caused a public health threat, and I am definitely dedicated to continuing that in my role with the agency.

Senator KLOBUCHAR. So would you worked closely with the FDA as well—I think that is part of this—on the food safety inspection?

Dr. BRASHEARS. Oh, absolutely. From my understanding, we have a good collaborative relationship with the FDA, but I would like to continue that and strengthen it. I think we have a great opportunity with the cultured meat product to strengthen our relationship with them, to make sure that our food is safe and we improve public health.

Senator KLOBUCHAR. Okay. Can you talk about your own experience with what—you know, how it is going to help with what we have seen in the news, the E. coli, the salmonella, Listeria, a lot of these foodborne illnesses that have come our way?

Dr. BRASHEARS. Sure. I have really a tremendous amount of hands-on experience in, No. 1, developing technologies that reduce E. coli and salmonella in meat and poultry systems, developing different—not only interventions but also just methods of process, in changing the process to make sure that our food is safe. I have worked with a number of small, very small, and large companies, evaluating their systems and making recommendations to make sure that their final product is safer and that we have improved public health.

Senator KLOBUCHAR. Okay. Thanks. Then, just last, back to what I started with, with the animal outbreaks and what we have seen, how do you think the Food Safety and Inspection Service can contribute to preparation and response? How would you ensure that the FSIS is working in a collaborative manner with other USDA mission areas?

Dr. BRASHEARS. I think that we have to have a large amount of transparency among our different agencies and communication in order—we cannot work in silos. We have to communicate, because they are all interrelated and we have to make decisions based on that communication network.

Senator KLOBUCHAR. All right. Thank you. I will give you some questions in writing, Ms. Earp, but for now I am just so happy Reagann does not use her iPhone all the time, or maybe even have one. It has just been a real pleasure. Every time I look at her she actually makes eye contact, which the rest of us do not do all the time, including myself. So thank you.

Chairman ROBERTS. Senator Klobuchar, I always pay attention to you, and Reagann does as well.

Senator Hoeven.

Senator HOEVEN. Me too, Chairman.

Dr. Brashears, if you would talk—I know Senator Daines asked you about it, but it is very important that USDA has oversight in labeling when it comes to any type of cell-based meat products. In visiting with our ranchers, and particularly cow-calf producers, in our State and in others across the country, as well as the associations, you know, they want to know that the consumer is going to know when they are buying, you know, meat that is from animals that have been raised by our fantastic ranchers across the country, which is a different product—which is a different product than

something that is grown in a laboratory. They want to know, very clearly, that that labeling is going to be done that way.

I understand FDA has a role, and I chair Ag Appropriations and I get along great with Dr. Gottlieb and think he does a great job. So I am talking to him about it too, and I understand their food safety rule. When it comes to labeling and in terms of this oversight issue, very, very important that USDA has that role and that it is very clear as to what product the consumer is buying.

So I want your thoughts on that, very specifically, in regard to cell-based meat.

Dr. BRASHEARS. I agree with you. I think the consumer has to know if the product comes from livestock or if it is cell-based, and I think that that will be an important message to have on our labels. We have to have transparency with our consumer. They have to know what they are eating, and that is very important. It is an important aspect of this agency and it is something that I am very committed to.

Senator HOEVEN. Good. Thank you, Dr. Brashears. I appreciate that.

All right. Dr. Hutchins, a couple of questions for you. First, talk about how we can do more to strengthen the already incredible work done by NIFA. You know, our university-based ag research has been phenomenal. We have North Dakota State University. There might be some others at the head of the table that would like to talk about their State universities. They are doing such an incredible job for our farmers and our ranchers, growing crops that we could not even grow before in previous places—disease resistant, you know, higher yields, all those things.

How do we continue to strengthen that effort and do more with NIFA?

Dr. HUTCHINS. Thank you for the question, Senator. The fundamental and the basic mission of the land-grant institutions is, in my mind, timeless. So I think the way we would strengthen that is we would spend some time—and again, please understand what I would like to do, if I am confirmed, is understand exactly how those systems, the priorities and so forth are set today, how the research programs are prioritized and categorized.

Short of that, my philosophy would be to do several things. One is to ensure that for the investments that we are making in research that we have an end-to-end view. In other words, I am a big believer in fundamental research, but that fundamental sometimes, previously maybe referred to as basic research, needs to have an end in mind in terms of how it would be reduced to practice, and ultimately how it would be sustained.

So it would be research for the purpose of making a difference and making a change. I know that a lot of the—perhaps all of the NIFA programs do that today. To really strengthen that and align that on the priorities of Congress and on the priorities of the administration, whether it is in the climate change impact or adaptation area or whether it is in other areas.

Senator HOEVEN. Well, and I would like to invite you to our State, both to see what we are doing with NIFA but also with ARS out at North Dakota State, both the research and the extension aspect. I agree with you. That has got to be not only the research but

the extension aspect that gets it out to the farmers and ranchers as well.

Dr. HUTCHINS. Absolutely. The whole world of digital is changing and really opening up great new opportunities——

Senator HOEVEN. Huge.

Dr. HUTCHINS [continuing]. and how it is delivered.

Senator HOEVEN. Dynamic. So then talk for just a minute about, USDA is looking at moving both NIFA and ERS out, you know, outside of the District. That is something we worked with on the funding site. So talk to me about your thoughts on how that should be done and how you intend to be part of that effort.

Dr. HUTCHINS. Well, the first thing I would like to do, if I am confirmed, is really understand the work and the progress that has been made to this point, the analysis, the assessments. Because my interest would be to ensure, as I was indicating earlier, is to ensure that the science does not suffer, and that the great collaborative capabilities that NIFA has developed, and ERS, with other agencies and other departments, does not suffer.

So there are a number of ways to do that. As I have indicated, I have been a part of a number of mergers. I have been in a number of different activities. It is an individual-by-individual look, but keeping an eye on the overall strategy. The goals that the Secretary have outlined, I think, are the right goals.

So my pledge would be to make sure that it is done in a way that is not disruptive and it is done in a way that actually, in the long term, and even the short term, I think, can enhance the capabilities and the effectiveness of those agencies.

Senator HOEVEN. Right. Cost effective but always with the idea of what best serves the farmer and the rancher out there. I like to say, America benefits every day from our farmers and ranchers, with the highest-quality, lowest-cost food supply in the world, right? So I think you are right on in terms of how you are approaching that and looking at it.

Dr. HUTCHINS. Thank you, sir.

Senator HOEVEN. Thank you. Thank you, Mr. Chairman.

Chairman ROBERTS. I thank the Senator. Senator Smith.

Senator SMITH. Thank you, Mr. Chairman, and I know that some of my colleagues are probably eager to get over to the security briefing so I am going to submit most of my questions for the record. I just have one question for Dr. Hutchins, if I could.

Dr. Hutchins, I want to draw your attention to the USDA Agricultural Research Service Facility in Morris, Minnesota, very important to Minnesota, which was slated to be closed in the President's Fiscal Year 2019 budget request. This facility houses the North Central Soil Conservation Research Laboratory, which provides really important research on soil and water quality and alternative crops also. Of course, at a time when agriculture is under so much stress and also worries about adapting to climate change it is particularly important.

So just really briefly, can you tell me whether you would commit to advocating for the ARS facility in Morris to get the funding that it needs, and would you support keeping that open?

Dr. HUTCHINS. Thank you, Senator. My first two years out of graduate school were in the State of Minnesota, and so it was a

great experience. I have actually been to Morris. I cannot say I specifically participated or been involved with the ARS station.

What I can commit to is really to understand the basis behind the recommendations for all of the closures that are outlined. There are, I believe, 90 ARS labs around the U.S., and some outside the U.S. So what I would commit to is really understanding each one of those and the role that they play, and then working to ensure that they are the most relevant and having the biggest impact.

I can certainly commit to visiting and taking a personal interest in understanding that particular lab.

Senator SMITH. Well, I would urge you to visit it. It is a very impressive facility. I am disappointed you cannot commit to that but I look forward to continuing to have that conversation with you.

Dr. HUTCHINS. I do as well. Thank you.

Senator SMITH. Thank you.

Chairman ROBERTS. Thank you, Senator. Senator Gillibrand.

Senator GILLIBRAND. Hello. Thank you, Mr. Chairman. It is lovely to see you all. I am delighted by our new Committee member. I hope you stick around.

Chlorpyrifos is a pesticide known to harm brain development in children. For Dr. Hutchins, your work—you currently work for Corteva, a division of DowDuPont, that manufactures chlorpyrifos. After the EPA refused to ban this pesticide, against the recommendations of its own scientist, the Ninth Circuit Court ruled that chlorpyrifos must be removed from the market August 2018. Earlier this month, independent researchers found that the data submitted by DowDuPont to get chlorpyrifos approved in the U.S. and the EU contained significant errors and omissions.

Do you support the permanent withdrawal of chlorpyrifos?

Dr. HUTCHINS. Thank you, Senator, for the question. I have not been directly involved at all within the regulatory aspects or the science behind that aspect. What I have been involved with, over my career, is really the development of technologies that would allow us to diversity out of that. By the way, I have been retired from Corteva for several weeks now.

As I said, what I indicated is my focus and my aspects have been in innovation and developing alternatives to all older technologies. I do not—you know, the body of science in the work that you are asking about really should be addressed by the U.S. EPA.

Senator GILLIBRAND. If you are confirmed as chief scientist, how will you ensure that data provided by industry is accurate when they seek approval for products like C treatments or biotechnology?

Dr. HUTCHINS. To the extent that the USDA would be providing that data from a regulatory standpoint, certainly we would focus on data-driven objective and clearly transparent studies and data creation. Most of the REE agencies do not provide the kind of data supported by regulatory, but to the extent that it does I certainly would ensure that those agencies participate in that transparent way.

Senator GILLIBRAND. I think it is fair to say that the current administration has a problem accepting scientific consensus. Just last week, the President denied the validity of a congressionally mandated climate change report, drafted by scientists across 13 different agencies. Farmers know better, particularly farmers in up-

State New York and on Long Island. They can see climate change in their fields and orchards. They cannot ignore it because their livelihoods depend on adapting as the world changes.

How would you ensure that the public can trust the scientific integrity of the USDA research, given the administrations habit of marginalizing and discrediting scientists whose research runs counter to their political agenda?

Dr. HUTCHINS. Thank you. So what I would focus on would really be on developing an advocacy and credibility for the scientists themselves, and the science community, and ensuring that the integrity of research, the integrity of the advocacy for what the body of work is showing would be first and foremost.

Senator GILLIBRAND. Who does the chief scientist at USDA serve—the President, the Secretary, the farmer, the industry, or the public?

Dr. HUTCHINS. My answer would be it serves all of those, as well as the scientific community.

Senator GILLIBRAND. When the interests of the administration or industry conflicts with the public interest, who should the chief scientist support?

Dr. HUTCHINS. Well, the chief scientist, I believe, support in terms of the recommendations that are coming from the scientists within that mission area, and whether they are part of the REE mission area or whether they are part of the broader scientific community.

Senator GILLIBRAND. Dr. Brashears, last week I wrote a letter, with Senator Blumenthal, to Secretary Perdue, urging him to disclose publicly the source of turkey contamination with salmonella. This outbreak has made 164 people sick, including a dozen in New York, and has been going on for more than a year. While FSIS has issued a recall for one brand of ground turkey products, Jennie-O, data released just yesterday by the USDA showed that nearly 15 percent of all turkey slaughter facilities have a failing grade when it comes to salmonella. More than 10 different companies have a failing facility.

Should FSIS allow companies to ship meat from a plant that has been contaminated with a strain of salmonella known to be implicated in an ongoing outbreak?

Dr. BRASHEARS. Thank you for that question. At this time, salmonella is a huge concern for me, as well as a mother and as a consumer. I am glad that we have been able to trace back some of the causes of the salmonella back to the Jennie-O recall. I think that it is very important that the information we provide the consumer is accurate and we get them the information that they need to know how to—or which products are directly associated with the outbreak, and then also get them the information on how to properly handle the product.

Senator GILLIBRAND. Thank you. I will submit three other questions on this topic for you, if you do not mind. I just want to get to one question for our last witness.

Ms. Earp, the Des Moines Register reported that Secretary Perdue's former chief of staff, Heidi Green, directly intervened to require 4-H to withdraw a guidance document intended to help 4-H leaders make LGBT youth feel more included in the organiza-

tion. A member of the USDA communications staff went so far as to reach out to New York's 4-H leadership to request they remove the guidelines they posted. The administration has been repeatedly demonstrated a shocking disdain for LGBT community.

Would it be appropriate for the Assistant Secretary of Civil Rights to weigh in on this situation?

Ms. EARP. Thank you, Senator. I am not familiar with the 4-H situation that you mentioned. I have not been briefed on it. My professional and personal legacy is that every human being is entitled to civility, respect, fairness, and equity.

Senator GILLIBRAND. Thank you, Ms. Earp. Thank you, Mr. Chairman.

Chairman ROBERTS. Well, Reagann, it appears to me that we are done. I am going to conclude the hearing today, unless you have something to say to close this hearing.

Ms. DAVIS. I want to thank you for the opportunity for letting me come up here and listen, and I just want to say that all you guys did a good job today.

[Laughter and applause.]

Chairman ROBERTS. A star is born.

That will conclude our hearing today. I thank the nominees for taking time to address this Committee and answer the Committee's questions. We have learned a great deal today from the nominees. Their testimony provides us significant information, a solid basis upon which to report them favorably out of the Committee. Per our rules, we cannot do that today but we will endeavor to do so in the very near future.

To that end, I would request of my fellow members, if they have any additional questions for the record that they be submitted to the Committee clerk by 5 p.m. today, as of November 28th. We look forward to receiving your responses and to further considering your nominations.

The Committee is adjourned.

[Whereupon, at 11:18 a.m., the Committee was adjourned.]

A P P E N D I X

NOVEMBER 28, 2018

STATEMENT OF MINDY BRASHEARS, OF TEXAS TO BE UNDER SECRETARY FOR FOOD SAFETY, U. S. DEPARTMENT OF AGRICULTURE

Chairman Roberts, Ranking Member Stabenow and Members of the Committee, I thank you for inviting me here today to testify before you. I am honored to be nominated by President Trump and for the support of Secretary Perdue to be considered for the position of Under Secretary of Agriculture for Food Safety.

If I am so honored to be confirmed by the Senate, it will be my pleasure to serve the citizens of the United States by providing a safe food supply through my leadership in this position in the Food Safety and Inspection Service. The Food Safety and Inspection Service and I hold the same vision statement, "Everyone's food is safe". My education and experience combined with my family and my faith have all played integral roles in my preparation for this position.

I am honored that my parents, Gary and Becky Hardcastle, are here today to support me. Growing up on a farm in Wheeler, Texas prepared me for a life in the agriculture industry. Driving a tractor, hauling hay and raising livestock built my work ethic, my character and perseverance at an early age.

I married my high school sweetheart, Todd Brashears, who I met while showing lambs at the Houston Livestock Show. We recently celebrated 29 years of marriage and have been blessed by our three daughters, Bailey, Reagan and Presley. Being a mother prepared me in a very unique way for this position by making food safety a personal mission. Many young lives have been lost due to foodborne illnesses and each time I hear a parent speak about a loss, it reaffirms my dedication to protecting our food supply.

After completing my BS at Texas Tech and my MS and PhD at Oklahoma State, I began my professional career at the University of Nebraska as an Assistant Professor of Food Safety. The first day of my job, August 13, 1997, coincided with the largest recall of ground beef in U.S. history, at the time, due to *E. coli* O157:H7 contamination. This Nebraska-based processing facility eventually closed, but interacting with industry, media and consumers during this crisis equipped me to assist other processors to improve their food safety systems. These actions set my career on the path of providing educational opportunities and focused research to help prevent foodborne illnesses from occurring. Additionally, new FSIS regulations were implemented in January of 1998. My extension role sent me to many small processing plants to train them in basic food safety, sanitation and HACCP. I provided a scientific link between the industry and the new regulations.

After four years, I had the opportunity to return to Texas Tech to serve on the faculty and at the same time was named Director of the International Center for Food Industry Excellence where I managed budgets, built research teams and sharpened my leadership skills. I grew as a scientist during this time, conducting research to develop pre- and post-harvest technologies that make our food supply safer and to study the emergence of antibiotic resistance in food systems.

I have dedicated my career to protecting the food supply by studying control mechanisms of foodborne pathogens, especially *Salmonella*, Shiga-Toxin Producing *E. coli* and *Listeria monocytogenes* in meat and poultry products.

In the role as Under Secretary, I plan to take my scientific expertise and my experience in problem-solving to make sound data-driven decisions while working with FSIS' current leadership team to protect public health. I would focus on modernizing our systems with an emphasis on issues which pose significant public health threats such as the emergence of antibiotic resistance and evaluation of new and emerging products and technologies. I would work diligently to retain, recruit and educate our inspectors to implement regulations to ensure food safety and public health.

In the past few weeks there have been multiple outbreaks associated with meat and poultry products. There will always be improvements that need to be made in our system to protect the consumer. We are all consumers as are our children, our parents and our friends and I can use my scientific skills to inform regulatory decisions to prevent future outbreaks.

Last, but the most important thing that shapes my life, is my faith in God. I want to thank Him for my family, my education and experiences and this opportunity that has been placed before me. Through my faith I will gain the wisdom I need to make sound decisions in this position.

Members of the Committee, I appreciate the time you have taken to be here today. I am humbled by the nomination and would be honored to serve as your Under Secretary overseeing food safety if I am so honored to be confirmed. I look forward to answering your questions.

STATEMENT OF NAOMI C. EARP, OF MARYLAND TO BE ASSISTANT SECRETARY FOR CIVIL RIGHTS, U. S. DEPARTMENT OF AGRICULTURE

Chairman Roberts, Ranking Member Stabenow, Members of the Committee, it is an honor to sit before you today.

When sitting before Members of Congress as a nominee for a Presidential appointment, it seems everyone is humbled by the experience. I also feel the weight in this moment of both pride and humility.

I am proud President Trump nominated me to the position of Assistant Secretary for Civil Rights at USDA and humbled by Secretary Perdue's faith in me. As I sit here with members of my family present, we are in awe because there is nothing in our lives that could orchestrate such an outcome but God, and I give Him all the praise.

My mother and I share the name, Naomi. Both of our birth certificates say we are just "colored girls" born in Newport News, Va. But, we've spent our lives proving that people are so much more than limited, frozen in time, monikers intended to serve as lifelong designations and keep us in prescribed categories. My mom was my first hero and mentor. She taught me self-discipline, never to settle, to be methodical and to take life one step at a time, always striving to do better and keep moving forward. I am the first born of her thirteen children. I sometimes chide her that I must have been a really great kid because she kept trying to replicate me.

From very early on, my mother and I shared responsibility for our family. As a practical matter, my mother became the father and as the oldest child, I took on as many motherly responsibilities as I could. At eight years old, I could change diapers and wash dishes as effectively as my mom. At twelve, I shopped for groceries, cooked, and often took responsibility for getting younger siblings to the doctor and dentist by bus. By the time I was a teenager, I could negotiate with the insurance man, the Encyclopedia man, and bill collectors while mom worked.

I had always loved school, and I found a refuge and sanctuary in my all black high school. Despite segregation, the black teachers and administrators pushed my classmates and me. They challenged us to work twice as hard as our white contemporaries and to make a positive contribution to the black community; no matter how small that contribution might be.

With an absentee husband, my mom worked in the homes of affluent white people. If you've read the book or seen the movie, The *Help*, you have a sense of my mom's early work experience and the challenges she faced by bussing to faraway neighborhoods and cobbling together enough daily work to earn a week's salary.

As I was discovering my place in the world, my mother was discovering President Johnson's *War on Poverty*. Mom took advantage of every job-related, educational and economic opportunity program offered. She went back to school, trained as an OBGYN Technician and bought a home. Both my mother and I graduated in 1972. I from college and mom from high school.

As I was starting my federal career with the Chicago Regional Office of the Department of Commerce, Congress was authorizing an amendment to a $4 billion legislative package of public works spending that "set aside" 10 percent of each grant for minority business enterprises. Serendipitously, I was hired as a Civil Rights Specialist for the minority set-aside portion of that program. It was both the beginning of my federal career and the start of a long love affair with equal opportunity and civil rights matters.

Working for different agencies, I climbed the ranks from GS-9 to the Senior Executive Service. I can say with conviction that federal agencies have made important strides in affirmative action, equal opportunity, diversity and inclusion despite problems that remain. If confirmed, the USDA I will return to—despite some diversity challenges, is not the same USDA I worked for in the late 1980s.

If confirmed, I bring a record of achievement forged in a number of federal agency cultures: large, small, geographically dispersed, single location, bureaucratically complex and straightforward. Long after my departure from these agencies, employees I mentored have thrived and programs I conceived and shepherded are still viable. Three examples are the Office of the Ombudsman at NIH, the Youth@Work Initiative at EEOC, and the recognition of the LGBT Affinity Group at the Library of Congress. It is not unusual for a change in leadership to result in the death of a prior leader's initiatives. These programs, and others I am affiliated with, still stand because of strategic alliances, foresight and the hard work of changing minds, culture, and business processes. The saying is, *if you build it, they will come*. I say, if you build it right, it will be embraced.

After spending most of my career in federal service, I felt called to work in Memphis, TN. I wanted to contribute to Dr. King's legacy in some way. I took a position working on labor and employment issues for the City of Memphis. I was fortunate enough to work with and meet some of the very same sanitation workers who had marched right alongside Dr. King in 1968. However, this experience showed me that there is still much work to be done to address Dr. King's dream of a color-blind society based on the content of one's character.

In his, *I've Been to the Mountaintop* speech, Dr. King prophetically says that he may not get there with us, but that we as a people will get to the promise land. I believe the reference to "we as a people" was broader than the sanitation workers and their supporters present that night. I believe "we as a people" is all of us in all walks of life and for me, the "promise land" for government is fair and honest dealings with our public servants and our customers. This is what I have strived to achieve my entire life and continuing to help accomplish that mission is what has brought me back to federal service, should I be confirmed.

My vision for USDA is to continue building on strategies Secretary Perdue already has underway such as (1) outside investigators for employment and program delivery complaints, (2) the Harassment Reporting Hotline, and (3) zero tolerance for discrimination in any form with strict accountability when it is found.

Should I be confirmed, I will devote my energy to building a "culture of civility" based on respect for customers and employees. My priority would be every person's right to respect and dignity in every encounter between employees and those USDA serves. If confirmed, I plan to specifically

target harassment and retaliation issues with new approaches to training designed to address behavior and not just raise awareness and sensitivity. Eradicating harassment and retaliation would be the centerpiece of my tenure in an effort to permanently change the very culture and atmosphere of USDA. I want to make it not just the "people's department". My goal is to help make USDA a department for all the people, all the time, and in all places.

Again, my thanks to you Mr. Chairman, Ranking Member, and Members of the Committee for your consideration. I look forward to answering your questions.

STATEMENT OF SCOTT HUTCHINS, OF INDIANA TO BE UNDER SECRETARY FOR RESEARCH, EDUCATION, & ECONOMICS, U. S. DEPARTMENT OF AGRICULTURE

Good morning. Chairman Roberts, Ranking Member Stabenow and Members of the Committee, I am pleased to appear before you today as President Trump's nominee to the position of Under Secretary for Research, Education, and Economics within the U.S. Department of Agriculture. I'd like to thank President Trump for this opportunity and Secretary Perdue for his confidence and support. I am myself a product of the U.S. Land Grant System and therefore feel a great sense of honor to be considered for this position and, if confirmed, will dedicate myself to fulfill the mission as outlined by Congress and achieve the goals of USDA as outlined by Secretary Perdue. I would also like to thank my family here with me today. My wife, Jan Hutchins from Alabama, who has been a full and equal partner for over 38 years. She is a registered nurse and we have three wonderful adult children and seven grandchildren age 6 and under; no one could ask for a better life-long partner. My sisters, Dawn Skelley and Candy Kellner from Georgia, who are incredibly supportive siblings -- we shared the most amazing parents, Cecil and Robbie Hutchins, who regretfully have passed on, but are here with us here in spirit. My cousin Randy Pfaff from North Carolina, a U.S. Army Veteran and retired fire fighter; we travel each year on Motorcycle vacations with our spouses and in fact have enjoyed riding in most of the great states represented by this Committee.

Throughout my career, I have dedicated myself to developing innovations and novel technologies in support of agricultural production, including organic production -- working every day to provide tools that allow farmers to not only succeed in their businesses, but to do so with a progressively smaller footprint in the environment. For example, I was the global product development manager for spinosad, a naturally derived insect management tool that is today the most widely used insect management tool in organic agriculture within the USA. Indeed, I have witnessed extraordinary progress and positive change in agricultural production and sustainability over my career.

My professional journey as a scientist began at Auburn University as an undergraduate student in the late 1970's where I benefitted from excellent teachers and mentors in Agricultural Entomology and became passionate about helping growers manage devastating pest problems.

During one formative experience, as a Cotton Scout in central Alabama in 1980, I saw the real world in living color – devastating crop losses from the cotton boll weevil, with extensive chemical control required which subsequently "released" several species of secondary pests (e.g., "worms", thrips, whiteflies, and plant bugs), creating a pesticide treadmill of sorts. If you compare that reality of 1980 to cotton production systems of today, the boll weevil has been largely eradicated due to the great work of the USDA and Land-Grants, worm species are controlled via biotechnology-powered host plant resistance, and the remaining species are managed with tools that are far less toxic with a smaller environmental footprint versus their predecessors. Similar progress has been made in many other agroecosystems within the United States and I am pleased and proud to have contributed in some measure to this progress.

Impacted by this experience, I elected to pursue graduate studies at Mississippi State University where I studied the impact of narrow row soybean production on insect pest populations, beneficial species, and control options while learning the art of research. I became a student of integrated pest management (IPM) and followed this interest to Iowa State University to study under the tutelage of Dr. Larry Pedigo, who was a world-renowned pioneer in the field. Through his mentorship and an extraordinary graduate student team environment, I developed a passion for understanding how and when farmers should control pest problems and elected to also pursue a minor in agricultural economics to link farm management to IPM. I have carried these learnings and lessons from all three outstanding Land-Grants with me throughout many roles. I also have been fortunate to have worked closely with numerous university teams and administrators throughout my career, along with scientific societies, to create and advance public-private partnerships. Notably, as a member of the Governing Board of the Entomological Society of America (ESA) for 9 years, including as ESA President in 2007, I have sought to build consensus on positive change while encouraging a culture of inclusivity of all members and member categories in planning the future role ESA will play for its members. I was deeply honored to have been elected as a Fellow of ESA in 2009, the first member with a long career in the private sector to receive that honor in the history of the society.

If confirmed, I look forward to working with Secretary Perdue and his team to fulfill the expectations of Congress and the Administration to ensure U.S. Agriculture remains the most effective and efficient producer of food and feed in the world. Because any model for sustained

progress requires a focus on best practices and land stewardship, the Land Grant Mission is timeless in not only research, but also research-made-relevant through education and extension. This includes not only research on the healthy and productive use of the land, but on the animal and human consumers of these agricultural products. I was honored to have met in person the Nobel Laureate Dr. Norman Borlaug, who first inspired all of us to fulfill what is now the current mantra of USDA and Secretary Perdue: ***Do Right, and Feed Everyone.***

Inasmuch as Congress has designated this role to also serve as the Chief Scientist for the USDA, if confirmed, I will fulfill these responsibilities to the best of my ability through continual outreach to stakeholders and deliberate, yet decisive formulation of recommendations to the Secretary, the President, and the Congress on key scientific issues and opportunities facing U.S. Agriculture.

Moreover, if confirmed, I commit to actively work with and lead the REE team to create strategic themes in line with the goals and objectives of the Secretary and Congress. The women and men of the REE agencies are truly world class with a tremendous history of impact -- my goal is to ensure their full potential is realized for the continued benefit of U.S. Agriculture with a renewed focus on tangible results. I have many years of directly applicable experience in administering large, complex, and diverse research organizations. I am also fortunate to have had unique professional experiences through two major mergers with roles in Human Resources, Six Sigma Quality Improvement, and numerous program and portfolio management assignments that, I believe, will prove useful to the administrative goals of USDA, if confirmed by the Senate.

Mr. Chairman, Ranking Member Stabenow, Members of the Committee, I am truly honored to have been nominated for this critical USDA role and, if confirmed, I pledge to do all I can each and every day to expand the long term competitiveness and sustainability of U.S. Agriculture and further develop the framework and capabilities of REE scientists and professionals. In closing, I would like to thank you for allowing me the privilege of appearing in front of the Committee today. I look forward to answering any questions you may have.

DOCUMENTS SUBMITTED FOR THE RECORD

NOVEMBER 28, 2018

U.S. Senate Committee on Agriculture, Nutrition & Forestry
Questions for Executive Nominees
115th Congress

1. Basic Biographical Information

Please provide the following information.

Position to Which You Have Been Nominated	
Name of Position	**Date of Nomination**
Under Secretary for Food Safety	5/10/18

Current Legal Name			
First Name	**Middle Name**	**Last Name**	**Suffix**
Mindy	Malynn	Brashears	

Addresses					
Residential Address (do not include street address)			**Office Address** (include street address)		
[redacted]			**Street:**		
City: Wolfforth	**State:** Texas	**Zip:** 79382	**City:** Lubbock	**State:** Texas	**Zip:** 79415

Other Names Used						
First Name	**Middle Name**	**Last Name**	**Suffix**	**Check if Maiden Name**	**Name Used From** (Month/Year) (Check box if estimate)	**Name Used To** (Month/Year) (Check box if estimate)
Mindy	Malynn	Hardcastle		X	05/1970 Est ☐	08/1989 Est ☐
					Est ☐	Est ☐

Birth Year and Place	
Year of Birth (Do not include month and day.)	**Place of Birth**
1970	Amarillo, Texas

Marital Status					
Check All That Describe Your Current Situation:					
Never Married	**Married**	**Separated**	**Annulled**	**Divorced**	**Widowed**
☐	☒	☐	☐	☐	☐

Spouse's Name (current spouse only)			
Spouse's First Name	**Spouse's Middle Name**	**Spouse's Last Name**	**Spouse's Suffix**
Michel	Todd	Brashears	

Spouse's Other Names Used (current spouse only)						
First Name	**Middle Name**	**Last Name**	**Suffix**	Check if Maiden Name	**Name Used From** (Month/Year) (Check box if estimate)	**Name Used To** (Month/Year) (Check box if estimate)
					Est ☐	Est ☐
					Est ☐	Est ☐

Children's Names (if over 18)			
First Name	**Middle Name**	**Last Name**	**Suffix**
Bailey	Nichole	Brashears	
Reagan	Lynne	Brashears	

2. Education

List all post-secondary schools attended.

Name of School	**Type of School** (vocational/technical/trade school, college/university/military college, correspondence/distance/extension/online school)	**Date Began School** (month/year) (check box if estimate)	**Date Ended School** (month/year) (check box if estimate) (check "present" box if still in school)	**Degree**	**Date Awarded**
Texas Tech University	University	08/1988 Est ☐	04/1992 Est ☐ Present ☐	B.S.	04/1992
Oklahoma State University	University	08/1992 Est ☐	05/1994 Est ☐ Present ☐	M.S.	05/1994
Oklahoma State University	University	05/1994 Est ☐	05/1997 Est ☐ Present ☐	Ph.D.	05/1997
		Est ☐	Est ☐ Present ☐		

3. Employment

(A) List all of your employment activities, including unemployment and self-employment. If the employment activity was military duty, list separate employment activity periods to show each change of military duty station. Do not list employment before your 18th birthday unless to provide a minimum of two years of employment history.

Type of Employment (Active Military Duty Station, National Guard/Reserve, USPHS Commissioned Corps, Other Federal employment, State Government (Non-Federal Employment), Self-employment, Unemployment, Federal Contractor, Non-Government Employment (excluding self-employment), Other	Name of Your Employer/ Assigned Duty Station	Most Recent Position Title/Rank	Location (City and State only)	Date Employment Began (month/year) (check box if estimate)	Date Employment Ended (month/year) (check box if estimate) (check "present" box if still employed)
State Government	Texas Tech University	Professor	Lubbock, Texas	09/2009 Est ☐	Present ☒ Est ☐
Self-employed	Self-employed	Consultant	Lubbock, Texas	06/2001 Est ☐	Present ☒ Est ☐
State Government	Texas Tech University	Associate Professor	Lubbock, Texas	09/2004 Est ☐	09/2009 Est ☐
State Government	Texas Tech University	Assistant Professor	Lubbock, Texas	05/2001 Est ☐	09/2004 Est ☐
State Government	University of Nebraska	Assistant Professor	Lincoln, Nebraska	08/1997 Est ☐	05/2001 Est ☐
State Government	Oklahoma State University	Research Assistant	Stillwater, Oklahoma	08/1992 Est ☐	07/1997 Est ☐
State Government	Texas Tech University	Student Assistant	Lubbock, Texas	08/1988 Est ☐	05/1992 Est ☐

(B) List any advisory, consultative, honorary or other part-time service or positions with federal, state, or local governments, not listed elsewhere.

Name of Government Entity	Name of Position	Date Service Began (month/year) (check box if estimate)	Date Service Ended (month/year) (check box if estimate) (check "present" box if still serving)

United State Department of Agriculture	Panel Member and Panel Manager for USDA Grant Funding- National Research Initiative Competitive grants programs	May 1997 Est ☒	July 2001 Est ☒ Present ☐
		Est ☐	Est ☐ Present ☐
		Est ☐	Est ☐ Present ☐

4. Honors and Awards

List all scholarships, fellowships, honorary degrees, civilian service citations, military medals, academic or professional honors, honorary society memberships and any other special recognition for outstanding service or achievement.

- American Meat Science Association – Research Award - 2018
- Outstanding Woman Leader Award – West Texas Association of Women in STEAM, 2017
- Campus Internationalization Award to the International Center for Food Industry Excellence – Texas Tech University Office of International Affairs, 2017
- Distinguished Extension/Industry Award – American Meat Science Association, 2017
- Fellow – National Academy of Inventors, (first for a faculty member from Texas Tech), 2016
- Top 25 Future Icon of the Beef Industry – National Provisioner Magazine, 2016
- Scientist of the Year – Lubbock chapter of the Achievement Rewards for College Scientists (ARCS) Foundation, 2014
- Laboratorian Award – International Association for Food Protection, 2014
- Hill Seminar Distinguished Scientist – Penn State University, 2012
- Farm Foundation – Exemplary Teamwork and Collaboration Award, 2011
- CASNR Advising Award – Texas Tech University, 2010
- Distinguished Achievement Award – American Meat Science Association, 2009
- Integrated Scholar – Texas Tech University, 2009
- Presidents Academic Achievement Award – Texas Tech University, 2008
- "20 Under 40" Award – Young Professionals of Greater Lubbock, 2008
- Advanced Degree Graduate of Distinction – Oklahoma State University, 2008
- Big 12 Rising Star Award for Innovation In Research and Technology Transfer, 2006
- Research Award – College of Agricultural Sciences and Natural Resources (CASNR), Texas Tech University, 2005
- Selected as one of the top 6 experts in the United States on *E. coli* O157 to participate in the FSIS *E. coli* O157 Expert Solicitation Panel, 2005
- Invited as one of the top 30 scientists in the world to participate in a scientific panel, "Probiotic Microbes: The Scientific Basis" by the American Academy of Microbiology, the honorific leadership group of the American Society for Microbiology, November 2005
- USDA NRI Panel Manager – Food Safety, 2001 and 2002
- USDA NRI Panel Member – Food Safety, 2000
- *E. coli* O157 Task Force – National Cattleman's Beef Association, 2001-2003

- Burroughs Welcome Fund Visiting Professorship in Microbiological Sciences – American Society for Microbiology – Served as a visiting professor in Food Safety and HACCP at the University of Puerto Rico, Humacao, 1999
- Appointed to Scientific Review Team for the USDA Risk Assessment for *E. coli* O157:H7, 2004
- Excel Food Safety Team Member to give presentations on Food Safety in North America, 2002
- Editorial Board, Journal of Food Protection, 1999-2003
- Editorial Board of the Journal of Food Science, Approx. 2001-2003
- Editorial Board of the Journal of Animal Science, Meat Science Section, Approx. 2015-2017
- Silver Award for HACCP Video – National Ag Communicators of Tomorrow, 1998
- Epsilon Sigma Phi Team Award – Urban Pest Management Team, 1999
- Outstanding Ph.D. Student in the Department of Animal Science, Oklahoma State University, 1997
- E.M. Ahmed Graduate Student Scientist Award, 1997
- Joe V. Whiteman Award for Outstanding Graduate Student Research Paper, 1994 and 1997
- Sigma Xi, Approx. 1990-1992
- Phi Kappa Phi, Approx. 1990-1992
- Gamma Sigma Delta, Approx. 1990-1992
- Golden Key, Approx. 1990-1992
- Alpha Zeta, Approx. 1990-1992
- Cardinal Key, Approx. 1990-1992
- Alpha Lambda Delta, Approx. 1990-1992
- Phi Tau Sigma, Approx. 1990-1992

5. Memberships

List all memberships that you have held in professional, social, business, fraternal, scholarly, civic, or charitable organizations in the last 10 years.

Unless relevant to your nomination, you do NOT need to include memberships in charitable organizations available to the public as a result of a tax deductible donation of $1,000 or less, Parent-Teacher Associations or other organizations connected to schools attended by your children, athletic clubs or teams, automobile support organizations (such as AAA), discounts clubs (such as Groupon or Sam's Club), or affinity memberships/consumer clubs (such as frequent flyer memberships).

Name of Organization	Dates of Your Membership (You may approximate.)	Position(s) Held
Institute of Food Technologists	1997 – Present	
International Association of Food Protection	2001 – Present	
National Academy of Inventors	2016 – Present	Fellow

American Meat Science Association	2001-present	
American Society for Microbiology	2015-present	
S-295 Multi-State Research Project Group, Food Safety	1997-2002	Chair, Secretary, Chair-Elect
National Alliance for Food Safety and Security	1998-2004	Chair Board of Directors

6. Political Activity

(A) Have you ever been a candidate for or been elected or appointed to a political office?

Name of Office	Elected/Appointed/ Candidate Only	Year(s) Election Held or Appointment Made	Term of Service (if applicable)
NONE			

(B) List any offices held in or services rendered to a political party or election committee during the last ten years that you have not listed elsewhere.

Name of Party/Election Committee	Office/Services Rendered	Responsibilities	Dates of Service
Jodey Arrington	Yard Sign and Public Endorsement	Placed a yard sign for Jodey Arrington and was listed in a document publically endorsing him	2016

(C) Itemize all individual political contributions of $200 or more that you have made in the past five years to any individual, campaign organization, political party, political action committee, or similar entity. Please list each individual contribution and not the total amount contributed to the person or entity during the year.

Name of Recipient	Amount	Year of Contribution
NONE		

7. Publications

List the titles, publishers and dates of books, articles, reports or other published materials that you have written, including articles published on the Internet.

Title	Publisher	Date(s) of Publication
Scientific Journals		
Presence of Salmonella and Escherichia coli O157 on the hide, and presence of Salmonella and Escherichia coli O157 and Campylobacter in feces from small-ruminant (goat and lamb) samples collected in the United States	*Meat Sci* 135:1-5.	2018
Comparing the Recovery of Indicator Microorganisms from Beef Trimmings Using Swabbing, Rinsing, and Grinding Methodologies	*Meat Muscle Biol*	2018
Immunomagnetic Separation to Detect and Isolate Shiga Toxin-producing *Escherichia coli* O157 and the Big Six Non-O157	*Food Prot Trends* 38(3):178–185	2018
Efficacy of Lactic Acid, Lactic Acid-Citric-Acid Blends, and Peracetic Acid to Reduce Salmonella on Chicken Parts under Simulated Commercial Processing Conditions	*J Food Prot* 81(1):17-24	2018
Corn-Based Distillers' Grain in the Diets for Feedlot Cattle is Associated with the Burden of *Escherichia coli* O157 in Feces	*Foodborne Path Dis.*	2018
Draft Genome Sequence of *Enterococcus faecium* J19 isolated from Cabbage	*ASM Genome Announc* genomeA.00213-18	2018
Impact of Carcass Anatomical Location on the Microbiological Profile of Beef Trimmings	*Food Prot Trends* 37(6): 403–408.	2017
Thermal Inactivation of Salmonella spp. in High-Fat Rendering Products	*J Food Prot* (In press).	2017
Draft Genome Sequence of *Lactobacillus salivarius* L28 isolated from Ground Beef	*ASM Genome Announc* , e00955-17. doi:10.1128/genomeA.00955-17.	2017
Efficacy of Lactic Acid, Lactic Acid-Citric-Acid Blends, and Peracetic Acid to Reduce Salmonella on Chicken Parts Under Simulated Commercial Processing Conditions	*J Food Prot* (In press).	2017
Molecular Characterization of *Salmonella* from Beef Carcasses and Fecal samples from an Integrated Feedlot and Abattoir in Mexico	*J Food Prot* 80(12):1964-1972.	2017
The Diversity of Beef Safety: A Global Reason to Strengthen our Current Systems	*Meat Sci* 132:59-71.	2017

Applications and Safety Considerations of Lactobacillus salivarius as a Probiotic in Animal and Human Health.	*J Appl Microbiol* DOI: 10.1111/jam.13438	3 Mar 2017
Beef assessments using functional magnetic resonance imaging and sensory evaluation	*Meat Sci* 126:11-17.	2017
High Prevalence of Salmonella in Lymph Nodes and Tonsils of Swine Presented for Slaughter in Mexico	*Food Prot Trends* 1:25-29.	2017
Salmonella presence in mandibular, mesenteric, and subiliac lymph nodes collected from sheep and goats in the United States	*J Food Prot* 79 (11):1977-1981	2016
Internalization and thermal susceptibility of Shiga toxin-producing Escherichia coli (STEC) in marinated beef products	*Meat Sci* 116:213-220.	2016
Antimicrobial susceptibility and internalization of *Salmonella typhimurium* in vacuum-tumbled marinated beef products	*Appl Microbiol* 63:412-418.	2016
Salmonella and *E. coli* O157:H7 Prevalence and Generic E. coli and Coliform Quantitative Baseline in Raw Pork and Beef in Retail Channels in Mexico	*Food Prot Trends* 36:8-17.	2016
Influence of Market Setting and Time of Purchase on Bacterial Counts and Prevalence of Salmonella and Listeria in Pork in Vietnam	*Agric Food Anal Bacteriol* 5:166-182	2015
Controlling *Listeria monocytogenes* Scott A on Surfaces of Fully Cooked Turkey Deli Product Using Organic Acid-Containing Marinades as Post-Lethality Dips.	*Intl J Food Sci,* 2015.	2015
The Influence of Beef Quality Characteristics on the Internalization and Thermal Susceptibility of Shiga Toxin-Producing *Escherichia coli* (STEC) in Blade-Tenderized Beef Steaks	*Meat Sci* 110: 85-92.	2015
Virulence characterization and molecular subtyping of typical and atypical *Escherichia coli* O157:H7 and O157:H(-) isolated from fecal samples and beef carcasses in Mexico	*J Food Prot* 78:264-272	2015
Prevalence of molecular markers for Salmonella and Shiga toxigenic *Escherichia coli* (STE) in whole-muscle beef cuts sold at retail markets in Costa Rica	*Food Control* 50:497-501	2015
Antimicrobial Interventions for O157:H7 and Non-O157 Shiga Toxin-Producing *Escherichia coli* on Beef Subprimal and Mechanically Tenderized Steaks	*J of Food Prot* 78(3):511-517	2015
Seasonal prevalence of potentially positive non-O157 Shiga toxin-producing *Escherichia coli* (STEC) bovine hides and carcasses in Costa Rica	*Meat Sci* 110:196-200	2015
Salmonella in Beef and Produce from Honduras	*J Food Prot* 78(3):498-502	2015

Reduced Burden of *Salmonella enterica* in Bovine Subiliac Lymph Nodes Associated with Administration of a Direct-fed Microbial	*Zoonoses and Public Health* 62:599–608.	2015
Establishment of Salmonella and *E. coli* O157 prevalence in show goats	*Meat Sci* 101:152-143	2015
Host response to the pathogen Mycobacterium avium subspecies paratuberculosis and beneficial microbes are directed through host sex-specificity	*Appl. Environ. Microbiol.* 80(15):481-4490	2014
A comparison of cell mediators and serum cytokines transcript expression between male and female mice infected with Mycobacterium avium subspecies paratuberculosis and/or consuming probiotics	*Pathogens and Disease*, PAD-14-02-0032	2014
An Evaluation of the Needs of Stakeholders within the Bahamian Food Production - Consumption Continuum	*Journal of International Agricultural and Extension Education.* 21(2) Summer:22-24	2014
The impact of packaging system and temperature abuse on the shelf life characteristics of ground beef	*J. Meat Sci.* 97(1):1-10.	2014
Reduction of Escherichia coli O157:H7 and Salmonella after application of various sanitizing treatments to harvesting knives	*J. Food Prot.* 76(2): 200-204	2014
Efficacy of Quaternary Ammonium Compounds on Different Conveyor Chips Contaminated with Poultry Rinsate	*J. Food Prot.* 77(1):384-388.	2014
Animal Feed vs. Human Food: Challenges and Opportunities in Sustaining Animal Agriculture Toward 2050	*CAST* Issue Paper Number 35, September 2013	2013
Survivability of Escherichia coli O157:H7 in needle-tenderized beef steaks subjected to lactic acid application and cooking under simulated industry conditions	*J. Food Protection.* 76(10): 1778-1783.	2013
Evaluation of process control to prevent contamination of beef with non-O157 Shiga toxin-producing Escherichia coli (STEC) in U.S. export abattoirs in Honduras and Nicaragua	*Food Prot Trends,* 33(4):224–230	2013
Cross-sectional Study Examining Salmonella enterica Carriage in Subiliac Lymph Nodes of Cull and Feedlot Cattle at Harvest	*Foodborne Pathogens and Disease.* 10(4):368-374.	2013
Substantial Within-Animal Diversity of Salmonella Recovered from Lymph Nodes, Feces and Hides of Cattle at Slaughter	*Appl. Environ. Microbiol.* Vol. 79(15):4744-4750	2013
Effects of the probiotic Lactobacillus animalis in murine Mycobacterium avium subspecies paratuberculosis infection	*BMC Microbiology*	2013
Salmonella and Escherichia coli O157:H7 Prevalence in Cattle and on Carcasses in a	*J. Food Prot.*, 76(5):786–795.	2013

Vertically Integrated Feedlot and Harvest Plant in Mexico		
Determining the problems, impacts and potential solutions for the agricultural industry of Belize: A needs assessment.	*J. of International Agricultural and Extension Education* 20(2):122-124	2013
Detection of Listeria monocytogenes, Salmonella and Yersinia enterocolitica in beef at points of sale in Mexico	*Revista Mexicana de Ciencias Pecuarias*. 4 (1):107-115	2013
Influence of casein hydrolysates on exopolysaccharide synthesis by S. thermophilus and L. delbrueckii ssp. bulgaricus	*J Sci Food Agric.* doi: 10.1002/jsfa.6420	2013
Validation of Antimicrobial Interventions for Small and Very Small Processors: A How-to Guide to Develop and Conduct Validations	*Food Prot. Trends*. 33(2)	2013
Microbial quality of condensation in fresh and ready-to-eat processing facilities	J. Meat Sci. 90(3):728-732	2012
Food Safety Climate of Municipal, Private and Government Regulated Slaughter Plants in Mexico	Journal of International Agricultural and Extension Education, 19(2), 183-185	2012
Marination of Turkey Breast Fillets to Control the Growth of Listeria Monocytogenes and Improve Meat Quality in Deli Loaves	J. Dairy Sci., 86, 150-155	2012
Salmonella and E. coli O157:H7 prevalence in cattle and on carcasses in a vertically integrated feedlot and harvest plant in Mexico	J. Food Prot. JFP-12-079R2	2012
Microbiological and organoleptic characteristics of beef trim and ground beef treated with acetic acid, lactic acid, acidified sodium chlorite, or sterile water in a simulated commercial processing environment to reduce Escherichia coli O157:H7 and Salmonella	Meat Sci. 90(3):783-788	2012
Spoilage characteristics of ground beef with added lactic acid bacteria and rosemary oleoresin packaged in a modified atmosphere package and displayed at abusive temperatures	J. Animal Sci. 90(6):2054-2060.	2012
Spoilage characteristics of traditionally packaged ground beef with added lactic acid bacteria displayed at abusive temperatures	J. Animal Sci.; 90(2):642-648	2012
Shelf life and stability traits of traditionally and modified atmosphere packaged ground beef patties treated with lactic acid bacteria, rosemary oleoresin, or both prior to retail display	J. Meat Sci. 90(1):20-27	2012
Salmonella Diversity and Burden in Cows on and Culled from Dairy Farms in the Texas High Plains	Foodborne Pathogens and Disease. 9(6):549-555	2012
Salmonella and Campylobacter Baseline in Retail Ground Beef and Whole-Muscle Cuts Purchased during 2010 in the United States	J Food Protect. 75(12):2110-2115	2012

Validation Comparing the Effectiveness of a Lactic Acid Dip with a Lactic Acid Spray for Reducing Escherichia coli O157:H7, Salmonella, and Non-O157 Shiga Toxigenic Escherichia coli on Beef Trim and Ground Beef	J Food Protect. 75(11):1968–1973	2012
Effect of ultrafiltered fractions from casein on lactic acid biosynthesis and enzymes activity in yoghurt starter cultures	Intl J. of Food Science and Technology 48:1474-1482	2012
Inhibition of Escherichia coli O157:H7 and Clostridium sporogenes in Spinach Packaged in Modified Atmospheres After Treatment with Chlorine and Lactic Acid Bacteria	J. Food Sci. 76(6):427-432	2011
Reduction of Inoculated Salmonella Cocktail in Ground Turkey and Turkey Breasts Using Lactobacillus-base Intervention	J. Poultry Sci. 90(4):876-879	2011
Implementation of targeted interventions to control Escherichia coli O157:H7 in a commercial abattoir	J. Meat Sci. 87(4):361-365	2011
Evaluation of the Storage Life of Vacuum Packaged Australian beef	J. Meat Sci. 88(1):128-138	2011
Effects of Simulated Dry and Wet Chilling and Aging of Beef Fat and Lean Tissues on the Reduction of Escherichia coli O157:H7 and Salmonella	J. Food Prot. 74(2):289-293	2011
Potential for Microbial Contamination of Spinach through Feedyard Air/Dust Growing in Close Proximity to Cattle Feedyard Operations	J. Food Safety. 31(4):525-529	2011
Validation Of Lactic Acid Bacteria, Lactic Acid, And Acidified Sodium Chlorite As Decontaminating Interventions To Control Escherichia coli O157:H7 And Salmonella Typhimurium DT 104 In Mechanically Tenderized And Brine Enhanced (Non - Intact) Beef At The Purveyor	J. Food Prot. 73(12):2169-2179	2010
Reduction of Escherichia coli O157:H7 in Fresh Spinach Using Lactic Acid Bacteria and Chlorine as a Multihurdle Intervention	J. Food Prot. 73(2):358-361	2010
Reduction of Escherichia coli O157:H7 in Fresh Spinach Using Bovamine Meat Cultures as a Post-Harvest Intervention and its impact on Sensory Properties	Food Prot. Trends. 30(2):72-77	2010
Reduction of Multidrug-Resistant and Drug-Susceptible Salmonella in Ground Beef and Freshly Harvested Beef Briskets After Exposure to Commonly Used Industry Antimicrobial Interventions	J Food Prot. 73(7):1231-1237	2010

Comparison of Phenotypic and Genotypic Methods Used for the Species Identification of Lactobacillus NP51 and Development of a Strain-Specific PCR Assay	Probiotics and Antimicrobial Proteins. 2(4):274-283	2010
Validation of Intervention Strategies to Control Escherichia coli O157:H7 and Salmonella Typhimurium DT 104 in Mechanically Tenderized and Brine Enhanced Beef	J. Food Prot. Vol. 72 (8):1616-1623	2009
Diversity and Susceptibility of Enterococcus Isolated from Cattle before and after Harvest	J. Food Prot. 72(4):766-774	2009
Spoilage and Safety Characteristics of Ground Beef Treated with Lactic Acid Bacteria	J. Food Prot. 72(11):2278-2283	2009
A Content Analysis of Food Safety Measures on Television's Food Network	Food Prot Trends. 29(1):16-20	2009
Comparison of Quality Attributes of Shell Eggs Subjected to Directional Microwave Technology	J. Poultry Sci. 88(6):1257-1265	2009
Validation of a Lactic Acid and Citric Acid-Based Antimicrobial Product for the Reduction of Escherichia coli O157:H7 and Salmonella on Beef Tips and Whole Chicken Carcasses	J. Food Prot. 72(10):2208-2211.	2009
In Vitro and In Vivo Investigations of Antimicrobial Treatments to Reduce Escherichia coli O157:H7 in Cattle Manure	Prof Anim Sci. 25(1):49-59	2009
Control of Listeria monocytogenes in turkey deli loaves using organic acids as formulation ingredients	J. Poultry Sci. 88(10):2235-2239	2009
Spoilage and Safety Characteristics of Ground Beef Packaged in Traditional and Modified Atmosphere Packages	J. Food Prot. 71(2):293-301	2008
Fractional Differential Equations Based Modeling of Microbial Survival and Growth Curves: Model Development and Experimental Validation	J. Food Sci. 73(8):403-414	2008
Salmonella enterica Burden in Harvest-Ready Cattle Populations of the Texas High Plains	Appl Environ Microbiol. 74(2):345–351	2008
Quality and Mold Growth on White Enriched Bread for Military Rations Following Directional Microwave Treatment	J. Food Sci. 73(3):99-103	2008
Reduction of Salmonella Enteritidis in Shell Eggs Using Directional Microwave Technology.	J. Poultry Sci. 87(5):985-991	2008
Environmental Dust Exposure as a Factor Contributing to an Increase in Escherichia coli O157 and Salmonella Populations on Cattle Hides in Feedyards	J. Food Prot. 71(10):2078-2081	2008

Antimicrobial susceptibility of enteric bacteria recovered from feedlot cattle administered chlortetracycline in feed	Am. J. Vet. Res. 69(8):988-996	2008
Effects of increasing dose of live cultures of Lactobacillus acidophilus (Strain NP 51) combined with a single dose of Propionibacterium freudenreichii (Strain NP 24) on performance and carcass characteristics of finishing beef steers	J. Animal Sci. 86(3):756-762	2008
Characterizing the Safety and Quality of Fresh Beef Cuts Subjected to Deep Muscle Marination	J. of Animal Science, Supplemental 1:85, 200	2007
Is There a Link Between Food Safety and Food Spoilage	J. of Animal Science, Supplemental 1:85, 137	2007
Positive Adaptive State: Microarray Evaluation of Gene Expression in Salmonella enterica Typhimurium Exposed to Nalidixic Acid	Foodborne Pathog Dis. 4(2):187-200	2007
Antimicrobial Drug Resistance in Salmonella and Escherichia coli Isolates from Cattle Feces, Hides, and Carcasses	J. Food Prot. 70(3):551-556	2007
Carbon Monoxide in MAP Chicken Breast Fillets and Drums as a Food Safety Intervention to Reduce Pathogen Loads and Extend Shelf-Life	J. Anim. Sci., Suppl. 1, 85:424	2007
Changes in antimicrobial susceptibility in a population of Escherichia coli isolated from feedlot cattle administered ceftiofur crystalline-free acid	Am. J. Vet. Res. 68(5):501-507	2007
Contribution of Humidity to the Lethality of Surface-Attached Heat-Resistant Salmonella during the Thermal Processing of Cooked Ready-to-Eat Roast Beef	J. Food Prot. 70(3):62-765	2007
Impact of Transportation of Feedlot Cattle to the Harvest Facility on the Prevalence of Escherichia coli O157:H7, Salmonella, and Total Aerobic Microorganisms on Hides	J. Food Prot. 70(1):17-21	2007
Reduction of Escherichia coli O157 and Salmonella in Feces and on Hides of Feedlot Cattle Using Various Doses of a Direct-Fed Microbial	J. Food Prot. 70(10):2386–2391	2007
Distribution of Escherichia coli O157 and Salmonella on Hide Surfaces, the Oral Cavity, and in Feces of Feedlot Cattle	J. Food Prot. 70(6):1346-1349	2007
Development and Validation of a Most-Probable-Number Immunomagnetic Separation Methodology of Enumerating Escherichia coli O157 in Cattle Feces	J. Food Prot. 70(5):1072-1075	2007
Prevalence and Enumeration of Escherichia coli O157 in Steers Receiving Various Strains of Lactobacillus-Based Direct-Fed Microbials	J. Food Prot. 70(5):1252-1255	2007

Comparison of Rapid Enzyme-Linked Immunosorbent Assay and Immunomagnetic Separation Methods for Detection of Escherichia coli O157 in Fecal, Hide, Carcass, and Ground Beef Samples	J. Food Prot. 70(10):2230–2234	2007
Marination of Turkey Breast Fillets to Control the Growth of Listeria Monocytogenes and Improve Meat Quality in Deli Loaves	J. Poultry Sci. 86(1): 150-155	2006
Effects of feeding whole cottonseed and cottonseed products on performance and carcass characteristics of finishing beef cattle	J. Animal Sci. 84(8):2186-2199	2006
Survival of Escherichia coli O157:H7 in Bovine Feces over Time under Various Temperature Conditions	J. Food Prot. 69(12):2851-2855	2006
Validation of the Use of Organic Acids and Acidifed Sodium Chlorite To Reduce Escherichia coli O157 and Salmonella Typhimurium in Beef Trim and Ground Beef in a Simulated Processing Environment	J. Food Prot. 69(8):1802-1807	2006
Validation of Time and Temperature Values as Critical Limits for the Control of Escherichia coli O157:H7 during the Production of Fresh Ground Beef	J. Food Prot. 69(8):1978-1982	2006
Reduction of Campylobacter spp on poultry carcasses using various interventions under simulated industry conditions	Poultry Science Assoc. 85:98 (Suppl. 1)	2006
Effect of Intensity of Fecal Pat Sampling on Estimates of *Escherichia coli* O157 Prevalence	*Am. J. Vet. Res.* 66(12):2023-2027	2005
Effects of Using Retention-Pond Water for Dust Abatement on Performance of Feedlot Steers and Carriage of *Escherichia coli* O157 and *Salmonella* spp	*J. Am. Vet. Med. Assoc.* 226(8):1378-1383	2005
Pre-harvest Interventions to reduce carriage of *E. coli* O157 by harvest-ready feedlot cattle	*J. Meat Sci.* 71(1):72-78	2005
Reduction of *Escherichia coli* O157:H7 and *Salmonella* in Ground Beef Using Lactic Acid Bacteria and the Impact on Sensory Properties	*J. Food Prot.* 68(8):1587-1592	2005
Reduction of Escherichia coli O157 in Finishing Beef Cattle by Various Doses of Lactobacillus acidophilus in Direct-Fed Microbials	*J. Food Prot.* 68(1):6-10	2005
The Cost and Effectiveness of Pre-harvest Interventions in Beef Cattle	Texas Journal of Agriculture and Natural Resources 17 (2005):97-110.	2004
Validation of Time and Temperature Values as Critical Limits for Salmonella and Background	J. Food Prot. 67(7):1389-1393	2004

Flora Growth During the Production of Fresh Ground and Boneless Pork Products		
Isolation, Identification, and Selection of Lactic Acid Bacteria from Alfalfa Sprouts for Competitive Inhibition of Foodborne Pathogens	J. Food Prot. 67(5):947-951	2004
Dietary Supplementation with Lactobacillus and Propionibacterium-Based Direct-Fed Microbials and Prevalence of Escherichia coli O157 in Beef Feedlot Cattle and on Hides at Harvest	J. Food Prot. 67(5):889-893	2004
Prevalence of *Escherichia coli* O157:H7 and Performance by Beef Feedlot Cattle Given *Lactobacillus* Direct-Fed Microbials	*J. Food Prot.* 66(5):748-754	2003
Isolation, Selection, and Characterization of Lactic Acid Bacteria for a Competitive Exclusion Product to Reduce Shedding of *Escherichia coli* O157:H7 in Cattle	*Journal Food Prot.* 66(3):355-363	2003
Effects of Live Cultures of *Lactobacillus acidophilus* (Strains NP45 and NP51) and *Propionibacterium freudenreichii* on Performance, Carcass and Intestinal Characteristics, and *Escherichia coli* 0157:H7 Shedding of Finishing Beef Steers	*J. Anim. Sci.* 81(11):2686-2698.	2003
Establishment of a Microbiological Profile for an Air-Chilling Poultry Operation in the United States	*J. Food Prot.* 66(2):272-279	2003
Competitive Inhibition of *Listeria monocytogenes* in Ready-to-Eat Meat Products by Lactic Acid Bacteria	*J. Food Prot.* 65(2):316-325.	2002
Development and Evaluation of an Advanced HACCP Workshop for Meat Processors	*Dairy Food Environ. Sanit.* 22(12):976-984	2002
Microbial Profile and Antibiotic Susceptibility of *Campylobacter* spp. and *Salmonella* spp. in Broilers Processed in Air-Chill and Immersion-Chill Environments	*J. Food Prot.* 65(6):948-956	2002
Validation of Methods Used to Recover *Escherichia coli* O157:H7 and *Salmonella* spp. Subjected to Stress Conditions	*J. Food Prot.* 64(10):1466-1471	2001
HACCP Implementation and Validation in Small and Very Small Meat and Poultry Processing Plants in Nebraska	*Dairy Food Environ. Sanit.* 21: 20-28	2001
Validation and Optimization of Chilling and Holding Temperature Parameters as Critical Control Points in Raw Meat and Poultry Processing Establishments	*Dairy Food Environ. Sanit.* 22(4):246-251	2001
Packaging Modifications of Alfalfa Sprouts Produced from Chlorine Treated and Untreated Seeds	*J. Food Sci.* 66(1):153-157	2001

Book Chapters		
Hurdle Technology - Encyclopedia of Meat Sciences, Second Edition	Elsevier, ISBN: 978-0-123-84731-7.	2014
Fate of Escherichia coli O157:H7 in Meat - Safety of Meat and Processed Meats, Food Microbiology and Food Safety Series	Chapter 2, pp 31-53 (Toldra, F. ed.). Springer Science, New York, New York. ISBN: 978-0-387-89025-8.	2009
Controlling Microbial Contamination on the Farm: An Overview. Raw Material Safety- Improving the Safety of Fresh Meat Part 1.	Elsevier. ISBN: 978-1-855-73955-0.	2005
Lactic Acid Bacteria and Their Uses in Animal Feeding to Improve Food Safety	Food and Nutrition Reviews	2005
Food Safety around the World	Center for Science in the Public Interest	2005
Environmental Reservoirs and Transmission of Foodborne Pathogens	Pre-Harvest and Post-Harvest Food Safety: Contemporary Issues and Future Directions	2003
Control of food-borne Bacterial Pathogens in Animals and Animal Products through Microbial Antagonism	Food Biotechnology	2003
Extension Publications		
Impact of Air-Chilling on the Microbiological Safety of Poultry	University of Nebraska Poultry Report	2000
"Chlorine Usage in Dairy Processing Facilities" in Use of Chlorine Based Sanitizers and Disinfectants in the Food Manufacturing Industry	Food Manufacturing Coalition	1999
Proactive Approaches to Evaluating Raw Materials	Food Testing and Analysis. Vol 5: 5. p. 22-23	1999
"Chlorine Usage in Meat and Poultry Processing Facilities" in Use of Chlorine Based Sanitizers and Disinfectants in the Food Manufacturing Industry	Food Manufacturing Coalition	1999
Introduction to the principles of HACCP	Department of Communication and Information Technology, Electronic Media Section, University of Nebraska. Lincoln, NE	1999
Influences of pH during growth of cholesterol from MRS by *Lactobacillus casei* and *Lactobacillus acidophilus*	Oklahoma State University Animal Science Research Report	1997

Inhibitory actions of *Lactobacillus lactis* on *Escherichia coli* O157:H7 during storage at 7°C in broth and on raw chicken meat	Oklahoma State University Animal Science Research Report. p. 51-55	1996
Survival of cells of *Lactobacillus acidophilus* and *Lactobacillus casei* during refrigerated storage in fermented milk products	Oklahoma State University Animal Science Research Report. p. 48-54	1995
Survival of late exponential phase and stationary phase cells of *Lactobacillus acidophilus* at 7°C	Oklahoma State University, Animal Science Research Report. P 34-39	1994
Sampling Beef Carcasses for Process Control Verification	Sampling Beef Carcasses for Process Control Verification	1999
Theses		
Influence of pH on bile salt deconjugation and removal of cholesterol from broth by *Lactobacillus casei* and *Lactobacillus acidophilus*	Oklahoma State University, Ph.D. Dissertation	1997
Influence of harvest time on stability of cells of *Lactobacillus acidophilus* during frozen and subsequent refrigerated storage	Oklahoma State University, M.S. Thesis	1992
Congressional Testimony		
Biotechnology, Horticulture and Research Subcommittee – Public Hearing	House Agriculture Committee; Subcommittee on Biotechnology, Horticulture and Research – Public Hearing	Sept. 29, 2015

8. Lobbying

In the past ten years, have you registered as a lobbyist? If so, please indicate the state, federal, or local bodies with which you have registered (e.g., House, Senate, California Secretary of State).

NO

UNITED STATES OFFICE OF
GOVERNMENT ETHICS

May 29, 2018

The Honorable Pat Roberts
Chairman
Committee on Agriculture, Nutrition,
and Forestry
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Mindy M. Brashears, who has been nominated by President Trump for the position of Under Secretary for Food Safety, Department of Agriculture.

We have reviewed the report and have obtained advice from the agency concerning any possible conflict in light of its functions and the nominee's proposed duties. Also enclosed is an ethics agreement outlining the actions that the nominee will undertake to avoid conflicts of interest. Unless a date for compliance is indicated in the ethics agreement, the nominee must fully comply within three months of confirmation with any action specified in the ethics agreement.

Based thereon, we believe that this nominee is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,
DAVID
APOL

Digitally signed by DAVID APOL
DN: c=US, o=U.S. Government, ou=Office of Government Ethics, cn=DAVID APOL, 0.9.2342.19200300.100.1.1=9549100298187 0
Date: 2018.05.29 18:37:45 -04'00'

David J. Apol
Acting Director and General Counsel

Enclosures

May 22, 2018

Mr. Stuart Bender
Designated Agency Ethics Official
U.S. Department of Agriculture
Washington, DC 20250

Dear Mr. Bender:

The purpose of this letter is to describe the steps that I will take to avoid any actual or apparent conflict of interest in the event that I am confirmed for the position of Under Secretary for Food Safety of the U.S. Department of Agriculture.

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

Upon confirmation, I will take an unpaid leave of absence from my position as a Professor at Texas Tech University. I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the financial interests of Texas Tech University, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for either the exemption at 5 C.F.R. § 2640.203(b) or another regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2).

I am the sole proprietor of my consulting business and am also the co-owner of Acacia Professional Services, LLC. Upon confirmation, these entities will cease all consulting activities, including the representation of clients. During my appointment to the position of Under Secretary for Food Safety, these entities will remain dormant and will not advertise. I will not perform any services for these entities, except that I will comply with any requirements involving legal filings, taxes, and corporate fees that are necessary to maintain these entities while they are in an inactive status. As Under Secretary for Food Safety, I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the financial interests of either entity. If I am owed any money for my consulting work for these entities, all amounts owed to me by any of my clients will be fixed before I assume that position of Under Secretary for Food Safety, and I will not participate personally and substantially in any particular matter that has a direct and predictable effect on the ability or willingness of any client to pay these amounts. In addition, I will not participate personally and substantially in any particular matter involving specific parties in which I know a former client of mine is a party or represents a party, for a period of one year after I last provided

service to that client, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

Upon confirmation, I will resign from my positions with NexGen Innovations, LLC. My spouse and I have a one-third ownership interest in the LLC, which will be divested within 90 days of my confirmation. I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the financial interests of NexGen Innovations, LLC until I have divested it, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). For a period of one year after my resignation, I will not participate personally and substantially in any particular matter involving specific parties in which I know NexGen Innovations, LLC, is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

Upon confirmation, I will resign from my positions with MicroZap, LLC. My spouse and I will retain an ownership interest in the entity. During my appointment, I will not manage this entity or provide any other services to it. Instead, I will receive only passive investment income from it. As Under Secretary for Food Safety, I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the financial interests of MicroZap, LLC, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1).

I am an inventor for the following science and technology patents: (1) "Improvement in lactic acid bacteria cultures that inhibit food-borne pathogens", Patent #07323166 (Texas Tech University); (2) "Lactic acid bacteria cultures that inhibit food borne-pathogens", Patent # US 7,323,166 B2 (University of Nebraska); and (3) "Reduction of food-borne pathogens in pet food utilizing lactic acid bacteria cultures", Patent #D-1272 (Texas Tech University). I will not participate personally and substantially in any particular matter that has a direct and predictable effect on my financial interest in any of these patents, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1).

My spouse owns the Brash Livestock Company. I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the financial interests of the Brash Livestock Company, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1).

If I have a managed account or otherwise use the services of an investment professional during my appointment, I will ensure that the account manager or investment professional obtains my prior approval on a case-by-case basis for the purchase of any assets other than cash, cash equivalents, investment funds that qualify for the exemption at 5 C.F.R. § 2640.201(a), obligations of the United States, or municipal bonds.

I will meet in person with you during the first week of my service in the position of Under Secretary for Food Safety in order to complete the initial ethics briefing required under 5 C.F.R. § 2638.305. Within 90 days of my confirmation, I will document my compliance with this

ethics agreement by notifying you in writing when I have completed the steps described in this ethics agreement.

I understand that as an appointee I will be required to sign the Ethics Pledge (Exec. Order No. 13770) and that I will be bound by the requirements and restrictions therein in addition to the commitments I have made in this ethics agreement.

I have been advised that this ethics agreement will be posted publicly, consistent with 5 U.S.C. § 552, on the website of the U.S. Office of Government Ethics with ethics agreements of other Presidential nominees who file public financial disclosure reports.

Sincerely,

Mindy M Brashears

Mindy M. Brashears

Executive Branch Personnel
Public Financial Disclosure Report (OGE Form 278e)

Filer's Information

Brashears, Mindy Malynn

Undersecretary for Food Safety, Department of Agriculture

Other Federal Government Positions Held During the Preceding 12 Months:
None

Names of Congressional Committees Considering Nomination:

- **Committee on Agriculture, Nutrition, and Forestry**

Electronic Signature - I certify that the statements I have made in this form are true, complete and correct to the best of my knowledge.

/s/ Brashears, Mindy Malynn [electronically signed on 12/16/2017 by Brashears, Mindy Malynn in Integrity.gov]

Agency Ethics Official's Opinion - On the basis of information contained in this report, I conclude that the filer is in compliance with applicable laws and regulations (subject to any comments below).
/s/ Bender, Stuart, Certifying Official [electronically signed on 05/14/2018 by Bender, Stuart in Integrity.gov]

Other review conducted by

U.S. Office of Government Ethics Certification

/s/ Apol, David, Certifying Official [electronically signed on 05/29/2018 by Apol, David in Integrity.gov]

1. Filer's Positions Held Outside United States Government

#	ORGANIZATION NAME	CITY, STATE	ORGANIZATION TYPE	POSITION HELD	FROM	TO
1	Texas Tech University	Lubbock, Texas	University/College	Professor	6/2001	Present
2	Mindy Brashears, Consultant	Wolfforth, Texas	Food Safety Consulting	Sole Proprietor	6/2001	Present
3	MicroZap, LLC	Lubbock, Texas	LLC	Co-Owner	10/2007	Present
4	MicroZap, LLC	Lubbock, Texas	LLC	Member, Board of Directors	10/2007	Present
5	MicroZap, LLC	Lubbock, Texas	LLC	Chief Scientist	10/2007	Present
6	NexGen Innovations, LLC	Lubbock, Texas	LLC	Co-Owner	4/2016	Present
7	NexGen Innovations, LLC	Lubbock, Texas	LLC	Chief Scientist	4/2016	Present
8	Acacia Professional Services, LLC	Lubbock, Texas	LLC	Co-Owner	2/2016	Present

2. Filer's Employment Assets & Income and Retirement Accounts

#	DESCRIPTION	EIF	VALUE	INCOME TYPE	INCOME AMOUNT
1	Texas Tech University 403(b) Tax Deferred Account	No			
1.1	Fidelity Intermediate Bond Fund	Yes	$1,001 - $15,000		None (or less than $201)
1.2	Fidelity Emerging Markets Discovery Fund	Yes	$15,001 - $50,000		$2,501 - $5,000
1.3	Fidelity Floating Rate High Income	Yes	$15,001 - $50,000		None (or less than $201)

#	DESCRIPTION	EIF	VALUE	INCOME TYPE	INCOME AMOUNT
1.4	Fidelity High Income Fund	Yes	$1,001 - $15,000		$201 - $1,000
1.5	Fidelity Inflat-Protbond Index Premium Fund	Yes	$15,001 - $50,000		None (or less than $201)
1.6	Fidelity Mid Cap Enhanced Index Fund	Yes	$1,001 - $15,000		$1,001 - $2,500
1.7	Fidelity Mid Cap Index Premium Class Fund	Yes	$15,001 - $50,000		$2,501 - $5,000
1.8	Fidelity Overseas Fund: Class K	Yes	$50,001 - $100,000		$5,001 - $15,000
1.9	Fidelity Small Cap Discovery Fund	Yes	$15,001 - $50,000		None (or less than $201)
1.10	Fidelity Spartan 500 Index Advtg Fund	Yes	$50,001 - $100,000		$5,001 - $15,000
1.11	Fidelity Total Emerging Markets Fund	Yes	$15,001 - $50,000		$1,001 - $2,500
1.12	Fidelity Total Mkt Index Premium Cl Fund	Yes	$50,001 - $100,000		$5,001 - $15,000
1.13	Fidelity New Markets Income Fund	Yes	$15,001 - $50,000		None (or less than $201)
1.14	Western Asset Core Plus Bond Fund	Yes	$1,001 - $15,000		None (or less than $201)
2	Mindy Brashears, Consultant	N/A	$50,001 - $100,000	Food Safety Consulting Fees	$302,874
3	MicroZap, LLC (Microwave pasteurization of breads)	N/A	$1,001 - $15,000		None (or less than $201)
4	Texas Tech University	N/A		Salary	$378,287
5	"Improvement in lactic acid bacteria cultures that inhibit food-borne pathogens", Patent #07323166 (Texas Tech University) (value not readily ascertainable)	N/A		Rent or Royalties	$50,001 - $100,000

#	DESCRIPTION		EIF	VALUE	INCOME TYPE	INCOME AMOUNT
6	NexGen Innovations, LLC (Probiotic pet food and animal feed)		N/A	$15,001 - $50,000		None (or less than $201)
7	"Lactic acid bacteria cultures that inhibit food borne-pathogens", Patent # US 7,323,166 B2 (University of Nebraska) (value not readily ascertainable)	See Endnote	N/A		Rent or Royalties	$5,001 - $15,000
8	"Reduction of food-borne pathogens in pet food utilizing lactic acid bacteria cultures", Patent #D-1272 (Texas Tech University) (value not readily ascertainable)		N/A		Rent or Royalties	$15,001 - $50,000
9	Acacia Professional Services, LLC		N/A	$50,001 - $100,000	Food Safety Consulting Fees	$9,000

3. Filer's Employment Agreements and Arrangements

#	EMPLOYER OR PARTY	CITY, STATE	STATUS AND TERMS	DATE
1	Texas Tech University	Lubbock, Texas	I will take an unpaid leave of absence from Texas Tech University Board of Regents. The leave of absence is renewable annually as approved by the Texas Tech University Board of Regents.	7/2018
2	Texas Tech University	Lubbock, Texas	I will continue to participate in this defined contribution plan. The plan sponsor will not make further contributions during my appointment.	6/2001
3	Mindy Brashears, Consultant	Wolfforth, Texas	My consulting sole proprietorship will be inactive and dormant during my appointment to Federal service and all outstanding client fees will be fixed before entering into Federal service.	6/2001
4	Acacia Professional Services, LLC	Lubbock, Texas	Acacia Professional Services, LLC will be inactive and dormant during my appointment to Federal service and all outstanding client fees will be fixed before entering into Federal service.	2/2016

4. Filer's Sources of Compensation Exceeding $5,000 in a Year

#	SOURCE NAME	CITY, STATE	BRIEF DESCRIPTION OF DUTIES
1	Texas Tech University	Lubbock, Texas	Professor
2	Mindy Brashears, Consultant	Wolfforth, Texas	Food Safety Consultant
3	Nutrition Physiology, LLC	Amarillo, Texas	Client of Mindy Brashears, Consultant.
4	BPI Packers (Beef Products Inc.)	Dakota Dunes, South Dakota	Client of Mindy Brashears, Consultant.
5	Nebraska Beef	Omaha, Nebraska	Client of Mindy Brashears, Consultant.
6	Merck	Madison, New Jersey	Client of Mindy Brashears, Consultant.
7	Acacia Professional Services, LLC	Wolfforth, Texas	Food Safety Consultant

5. Spouse's Employment Assets & Income and Retirement Accounts

#	DESCRIPTION	EIF	VALUE	INCOME TYPE	INCOME AMOUNT
1	Texas Tech University	N/A		salary	
2	Texas Tech University 403(b) Tax Deferred Account	No			
2.1	Fidelity Intermediate Bond Fund	Yes	$1,001 - $15,000		None (or less than $201)
2.2	Fidelity Emerging Markets Discovery Fund	Yes	$15,001 - $50,000		None (or less than $201)
2.3	Fidelity Floating Rate High Income	Yes	$1,001 - $15,000		None (or less than $201)

#	DESCRIPTION	EIF	VALUE	INCOME TYPE	INCOME AMOUNT
2.4	Fidelity High Income Fund	Yes	$1,001 - $15,000		None (or less than $201)
2.5	Fidelity Inflat-Protbond Index Premium Fund	Yes	$1,001 - $15,000		None (or less than $201)
2.6	Fidelity Mid Cap Enhanced Index Fund	Yes	$1,001 - $15,000		None (or less than $201)
2.7	Fidelity Mid Cap Index Premium Class Fund	Yes	$15,001 - $50,000		None (or less than $201)
2.8	Fidelity Overseas Fund: Class K Fund	Yes	$15,001 - $50,000		None (or less than $201)
2.9	Fidelity Small Cap Discovery Fund	Yes	$15,001 - $50,000		None (or less than $201)
2.10	Fidelity Spartan 500 Index Advtg Fund	Yes	$15,001 - $50,000		None (or less than $201)
2.11	Fidelity Total Emerging Markets Fund	Yes	$1,001 - $15,000		None (or less than $201)
2.12	Fidelity Total Mkt Index Premium Cl Fund	Yes	$15,001 - $50,000		None (or less than $201)
2.13	Fidelity New Markets Income Fund	Yes	$1,001 - $15,000		None (or less than $201)
2.14	Western Asset Core Plus Bond Fund	Yes	$1,001 - $15,000		None (or less than $201)
3	NexGen Innovations, LLC (Probiotic pet food and animal feed)	N/A	$15,001 - $50,000		None (or less than $201)
4	MicroZap, LLC (Microwave pasteurization of breads)	N/A	$1,001 - $15,000		None (or less than $201)

6. Other Assets and Income

#	DESCRIPTION		EIF	VALUE	INCOME TYPE	INCOME AMOUNT
1	U.S. bank account (cash) #1		N/A	$250,001 - $500,000		None (or less than $201)
2	U.S. bank account (cash) #2		N/A	$15,001 - $50,000		None (or less than $201)
3	U.S. bank account (cash) #3		N/A	$15,001 - $50,000		None (or less than $201)
4	College Counts Fixed Income Account Moderate Age Based 19+ Portfolio (529 Fund Qualified Tuition Plan)		Yes	$1,001 - $15,000		$1,001 - $2,500
5	College Counts Fixed Income Account 13-14 Portfolio (529 Fund Qualified Tuition Plan)		Yes	$1,001 - $15,000		$1,001 - $2,500
6	Brash Livestock Company - Consisting of three cows (show cows, not market animals) and two sheep	See Endnote	N/A	$15,001 - $50,000		None (or less than $201)

7. Transactions

(N/A) - Not required for this type of report

8. Liabilities

#	CREDITOR NAME	TYPE	AMOUNT	YEAR INCURRED	RATE	TERM
1	Department of Education (Cornerstone)	Student Loan	$50,001 - $100,000	1999	3.28%	288 months

#	CREDITOR NAME	TYPE	AMOUNT	YEAR INCURRED	RATE	TERM
2	Department of Education (Cornerstone)	Student Loan	$10,001 - $15,000	1999	3.285%	288 months
3	Texas Tech Federal Credit Union	Personal Loan	$15,001 - $50,000	2017	2.250%	60 months
4	Department of Education (Mohela)	Student Loan	$50,001 - $100,000	1999	7.125%	288 months (graduated payments)
5	Department of Education (Mohela)	Student Loan	$10,001 - $15,000	1999	7.125%	288 months (graduated payments)
6	Department of Education (Mohela)	Student Loan	$50,001 - $100,000	2005	2.625%	288 months (graduated payments)
7	SunTrust Bank	Mortgage on Personal Residence	$250,001 - $500,000	2014	3.25%	15 year

9. Gifts and Travel Reimbursements

(N/A) - Not required for this type of report

Endnotes

PART	#	ENDNOTE
2.	7	Patents owned by University of Nebraska.
6.	6	Subsequent to filing this report, the two sheep were sold.

Summary of Contents

1. Filer's Positions Held Outside United States Government

Part 1 discloses positions that the filer held at any time during the reporting period (excluding positions with the United States Government). Positions are reportable even if the filer did not receive compensation.

This section does not include the following: (1) positions with religious, social, fraternal, or political organizations; (2) positions solely of an honorary nature; (3) positions held as part of the filer's official duties with the United States Government; (4) mere membership in an organization; and (5) passive investment interests as a limited partner or non-managing member of a limited liability company.

2. Filer's Employment Assets & Income and Retirement Accounts

Part 2 discloses the following:

- Sources of earned and other non-investment income of the filer totaling more than $200 during the reporting period (e.g., salary, fees, partnership share, honoraria, scholarships, and prizes)
- Assets related to the filer's business, employment, or other income-generating activities that (1) ended the reporting period with a value greater than $1,000 or (2) produced more than $200 in income during the reporting period (e.g., equity in business or partnership, stock options, retirement plans/accounts and their underlying holdings as appropriate, deferred compensation, and intellectual property, such as book deals and patents)

This section does not include assets or income from United States Government employment or assets that were acquired separately from the filer's business, employment, or other income-generating activities (e.g., assets purchased through a brokerage account). Note: The type of income is not required if the amount of income is $0 - $200 or if the asset qualifies as an excepted investment fund (EIF).

3. Filer's Employment Agreements and Arrangements

Part 3 discloses agreements or arrangements that the filer had during the reporting period with an employer or former employer (except the United States Government), such as the following:

- Future employment
- Leave of absence
- Continuing payments from an employer, including severance and payments not yet received for previous work (excluding ordinary salary from a current employer)
- Continuing participation in an employee welfare, retirement, or other benefit plan, such as pensions or a deferred compensation plan
- Retention or disposition of employer-awarded equity, sharing in profits or carried interests (e.g., vested and unvested stock options, restricted stock, future share of a company's profits, etc.)

4. Filer's Sources of Compensation Exceeding $5,000 in a Year

Part 4 discloses sources (except the United States Government) that paid more than $5,000 in a calendar year for the filer's services during any year of the reporting period.

The filer discloses payments both from employers and from any clients to whom the filer personally provided services. The filer discloses a source even if the source made its payment to the filer's employer and not to the filer. The filer does not disclose a client's payment to the filer's employer if the filer did not provide the services for which the client is paying.

5. Spouse's Employment Assets & Income and Retirement Accounts

Part 5 discloses the following:

- Sources of earned income (excluding honoraria) for the filer's spouse totaling more than $1,000 during the reporting period (e.g., salary, consulting fees, and partnership share)
- Sources of honoraria for the filer's spouse greater than $200 during the reporting period
- Assets related to the filer's spouse's employment, business activities, other income-generating activities that (1) ended the reporting period with a value greater than $1,000 or (2) produced more than $200 in income during the reporting period (e.g., equity in business or partnership, stock options, retirement plans/accounts and their underlying holdings as appropriate, deferred compensation, and intellectual property, such as book deals and patents)

This section does not include assets or income from United States Government employment or assets that were acquired separately from the filer's spouse's business, employment, or other income-generating activities (e.g., assets purchased through a brokerage account). Note: The type of income is not required if the amount of income is $0 - $200 or if the asset qualifies as an excepted investment fund (EIF). Amounts of income are not required for a spouse's earned income (excluding honoraria).

6. Other Assets and Income

Part 6 discloses each asset, not already reported, that (1) ended the reporting period with a value greater than $1,000 or (2) produced more than $200 in investment income during the reporting period. For purposes of the value and income thresholds, the filer aggregates the filer's interests with those of the filer's spouse and dependent children.

This section does not include the following types of assets: (1) a personal residence (unless it was rented out during the reporting period); (2) income or retirement benefits associated with United States Government employment (e.g., Thrift Savings Plan); and (3) cash accounts (e.g., checking, savings, money market accounts) at a single financial institution with a value of $5,000 or less (unless more than $200 of income was produced). Additional exceptions apply. Note: The type of income is not required if the amount of income is $0 - $200 or if the asset qualifies as an excepted investment fund (EIF).

7. Transactions

Part 7 discloses purchases, sales, or exchanges of real property or securities in excess of $1,000 made on behalf of the filer, the filer's spouse or dependent child during reporting period.

This section does not include transactions that concern the following: (1) a personal residence, unless rented out; (2) cash accounts (e.g., checking, savings, CDs, money market accounts) and money market mutual funds; (3) Treasury bills, bonds, and notes; and (4) holdings within a federal Thrift Savings Plan account. Additional exceptions apply.

8. Liabilities

Part 8 discloses liabilities over $10,000 that the filer, the filer's spouse or dependent child owed at any time during the reporting period.

This section does not include the following types of liabilities: (1) mortgages on a personal residence, unless rented out (limitations apply for PAS filers); (2) loans secured by a personal motor vehicle, household furniture, or appliances, unless the loan exceeds the item's purchase price; and (3) revolving charge accounts, such as credit card balances, if the outstanding liability did not exceed $10,000 at the end of the reporting period. Additional exceptions apply.

9. Gifts and Travel Reimbursements

This section discloses:

- Gifts totaling more than $390 that the filer, the filer's spouse, and dependent children received from any one source during the reporting period.
- Travel reimbursements totaling more than $390 that the filer, the filer's spouse, and dependent children received from any one source during the reporting period.

For purposes of this section, the filer need not aggregate any gift or travel reimbursement with a value of $156 or less. Regardless of the value, this section does not include the following items: (1) anything received from relatives; (2) anything received from the United States Government or from the District of Columbia, state, or local governments; (3) bequests and other forms of inheritance; (4) gifts and travel reimbursements given to the filer's agency in connection with the filer's official travel; (5) gifts of hospitality (food, lodging, entertainment) at the donor's residence or personal premises; and (6) anything received by the filer's spouse or dependent children totally independent of their relationship to the filer. Additional exceptions apply.

Privacy Act Statement

Title I of the Ethics in Government Act of 1978, as amended (the Act), 5 U.S.C. app. § 101 et seq., as amended by the Stop Trading on Congressional Knowledge Act of 2012 (Pub. L. 112-105) (STOCK Act), and 5 C.F.R. Part 2634 of the U. S. Office of Government Ethics regulations require the reporting of this information. The primary use of the information on this report is for review by Government officials to determine compliance with applicable Federal laws and regulations. This report may also be disclosed upon request to any requesting person in accordance with sections 105 and 402(b)(1) of the Act or as otherwise authorized by law. You may inspect applications for public access of your own form upon request. Additional disclosures of the information on this report may be made: (1) to any requesting person, subject to the limitation contained in section 208(d)(1) of title 18, any determination granting an exemption pursuant to sections 208(b)(1) and 208(b)(3) of title 18; (2) to a Federal, State, or local law enforcement agency if the disclosing agency becomes aware of violations or potential violations of law or regulation; (3) to another Federal agency, court or party in a court or Federal administrative proceeding when the Government is a party or in order to comply with a judge-issued subpoena; (4) to a source when necessary to obtain information relevant to a conflict of interest investigation or determination; (5) to the National Archives and Records Administration or the General Services Administration in records management inspections; (6) to the Office of Management and Budget during legislative coordination on private relief legislation; (7) to the Department of Justice or in certain legal proceedings when the disclosing agency, an employee of the disclosing agency, or the United States is a party to litigation or has an interest in the litigation and the use of such records is deemed relevant and necessary to the litigation; (8) to reviewing officials in a new office, department or agency when an employee transfers or is detailed from one covered position to another; (9) to a Member of Congress or a congressional office in response to an inquiry made on behalf of an individual who is the subject of the record; (10) to contractors and other non-Government employees working on a contract, service or assignment for the Federal Government when necessary to accomplish a function related to an OGE Government-wide system of records; and (11) on the OGE Website and to any person, department or agency, any written ethics agreement filed with OGE by an individual nominated by the President to a position requiring Senate confirmation. See also the OGE/GOVT-1 executive branch-wide Privacy Act system of records.

Public Burden Information

This collection of information is estimated to take an average of three hours per response, including time for reviewing the instructions, gathering the data needed, and completing the form. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Program Counsel, U.S. Office of Government Ethics (OGE), Suite 500, 1201 New York Avenue, NW., Washington, DC 20005-3917.

Pursuant to the Paperwork Reduction Act, as amended, an agency may not conduct or sponsor, and no person is required to respond to, a collection of information unless it displays a currently valid OMB control number (that number, 3209-0001, is displayed here and at the top of the first page of this OGE Form 278e).

Nov. 27, 2018

The Honorable Pat Roberts, Chairman Committee on
Agriculture, Nutrition & Forestry
United States Senate
Washington, D.C. 20510

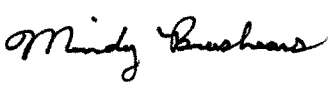
The Honorable Debbie Stabenow, Ranking Member
Committee on Agriculture, Nutrition & Forestry
United States Senate
Washington, DC 20510

Dear Chairman Roberts and Ranking Member Stabenow:

Please be advised that pursuant to section 101 (b) of the Ethics in Government Act of 1978, as amended, I have informed the appropriate ethics officials that the information required by section 102(a)(I)(A) of the Act with respect to income and honoraria contained in OGE Form 278e (Executive Branch Public Financial Disclosure Report) executed by me on Dec. 16, 2017 is correct.

This information is current as of Tuesday, November 27, 2018. This date is within five days prior to the date of the first hearing scheduled to consider my nomination.

Sincerely,



Mindy Brashears

U.S. Senate Committee on Agriculture, Nutrition & Forestry
Questions for Executive Nominees
115th Congress

1. Basic Biographical Information

Please provide the following information.

Position to Which You Have Been Nominated	
Name of Position	**Date of Nomination**
Assistant Secretary, Civil Rights, USDA	02/15/2018

Current Legal Name			
First Name	**Middle Name**	**Last Name**	**Suffix**
Naomi	Churchill	Earp	

Addresses					
Residential Address (do not include street address)			**Office Address** (include street address)		
[redacted]			Street:		
City: Owings Mills	State: MD	Zip: 21117	City:	State:	Zip:

Other Names Used						
First Name	**Middle Name**	**Last Name**	**Suffix**	Check if Maiden Name	**Name Used From** (Month/Year) (Check box if estimate)	**Name Used To** (Month/Year) (Check box if estimate)
Naomi	Lois	Davis		X	02/1950 Est ☐	09/1971 Est ☐
Naomi	Davis	Churchill			09/1971 Est ☐	07/1987 Est ☐

Birth Year and Place	
Year of Birth (Do not include month and day.)	**Place of Birth**
1950	Newport News, VA

Marital Status					
Check All That Describe Your Current Situation:					
Never Married	**Married**	**Separated**	**Annulled**	**Divorced**	**Widowed**
☐	☐	☐	☐	☐	X

Spouse's Name (current spouse only)			
Spouse's First Name	**Spouse's Middle Name**	**Spouse's Last Name**	**Spouse's Suffix**

Spouse's Other Names Used (current spouse only)						
First Name	**Middle Name**	**Last Name**	**Suffix**	**Check if Maiden Name**	**Name Used From** (Month/Year) (Check box if estimate)	**Name Used To** (Month/Year) (Check box if estimate)
					Est ☐	Est ☐
					Est ☐	Est ☐

Children's Names (if over 18)			
First Name	**Middle Name**	**Last Name**	**Suffix**
Nathanael	**Churchill**	**Earp**	**Mr.**

2. Education

List all post-secondary schools attended.

Name of School	Type of School (vocational/technical/trade school, college/university/military college, correspondence/distance/extension/online school)	Date Began School (month/year) (check box if estimate)	Date Ended School (month/year) (check box if estimate) (check "present" box if still in school)	Degree	Date Awarded
Norfolk State University	University	1968 Est ☒	1972 Est ☒ Present ☐	BA	1972
Indiana University	University	1973 Est ☒	1977 Est ☒ Present ☐	MS	1977
Columbus School of Law, Catholic University	University	1979 Est ☒	1982 Est ☒ Present ☐	JD	1982

3. Employment

(A) List all of your employment activities, including unemployment and self-employment. If the employment activity was military duty, list separate employment activity periods to show each change of military duty station. Do not list employment before your 18th birthday unless to provide a minimum of two years of employment history.

Type of Employment (Active Military Duty Station, National Guard/Reserve, USPHS Commissioned Corps, Other Federal employment, State Government (Non-Federal Employment), Self-employment, Unemployment, Federal Contractor, Non-Government Employment (excluding self-employment), Other	Name of Your Employer/ Assigned Duty Station	Most Recent Position Title/Rank	Location (City and State only)	Date Employment Began (month/year) (check box if estimate)	Date Employment Ended (month/year) (check box if estimate) (check "present" box if still employed)
Retired/Unemployed			Owings Mills, MD	04/2016 Est ☐	Present Est ☐ Present ☒
State Government (TN)	Southwest TN Community College	Director, Workforce Development	Memphis, TN	02/2015 Est ☐	04/2016 Est ☐
Unemployed			Memphis, TN	09/2014 Est ☐	02/2015 Est ☐
Local Government (Memphis, TN)	City of Memphis	Director, Workforce Investment Network	Memphis, TN	05/2013 Est ☐	09/2014 Est ☐
Local Government (Memphis, TN)	City of Memphis	Director, EEO/Labor Relations	Memphis, TN	05/2012 Est ☐	04/2013 Est ☐
Retired			Washington, DC	2011 Est ☒	05/2012 Est ☐
Federal Employment	Library of Congress	Director, EEO/Diversity	Washington, DC	2009 Est ☒	2011 Est ☒
Federal Employment	National Institutes of Health	Director, EEO/Diversity	Bethesda, MD	1994 Est ☒	2003 Est ☒
Federal Employment	Federal Aviation Administration, U.S. Dept. of Transportation	EEO Specialist (Temp)	Washington, DC	1991 Est ☒	1993 Est ☒
Self-employed	Self-employed	Consultant	Washington, DC	1990 Est ☒	1991 Est ☒

Federal Employment	U.S. Dept. of Agriculture	Associate Director, Advocacy & Enterprise	Washington, DC	1987 Est ☒	1990 Est ☒
Federal Employment	Equal Employment Opportunity Commission	Attorney	Washington, DC	1986 Est ☒	1987 Est ☒
Federal Employment	Washington, DC Naval District	EEO Manager	Washington, DC	1985 Est ☒	1986 Est ☒
Self-Employed	Self-employed	Consultant	Washington, DC/Los Angeles, CA	1983 Est ☒	1985 Est ☒
Federal Employment	Veterans Reemployment Rights, U.S. Dept. of Labor	Investigator	Washington, DC	1981 Est ☒	1983 Est ☒
Unemployed	Student	Law School	Washington, DC	1979 Est ☒	1981 Est ☒
Federal Employment	Economic Development Administration, U.S. Dept. of Commerce	Civil Rights Specialist	Chicago, IL	1976 Est ☒	1979 Est ☒

(B) List any advisory, consultative, honorary or other part-time service or positions with federal, state, or local governments, not listed elsewhere.

Name of Government Entity	Name of Position	Date Service Began (month/year) (check box if estimate)	Date Service Ended (month/year) (check box if estimate) (check "present" box if still serving)
Frederick Douglass Bicentennial Commission	Member	02/2018 Est ☐	Est ☐ Present ☒
		Est ☐	Est ☐ Present ☐

		Est ☐	Est ☐ Present ☐

4. Honors and Awards

List all scholarships, fellowships, honorary degrees, civilian service citations, military medals, academic or professional honors, honorary society memberships and any other special recognition for outstanding service or achievement.

Doctor of Humane Letters (Honoris Causa)
Norfolk State University
December 13, 2008

5. Memberships

List all memberships that you have held in professional, social, business, fraternal, scholarly, civic, or charitable organizations in the last 10 years.

Unless relevant to your nomination, you do NOT need to include memberships in charitable organizations available to the public as a result of a tax deductible donation of $1,000 or less, Parent-Teacher Associations or other organizations connected to schools attended by your children, athletic clubs or teams, automobile support organizations (such as AAA), discounts clubs (such as Groupon or Sam's Club), or affinity memberships/consumer clubs (such as frequent flyer memberships).

Name of Organization	Dates of Your Membership (You may approximate.)	Position(s) Held
College of Labor and Employment Lawyers	2007-Present	Member
Pennsylvania Bar Association	1985-Present	Member
U. S. Supreme Court Bar	2004 (approximate)- Present	Member
Life Source International Church	2016-Present	Member

6. Political Activity

(A) Have you ever been a candidate for or been elected or appointed to a political office?

Name of Office	Elected/Appointed/ Candidate Only	Year(s) Election Held or Appointment Made	Term of Service (if applicable)
Member, US Equal Employment Opportunity Commission	Appointed	2003, 2005	2003-2009
Chair, US Equal Employment Opportunity Commission	Appointed	2007	2007-2009
Vice Chair, US Equal Employment Opportunity Commission	Appointed	2003	2003-2007

(B) List any offices held in or services rendered to a political party or election committee during the last ten years that you have not listed elsewhere.

Name of Party/Election Committee	Office/Services Rendered	Responsibilities	Dates of Service
Maryland Republican Party	Volunteer	Phone-banking, Sign waving, After election clean-up/sign removal	April 2016-November 2016
Donald J. Trump for President Inc.	Yard Sign	Yard Sign	2016
Kathy Szeliga for U.S. Senate	Yard Sign	Yard Sign	2016

(C) Itemize all individual political contributions of $200 or more that you have made in the past five years to any individual, campaign organization, political party, political action committee, or similar entity. Please list each individual contribution and not the total amount contributed to the person or entity during the year.

Name of Recipient	Amount	Year of Contribution
Liz Matory for Congress	$2000	2018
Republican National Committee	$250	2017
TN State Senator Mark Norris	$1000	2014

7. Publications

List the titles, publishers and dates of books, articles, reports or other published materials that you have written, including articles published on the Internet.

Title	Publisher	Date(s) of Publication
Appropriations Hearing	U.S. House Committee on Appropriations: Subcommittee on Commerce, Justice, Science and Related Agencies	April, 2008
Forty-three and Counting: EEOC Challenges, Successes and Emerging Trends	Hofstra Labor & Employment Law Journal	2007
Preface: A Few Words for Chinese Readers	American Labor and Employment Law Press-China	2007
Appropriations Hearing	U.S. Senate Committee on Appropriations	May, 2007
Appropriations Hearing	U.S. House Committee on Appropriations: Subcommittee on Commerce, Justice, Science and Related Agencies	March, 2007
Oversight Hearing	U.S. House Committee on the Judiciary: Subcommittee on the Constitution	September, 2006
Avoiding Pregnancy Discrimination	Defense Research Institute	Winter, 2005
EEOC's Proactive Prevention Efforts are Good for Business	Defense Research Institute	Spring, 2004
Teens at Work: What Employers Need to Know	Defense Research Institute	Summer, 2004

8. Lobbying

In the past ten years, have you registered as a lobbyist? If so, please indicate the state, federal, or local bodies with which you have registered (e.g., House, Senate, California Secretary of State).

I have never registered as a lobbyist.

November 27, 2018

The Honorable Pat Roberts, Chairman Committee on
Agriculture, Nutrition & Forestry
United States Senate
Washington, D.C. 20510

The Honorable Debbie Stabenow, Ranking Member
Committee on Agriculture, Nutrition & Forestry
United States Senate
Washington, DC 20510

Dear Chairman Roberts and Ranking Member Stabenow:

During my interview with your staff counsels, the following questions were raised. Please accept this letter and its contents as my responses:

Employment by NIST? During various times from 2000-2003 I was detailed to NIST to assist in setting up their EEO office. However, during this period I remained an employee of NIH.

Employment by FDIC? From early in 1994 until beginning my position at NIH in September, 1994 I was a temporary employee of FDIC working in their EEO office. This position is detailed below.

Type of Employment	Name of Your Employer/ Assigned Duty Station	Most Recent Position Title/Rank	Location (City and State only)	Date Employment Began	Date Employment Ended
Federal Government	FDIC	Temp.	Washington, D.C.	Est 1994 ☐	Est Sept. 1994 ☐

Sincerely,

Naomi C. Earp

UNITED STATES OFFICE OF
GOVERNMENT ETHICS

February 22, 2018

The Honorable Pat Roberts
Chairman
Committee on Agriculture, Nutrition,
and Forestry
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Naomi C. Earp, who has been nominated by President Trump for the position of Assistant Secretary for Civil Rights, Department of Agriculture.

We have reviewed the report and have obtained advice from the agency concerning any possible conflict in light of its functions and the nominee's proposed duties. Also enclosed is an ethics agreement outlining the actions that the nominee will undertake to avoid conflicts of interest. Unless a date for compliance is indicated in the ethics agreement, the nominee must fully comply within three months of confirmation with any action specified in the ethics agreement.

Based thereon, we believe that this nominee is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,

DAVID APOL

Digitally signed by DAVID APOL
DN: c=US, o=U.S. Government, ou=Office of Government Ethics, cn=DAVID APOL, 0.9.2342.19200300.100.1.1=9549100298187D
Date: 2018.02.22 17:12:25 -05'00'

David J. Apol
Acting Director and General Counsel

Enclosures

February 16, 2018

Mr. Stuart Bender
Designated Agency Ethics Official
U.S. Department of Agriculture
Washington, DC 20250

Dear Mr. Bender:

The purpose of this letter is to describe the steps that I will take to avoid any actual or apparent conflict of interest in the event that I am confirmed for the position of Assistant Secretary for Civil Rights.

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

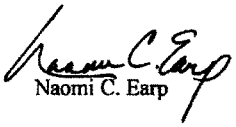
I understand that as an appointee I will be required to sign the Ethics Pledge (Exec. Order no. 13770) and that I will be bound by the requirements and restrictions therein in addition to the commitments I have made in this ethics agreement.

If I have a managed account or otherwise use the services of an investment professional during my appointment, I will ensure that the account manager or investment professional obtains my prior approval on a case-by-case basis for the purchase of any assets other than cash, cash equivalents, investment funds that qualify for the exemption at 5 C.F.R. § 2640.201(a), obligations of the United States, or municipal bonds.

I will meet in person with you during the first week of my service in the position of Assistant Secretary for Civil Rights in order to complete the initial ethics briefing required under 5 C.F.R. § 2638.305. Within 90 days of my confirmation, I will document my compliance with this ethics agreement by notifying you in writing when I have completed the steps described in this ethics agreement.

I have been advised that this ethics agreement will be posted publicly, consistent with 5 U.S.C. § 552, on the website of the U.S. Office of Government Ethics with ethics agreements of other Presidential nominees who file public financial disclosure reports.

Sincerely,



Naomi C. Earp

Nominee Report | U.S. Office of Government Ethics; 5 C.F.R. part 2634 | Form Approved: OMB No. (3209-0001) (January 2018)

Executive Branch Personnel
Public Financial Disclosure Report (OGE Form 278e)

Filer's Information

Earp, Naomi Churchill

Assistant Secretary (Civil Rights), Department of Agriculture

Other Federal Government Positions Held During the Preceding 12 Months:
None

Names of Congressional Committees Considering Nomination:

- **Committee on Agriculture, Nutrition, and Forestry**

Electronic Signature - I certify that the statements I have made in this form are true, complete and correct to the best of my knowledge.

/s/ Earp, Naomi Churchill [electronically signed on 08/25/2017 by Earp, Naomi Churchill in Integrity.gov]

Agency Ethics Official's Opinion - On the basis of information contained in this report, I conclude that the filer is in compliance with applicable laws and regulations (subject to any comments below).
/s/ Bender, Stuart, Certifying Official [electronically signed on 02/20/2018 by Bender, Stuart in Integrity.gov]

Other review conducted by

U.S. Office of Government Ethics Certification

/s/ Apol, David, Certifying Official [electronically signed on 02/22/2018 by Apol, David in Integrity.gov]

1. Filer's Positions Held Outside United States Government

#	ORGANIZATION NAME	CITY, STATE	ORGANIZATION TYPE	POSITION HELD	FROM	TO
1	Southwest Tennessee Community College	Memphis, Tennessee	University/College	Director, Workforce Development	2/2015	4/2016

2. Filer's Employment Assets & Income and Retirement Accounts

#	DESCRIPTION	EIF	VALUE	INCOME TYPE	INCOME AMOUNT
1	State of TennesseeConsolidated Retirement System 401(K)				
1.1	Vanguard Institutional Retirement Fund	Yes	$1,001 - $15,000		None (or less than $201)
1.2	Vanguard Target Retirement Income Fund	Yes	$1,001 - $15,000		None (or less than $201)
2	Southwest Tennessee Community College	N/A		Salary	$93,000
3	State of Tennessee Consolidated Retirement System - Defined Benefit Plan	N/A	$1,001 - $15,000		None (or less than $201)

3. Filer's Employment Agreements and Arrangements

#	EMPLOYER OR PARTY	CITY, STATE	STATUS AND TERMS	DATE
1	State of Tennessee Consolidated Retirement System 401(K)	Nashville, Tennessee	I will continue to participate in this 401(K) plan. My former employer has not made any contributions to this plan since my departure.	2/2015

#	EMPLOYER OR PARTY	CITY, STATE	STATUS AND TERMS	DATE
2	State of Tennessee Consolidated Retirement System - Defined Benefit Plan	Nashville, Tennessee	I will continue to participate in this defined contribution plan.The plan sponsor no longer makes contributions. At age 70, I can choose $54 per month or roll over of the principal.	2/2015

4. Filer's Sources of Compensation Exceeding $5,000 in a Year

#	SOURCE NAME	CITY, STATE	BRIEF DESCRIPTION OF DUTIES
1	Southwest Tennessee Community College	Memphis, Tennessee	Director of Workforce Development

5. Spouse's Employment Assets & Income and Retirement Accounts

None

6. Other Assets and Income

#	DESCRIPTION	EIF	VALUE	INCOME TYPE	INCOME AMOUNT
1	New York Life Insurance (Universal Policy)	N/A	$100,001 - $250,000	Interest	$201 - $1,000
2	Walmart stock	N/A	$1,001 - $15,000		None (or less than $201)
3	U.S. credit union account (cash)	N/A	$15,001 - $50,000		None (or less than $201)
4	U.S. bank account (cash)	N/A	$15,001 - $50,000		None (or less than $201)

#	DESCRIPTION	EIF	VALUE	INCOME TYPE	INCOME AMOUNT
5	New York Life Insurance Annuity (NYLIAC Asset Preserver Annuity Contract) (Fixed Annuity)	N/A	$15,001 - $50,000	Interest	$201 - $1,000

7. Transactions

(N/A) - Not required for this type of report

8. Liabilities

#	CREDITOR NAME	TYPE	AMOUNT	YEAR INCURRED	RATE	TERM
1	Ditech (Rapid City, South Dakota)	Mortgage on Personal Residence	$100,001 - $250,000	2005	3.5% ARM	30 years
2	Bank of America	Mortgage on Personal Residence	$15,001 - $50,000	2005	7.75% Fixed Rate	30 years

9. Gifts and Travel Reimbursements

(N/A) - Not required for this type of report

Endnotes

Summary of Contents

1. Filer's Positions Held Outside United States Government

Part 1 discloses positions that the filer held at any time during the reporting period (excluding positions with the United States Government). Positions are reportable even if the filer did not receive compensation.

This section does not include the following: (1) positions with religious, social, fraternal, or political organizations; (2) positions solely of an honorary nature; (3) positions held as part of the filer's official duties with the United States Government; (4) mere membership in an organization; and (5) passive investment interests as a limited partner or non-managing member of a limited liability company.

2. Filer's Employment Assets & Income and Retirement Accounts

Part 2 discloses the following:

- Sources of earned and other non-investment income of the filer totaling more than $200 during the reporting period (e.g., salary, fees, partnership share, honoraria, scholarships, and prizes)
- Assets related to the filer's business, employment, or other income-generating activities that (1) ended the reporting period with a value greater than $1,000 or (2) produced more than $200 in income during the reporting period (e.g., equity in business or partnership, stock options, retirement plans/accounts and their underlying holdings as appropriate, deferred compensation, and intellectual property, such as book deals and patents)

This section does not include assets or income from United States Government employment or assets that were acquired separately from the filer's business, employment, or other income-generating activities (e.g., assets purchased through a brokerage account). Note: The type of income is not required if the amount of income is $0 - $200 or if the asset qualifies as an excepted investment fund (EIF).

3. Filer's Employment Agreements and Arrangements

Part 3 discloses agreements or arrangements that the filer had during the reporting period with an employer or former employer (except the United States Government), such as the following:

- Future employment
- Leave of absence
- Continuing payments from an employer, including severance and payments not yet received for previous work (excluding ordinary salary from a current employer)
- Continuing participation in an employee welfare, retirement, or other benefit plan, such as pensions or a deferred compensation plan
- Retention or disposition of employer-awarded equity, sharing in profits or carried interests (e.g., vested and unvested stock options, restricted stock, future share of a company's profits, etc.)

4. Filer's Sources of Compensation Exceeding $5,000 in a Year

Part 4 discloses sources (except the United States Government) that paid more than $5,000 in a calendar year for the filer's services during any year of the reporting period.

The filer discloses payments both from employers and from any clients to whom the filer personally provided services. The filer discloses a source even if the source made its payment to the filer's employer and not to the filer. The filer does not disclose a client's payment to the filer's employer if the filer did not provide the services for which the client is paying.

5. Spouse's Employment Assets & Income and Retirement Accounts

Part 5 discloses the following:

- Sources of earned income (excluding honoraria) for the filer's spouse totaling more than $1,000 during the reporting period (e.g., salary, consulting fees, and partnership share)
- Sources of honoraria for the filer's spouse greater than $200 during the reporting period
- Assets related to the filer's spouse's employment, business activities, other income-generating activities that (1) ended the reporting period with a value greater than $1,000 or (2) produced more than $200 in income during the reporting period (e.g., equity in business or partnership, stock options, retirement plans/accounts and their underlying holdings as appropriate, deferred compensation, and intellectual property, such as book deals and patents)

This section does not include assets or income from United States Government employment or assets that were acquired separately from the filer's spouse's business, employment, or other income-generating activities (e.g., assets purchased through a brokerage account). Note: The type of income is not required if the amount of income is $0 - $200 or if the asset qualifies as an excepted investment fund (EIF). Amounts of income are not required for a spouse's earned income (excluding honoraria).

6. Other Assets and Income

Part 6 discloses each asset, not already reported, that (1) ended the reporting period with a value greater than $1,000 or (2) produced more than $200 in investment income during the reporting period. For purposes of the value and income thresholds, the filer aggregates the filer's interests with those of the filer's spouse and dependent children.

This section does not include the following types of assets: (1) a personal residence (unless it was rented out during the reporting period); (2) income or retirement benefits associated with United States Government employment (e.g., Thrift Savings Plan); and (3) cash accounts (e.g., checking, savings, money market accounts) at a single financial institution with a value of $5,000 or less (unless more than $200 of income was produced). Additional exceptions apply. Note: The type of income is not required if the amount of income is $0 - $200 or if the asset qualifies as an excepted investment fund (EIF).

7. Transactions

Part 7 discloses purchases, sales, or exchanges of real property or securities in excess of $1,000 made on behalf of the filer, the filer's spouse or dependent child during reporting period.

This section does not include transactions that concern the following: (1) a personal residence, unless rented out; (2) cash accounts (e.g., checking, savings, CDs, money market accounts) and money market mutual funds; (3) Treasury bills, bonds, and notes; and (4) holdings within a federal Thrift Savings Plan account. Additional exceptions apply.

8. Liabilities

Part 8 discloses liabilities over $10,000 that the filer, the filer's spouse or dependent child owed at any time during the reporting period.

This section does not include the following types of liabilities: (1) mortgages on a personal residence, unless rented out (limitations apply for PAS filers); (2) loans secured by a personal motor vehicle, household furniture, or appliances, unless the loan exceeds the item's purchase price; and (3) revolving charge accounts, such as credit card balances, if the outstanding liability did not exceed $10,000 at the end of the reporting period. Additional exceptions apply.

9. Gifts and Travel Reimbursements

This section discloses:

- Gifts totaling more than $390 that the filer, the filer's spouse, and dependent children received from any one source during the reporting period.
- Travel reimbursements totaling more than $390 that the filer, the filer's spouse, and dependent children received from any one source during the reporting period.

For purposes of this section, the filer need not aggregate any gift or travel reimbursement with a value of $156 or less. Regardless of the value, this section does not include the following items: (1) anything received from relatives; (2) anything received from the United States Government or from the District of Columbia, state, or local governments; (3) bequests and other forms of inheritance; (4) gifts and travel reimbursements given to the filer's agency in connection with the filer's official travel; (5) gifts of hospitality (food, lodging, entertainment) at the donor's residence or personal premises; and (6) anything received by the filer's spouse or dependent children totally independent of their relationship to the filer. Additional exceptions apply.

Privacy Act Statement

Title I of the Ethics in Government Act of 1978, as amended (the Act), 5 U.S.C. app. § 101 et seq., as amended by the Stop Trading on Congressional Knowledge Act of 2012 (Pub. L. 112-105) (STOCK Act), and 5 C.F.R. Part 2634 of the U. S. Office of Government Ethics regulations require the reporting of this information. The primary use of the information on this report is for review by Government officials to determine compliance with applicable Federal laws and regulations. This report may also be disclosed upon request to any requesting person in accordance with sections 105 and 402(b)(1) of the Act or as otherwise authorized by law. You may inspect applications for public access of your own form upon request. Additional disclosures of the information on this report may be made: (1) to any requesting person, subject to the limitation contained in section 208(d)(1) of title 18, any determination granting an exemption pursuant to sections 208(b)(1) and 208(b)(3) of title 18; (2) to a Federal, State, or local law enforcement agency if the disclosing agency becomes aware of violations or potential violations of law or regulation; (3) to another Federal agency, court or party in a court or Federal administrative proceeding when the Government is a party or in order to comply with a judge-issued subpoena; (4) to a source when necessary to obtain information relevant to a conflict of interest investigation or determination; (5) to the National Archives and Records Administration or the General Services Administration in records management inspections; (6) to the Office of Management and Budget during legislative coordination on private relief legislation; (7) to the Department of Justice or in certain legal proceedings when the disclosing agency, an employee of the disclosing agency, or the United States is a party to litigation or has an interest in the litigation and the use of such records is deemed relevant and necessary to the litigation; (8) to reviewing officials in a new office, department or agency when an employee transfers or is detailed from one covered position to another; (9) to a Member of Congress or a congressional office in response to an inquiry made on behalf of an individual who is the subject of the record; (10) to contractors and other non-Government employees working on a contract, service or assignment for the Federal Government when necessary to accomplish a function related to an OGE Government-wide system of records; and (11) on the OGE Website and to any person, department or agency, any written ethics agreement filed with OGE by an individual nominated by the President to a position requiring Senate confirmation. See also the OGE/GOVT-1 executive branch-wide Privacy Act system of records.

Public Burden Information

This collection of information is estimated to take an average of three hours per response, including time for reviewing the instructions, gathering the data needed, and completing the form. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Program Counsel, U.S. Office of Government Ethics (OGE), Suite 500, 1201 New York Avenue, NW., Washington, DC 20005-3917.

Pursuant to the Paperwork Reduction Act, as amended, an agency may not conduct or sponsor, and no person is required to respond to, a collection of information unless it displays a currently valid OMB control number (that number, 3209-0001, is displayed here and at the top of the first page of this OGE Form 278e).

Nov. 27, 2018

The Honorable Pat Roberts, Chairman Committee on
Agriculture, Nutrition & Forestry
United States Senate
Washington, D.C. 20510

The Honorable Debbie Stabenow, Ranking Member
Committee on Agriculture, Nutrition & Forestry
United States Senate
Washington, DC 20510

Dear Chairman Roberts and Ranking Member Stabenow:

Please be advised that pursuant to section 101 (b) of the Ethics in Government Act of 1978, as amended, I have informed the appropriate ethics officials that the information required by section 102(a)(I)(A) of the Act with respect to income and honoraria contained in OGE Form 278e (Executive Branch Public Financial Disclosure Report) executed by me on Aug. 25, 2017 is correct.

This information is current as of Tuesday, November 27, 2018. This date is within five days prior to the date of the first hearing scheduled to consider my nomination.

Sincerely,

Naomi C. Earp

U.S. Senate Committee on Agriculture, Nutrition & Forestry
Questions for Executive Nominees
115th Congress

1. Basic Biographical Information

Please provide the following information.

Position to Which You Have Been Nominated	
Name of Position	**Date of Nomination**
Under Secretary for Research, Education, and Economics	

Current Legal Name			
First Name	**Middle Name**	**Last Name**	**Suffix**
Scott	Hasting	Hutchins	

Addresses					
Residential Address (do not include street address)			**Office Address** (include street address)		
[redacted]			**Street:** 9330 Zionsville Road		
City: Carmel	**State:** IN	**Zip:** 46032	**City:** Indianapolis	**State:** IN	**Zip:** 46268

Other Names Used						
First Name	**Middle Name**	**Last Name**	**Suffix**	**Check if Maiden Name**	**Name Used From** (Month/Year) (Check box if estimate)	**Name Used To** (Month/Year) (Check box if estimate)
					Est ☐	Est ☐
					Est ☐	Est ☐

Birth Year and Place	
Year of Birth (Do not include month and day.)	**Place of Birth**
1959	Fort Lauderdale, FL

Marital Status					
Check All That Describe Your Current Situation:					
Never Married	**Married**	**Separated**	**Annulled**	**Divorced**	**Widowed**
☐	☒	☐	☐	☐	☐

Spouse's Name (current spouse only)			
Spouse's First Name	**Spouse's Middle Name**	**Spouse's Last Name**	**Spouse's Suffix**
Janet	Marie	Hutchins	

Spouse's Other Names Used (current spouse only)						
First Name	**Middle Name**	**Last Name**	**Suffix**	**Check if Maiden Name**	**Name Used From** (Month/Year) (Check box if estimate)	**Name Used To** (Month/Year) (Check box if estimate)
Janet	Marie	Clark		☒	11/1956 **Est** ☐	06/1980 **Est** ☐
					Est ☐	**Est** ☐

Children's Names (if over 18)			
First Name	**Middle Name**	**Last Name**	**Suffix**
Jamison	Scott	Hutchins	
Jacqueline	Marie	Gregg	
Brittany	Jean	Ballard	

2. Education

List all post-secondary schools attended.

Name of School	**Type of School** (vocational/technical/trade school, college/university/military college, correspondence/distance/extension/online school)	**Date Began School** (month/year) (check box if estimate)	**Date Ended School** (month/year) (check box if estimate) (check "present" box if still in school)	**Degree**	**Date Awarded**
Auburn University	University	9/1977 Est ☐	3/1981 Est ☐ Present ☐	B.S.	3/1981
Mississippi State University	University	6/1981 Est ☐	5/1983 Est ☐ Present ☐	M.S.	5/1983
Iowa State University	University	5/1983 Est ☐	12/1987 Est ☐ Present ☐	Ph.D.	12/1987
		Est ☐	Est ☐ Present ☐		

3. Employment

(A) List all of your employment activities, including unemployment and self-employment. If the employment activity was military duty, list separate employment activity periods to show each change of military duty station. Do not list employment before your 18th birthday unless to provide a minimum of two years of employment history.

Type of Employment (Active Military Duty Station, National Guard/Reserve, USPHS Commissioned Corps, Other Federal employment, State Government (Non-Federal Employment), Self-employment, Unemployment, Federal Contractor, Non-Government Employment (excluding self-employment), Other	**Name of Your Employer/ Assigned Duty Station**	**Most Recent Position Title/Rank**	**Location** (City and State only)	**Date Employment Began** (month/year) (check box if estimate)	**Date Employment Ended** (month/year) (check box if estimate) (check "present" box if still employed)
Non-Government Employment	The Dow Chemical (Note: Dow Chemical is now merged with DuPont to form DowDuPont)	Global R&D Leader	Indianapolis, IN	9/2009 Est ☐	Present ☒ Est ☐
Non-Government Employment	The Dow Chemical (Note: Dow Chemical is now merged with DuPont to form DowDuPont)	Global Leader for Crop Protection R&D	Indianapolis, IN	2006 Est ☒	8/2009 Est ☒
Non-Government Employment	The Dow Chemical (Note: Dow Chemical is now merged with DuPont to form DowDuPont)	Global Leader for Supply R&D	Indianapolis, IN	3/2004 Est ☐	2006 Est ☒
Non-Government Employment	The Dow Chemical (Note: Dow Chemical is now merged with DuPont to form DowDuPont)	Global Leader, Pest Management R&D	Indianapolis, IN	2002 Est ☒	3/2004 Est ☒
Non-Government Employment	The Dow Chemical (Note: Dow Chemical is now merged with DuPont to form DowDuPont)	Leader, North America Technology Development	Indianapolis, IN	11/1999 Est ☐	2002 Est ☒
Non-Government Employment	The Dow Chemical (Note: Dow Chemical is now merged with DuPont to form DowDuPont)	Leader, North America Technology Development	Indianapolis, IN	6/1997 Est ☐	11/1999 Est ☐

Non-Government Employment	The Dow Chemical (Note: Dow Chemical is now merged with DuPont to form DowDuPont)	Manager, Global Field Research and Product Development	Indianapolis, IN	1995 Est ☒	6/1997 Est ☐
Non-Government Employment	The Dow Chemical (Note: Dow Chemical is now merged with DuPont to form DowDuPont)	Manager, U.S. Crops R&D	Indianapolis, IN	1992 Est ☒	1995 Est ☒
Non-Government Employment	The Dow Chemical (Note: Dow Chemical is now merged with DuPont to form DowDuPont)	R&D Human Resources Manager	Indianapolis, IN	8/1991 Est ☐	1992 Est ☒
Non-Government Employment	The Dow Chemical (Note: Dow Chemical is now merged with DuPont to form DowDuPont)	R&D Recruitment and Professional Development Manager	Indianapolis, IN	11/1989 Est ☐	8/1991 Est ☐
Non-Government Employment	The Dow Chemical (Note: Dow Chemical is now merged with DuPont to form DowDuPont)	Technical Training Manager	Midland, MI	6/1989 Est ☐	11/1989 Est ☐
Non-Government Employment	The Dow Chemical (Note: Dow Chemical is now merged with DuPont to form DowDuPont)	Senior Development Biologist	Minneapolis, MN	5/1987 Est ☐	6/1989 Est ☐

(B) List any advisory, consultative, honorary or other part-time service or positions with federal, state, or local governments, not listed elsewhere.

Name of Government Entity	Name of Position	Date Service Began (month/year) (check box if estimate)	Date Service Ended (month/year) (check box if estimate) (check "present" box if still serving)
Indiana Pesticide Review Board, State Chemist Office	Board Member, Governor Appointed	1/1996 Est ☒	1/2000 Est ☒ Present ☐
USDA/EPA Expert Panel: Pests, Plant Protection Strategies, and Climate Change Interaction- Impacts on Midwestern Agriculture	Panel Member	1/1996 Est ☒	8/1996 Est ☒ Present ☐

USDA/CSREES Grant Program on IPM Centers	Panelist	1/2003	Est ☒	12/2003	Est ☒	Present ☐

4. Honors and Awards

List all scholarships, fellowships, honorary degrees, civilian service citations, military medals, academic or professional honors, honorary society memberships and any other special recognition for outstanding service or achievement.

-Recipient of 1982 Redd Pest Control Scholarship, Twenty-ninth Annual Mississippi Insect Control Conference.

-Recipient of 1985 N. Central Branch (Entomological Society of America) Student Competition Award (Popularization of Entomology Category).

-Recipient of 1986 N. Central Branch (Entomological Society of America) Student Competition Award (Teaching Entomology Category).

-Recipient of 1987 N. Central Branch (Entomological Society of America) Student Competition Award (Doctoral Research Category).

-Recipient of 1987 John Henry Comstock Outstanding Graduate Student Award of the Entomological Society of America.

-Outstanding Young Alumnus, Iowa State University (1997).

-Recipient of the 2008 Award for Service to the Certification Program of the Entomological Society of America.

-Fellow of the Entomological Society of America (2009).

5. Memberships

List all memberships that you have held in professional, social, business, fraternal, scholarly, civic, or charitable organizations in the last 10 years.

Unless relevant to your nomination, you do NOT need to include memberships in charitable organizations available to the public as a result of a tax deductible donation of $1,000 or less, Parent-Teacher Associations or other organizations connected to schools attended by your children, athletic clubs or teams, automobile support organizations (such as AAA), discounts clubs (such as Groupon or Sam's Club), or affinity memberships/consumer clubs (such as frequent flyer memberships).

Name of Organization	Dates of Your Membership (You may approximate.)	Position(s) Held
Entomological Society of America (Scientific Society)	1981 to Present	Governing Board Representative Vice President Elect (2005) Vice President (2006) President (2007) Past President (2008)
Ulen County Club	2016 to Present	Member
AgriNovus Indiana	2017 to Present	Board Member Member of Executive Committee

6. Political Activity

(A) Have you ever been a candidate for or been elected or appointed to a political office?
NO

Name of Office	Elected/Appointed/ Candidate Only	Year(s) Election Held or Appointment Made	Term of Service (if applicable)

(B) List any offices held in or services rendered to a political party or election committee during the last ten years that you have not listed elsewhere.
NONE

Name of Party/Election Committee	Office/Services Rendered	Responsibilities	Dates of Service

(C) Itemize all individual political contributions of $200 or more that you have made in the past five years to any individual, campaign organization, political party, political action committee, or similar entity. Please list each individual contribution and not the total amount contributed to the person or entity during the year.

Name of Recipient	Amount	Year of Contribution
IN Senator Joe Donnelly (note: This was part of a DOW Corporate Gathering for Sr. Leadership to discuss issues in Agriculture with Senator Donnelly)	$500	2015

7. Publications

List the titles, publishers and dates of books, articles, reports or other published materials that you have written, including articles published on the Internet.

Title	Publisher	Date(s) of Publication
Book Chapters, Reviews, and Invited Manuscripts		
Economic-injury levels in theory and practice	Ann. Rev. Entomol. Vol 31: 341-368	1986
Potato leafhopper injury to alfalfa with emphasis on support and leaf component analysis	Proc. Sixteenth National Alfalfa Symposium (Invited Manuscript)	1986
Insect diagnostic boxes	Entomology and Pest Management. Macmillan, New York, NY	1989
Impact of insect feeding on alfalfa regrowth: A review of physiological responses and economic consequences	Agronomy Journal 82: 1035-1044 (Invited Review)	1990
Injury guilds: A new concept for managing pest losses to soybeans	Agricultural Zoology Reviews, Vol. 4: 1-21 (Invited Review)	1991
Soybean Pests (Chapter 6)	Vegetable Crop Pests. MacMillan Press, pp. 181-198	1992
Techniques for Sampling Arthropods for /PM (Chapter 5)	Handbook of Sampling Methods for Arthropod Pests in Agriculture. CRC Press, pp. 73-97	1994
Free enterprise: The only sustainable solution to IPM implementation	J. Agric. Entomol. 12(4):211-217 (Invited Manuscript)	1995
Thresholds Involving Plant Quality and Phenological Disruption (Chapter 16)	Economic Thresholds for Integrated Pest Management. Univ. of Nebraska Press, pp. 275-290	1997
Opportunities and challenges for the private sector	IPM World Classroom (http://www.ent.agri.umn.edu/academics/classes/ipm). 7 pp	1997
Technology -A Key to More Productivity and Stability	Sustainable Agriculture. Some Contributions of GCPF Member Companies and Associations (Anonymous), pp. 12-14	1999
Development of Spinosad and Attributes of a New Class of Insect Control Products	IPM World Classroom (http://www.ent.agri.umn.edu/ academics/classes/ipm). 12 pp	1999
The Role of Technology in Sustainable Agriculture	Ted Radcliffe's IPM World Classroom (http://www.ent.agri.umn.edu/academics/classes/ipm). 4 pp	2000

Phenological Disruption and Yield Loss from Insects (Chapter 6)	Biotic Stress and Yield Loss. Univ. of Nebraska press, pp. 73-81	2001
Technology and Service Innovation as a Unifying Focus for the Future of /PM	Proceedings of the National 1PM Symposium (Plenary Session): Building Alliances	2003
The Entomological Society of America: A proposal to members for organizational renewal	Amer. Entomol. 52(3): 150-163	2006
Future of entomology- casting a wider net	Midsouth Entomologist 1(1): 37-39	2008
Novel delivery systems for integrated pest management	Journal of ASTM International, Special Techical Publication 1507, Pesticide formulations and delivery systems: 281h volume: Global trends and regulatory drivers in the Crop Protection Industry, pp. 3-9	2008
Natural Products for Crop Protection: Evolution or Intelligent Design?	Discovery and Synthesis of Crop Protection Products, ACS Books, Symposium Series 1204 (pp. 55-62)	2015
Journal Publications		
Effects of soybean row spacing on spray penetration and efficacy of insecticides applied with aerial and ground equipment	Environ. Entomol. 13: 948-953	1984
Linear programming model to optimize management decisions with multiple pests: An integrated soybean pest management example	Bull. Entomol. Soc. of Am. 32: 96-102	1985
Differences in penetration and efficacy of insecticides applied by aerial and ground equipment	J. Entomol. Sci. 20: 34-41	1985
Equipping an all-terrain vehicle to apply pesticides for small-plot research	J. Econ. Entomol. 80: 548-552	1987
Soybean row spacing: Effects on insecticide efficacy against three common lepidopteran defoliators of different size classes	J. Econ. Entomol. 80: 169-174	1987
Differential mortality response of lepidopteran defoliators to insecticides deposited within three strata of wide- and narrow-row soybean	J. Econ. Entomol. 80: 1244-1248	1987
Evaluation of corn inbred lines for resistance to stalk borer (Lepidoptera: Noctuidae)	J. Agric. Entomol. 4: 66-71	1987
Injury equivalency as a basis for developing multiple-species economic-injury levels	J. Econ. Entomol. 81: 1-8 (Forum Section)	1988

Insect migration: Atmospheric modelling and industrial application of an ecological phenomenon	Bull. Entomol. Soc. of Am. 34: 9-16 (Feature Section)	1988
Graduate education in entomology: Preparing for science and employment	Bull. Entomol. Soc. of Am. 35: 13-21 (Feature Section)	1989
Forage quality of alfalfa as affected by potato leafhopper feeding	Crop Sci. 29: 1541-1545	1989
Potato leafhopper-induced injury on growth and development of alfalfa	Crop Sci. 29: 1005-1011	1989
Correcting misconceptions concerning traditional economic thresholds and injury equivalency	J. Econ. Entomol. 82: 2-4	1989
Phenological disruption and economic consequence of injury to alfalfa induced by potato leafhopper (Homoptera: Cicadellidae)	J. Econ. Entomol. 83: 1587-1594	1990
Perspective on the value, regulation, and objective utilization of pest control technology	Amer. Entomol. 39: 12-15	1993
A feed-value approach for establishing economic-injury levels	J. Econ. Entomol. 91: 347-351	1998
Spinosad - A New Class of Fermentation-derived Insect Control Agents	Pesticide Outlook, 10: 78-81	1999.
Publish or perish: A business argument for private-sector scientists to publish in refereed journals	Amer. Entomol. 47: 69-72	2001
Agricultual technology: Safely sustaining the capacity for world food production	AgroFood Industry Hi-Tech. 13: 4-5	2002
Indifference analysis: A practical method to assess uncertainty in IPM decision making	J. of Integ. Pest Mngmt. 1: 1-3	2010
Technical Research Reports		
Soybean looper control in narrow and wide row soybean plantings, 1981	Insect. Acar. Test. 8: 214	1983
Stalk borer control in field corn, 1984	Insect. Acar. Test. 10: 192	1985
Evaluation of insecticides for control of seedcorn maggot on navy beans, 1984	Insect. Acar. Test. 10: 191	1985
Evaluation of insecticide treatments for control of green cloverworm on soybean, 1984	Insect. Acar. Test. 10: 244	1985

Control of alfalfa insects in Iowa, 1984	Insect. Acar. Test. 10: 178-180	1985
Popular Articles		
Narrow rows may make insect control tougher	Progressive Farmer magazine, April issue (Soybeans Section)	1983
How leafhoppers damage your alfalfa crop	Hoard's Dairyman Magazine, June 10, 1986 issue	1986
Potato leafhopper management in alfalfa	Iowa St. Univ. Extension Serv. Pub. No. IC-433	1988
A call for objective management of chemical inputs	MN Ind. Crop Consultant Association Newsletter, July Issue	1989
The elusive IPM	Ag Consultant magazine, January issue	1998
Dow leader looks at future of IPM: Recent focus has been on reducing risks and use of pesticides	Delta Farm Press, Vol. 57, Number 49: 8	2000
The future of curative pest control technologies	AG ROW Magazine. January, no. 583	2010

8. Lobbying

In the past ten years, have you registered as a lobbyist? If so, please indicate the state, federal, or local bodies with which you have registered (e.g., House, Senate, California Secretary of State).

NO

November 27, 2018

The Honorable Pat Roberts, Chairman Committee on
Agriculture, Nutrition & Forestry
United States Senate
Washington, D.C. 20510

The Honorable Debbie Stabenow, Ranking Member
Committee on Agriculture, Nutrition & Forestry
United States Senate
Washington, DC 20510

Dear Chairman Roberts and Ranking Member Stabenow:

During my interview with your staff counsels, the following question was raised. Please accept this letter and its contents as my responses:

Employment by the University of Nebraska? Since 1997, I have served as an Adjunct Professor at the University of Nebraska. This position is not paid and is on an ad hoc basis. This position is detailed below.

Type of Employment	Name of Your Employer/ Assigned Duty Station	Most Recent Position Title/Rank	Location (City and State only)	Date Employment Began	Date Employment Ended
State Government	University of Nebraska	Adjunct Professor	Lincoln, NE	1997 Est ☐	Present Est ☒

Sincerely,

Scott Hutchins

UNITED STATES OFFICE OF
GOVERNMENT ETHICS

July 20, 2018

The Honorable Pat Roberts
Chairman
Committee on Agriculture, Nutrition,
and Forestry
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Scott H. Hutchins, who has been nominated by President Trump for the position of Under Secretary for Research, Education, and Economics, Department of Agriculture.

We have reviewed the report and have obtained advice from the agency concerning any possible conflict in light of its functions and the nominee's proposed duties. Also enclosed is an ethics agreement outlining the actions that the nominee will undertake to avoid conflicts of interest. Unless a date for compliance is indicated in the ethics agreement, the nominee must fully comply within three months of confirmation with any action specified in the ethics agreement.

Based thereon, we believe that this nominee is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,

SETH JAFFE Digitally signed by SETH JAFFE Date: 2018.07.20 15:14:36 -04'00'

Seth Jaffe
Chief, Ethics Law and Policy Branch

Enclosures

1201 NEW YORK AVE NW • SUITE 500 • WASHINGTON DC • 20005

July 12, 2018

Mr. Stuart Bender
Designated Agency Ethics Official
U.S. Department of Agriculture
Washington, DC 20250-0122

Dear Mr. Bender:

The purpose of this letter is to describe the steps that I will take to avoid any actual or apparent conflict of interest in the event that I am confirmed for the position of Under Secretary for Research, Education, and Economics, U.S. Department of Agriculture.

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

Upon confirmation, I will resign from my position with Corteva Agriscience, a Division of DowDuPont. Following my resignation, I will receive from DowDuPont a severance payment. DowDuPont will make this payment to me before I assume the duties of the position of Under Secretary or I will forfeit it.

Under the DowDuPont Retiree Health Insurance program, my spouse and I will continue to receive health coverage, consistent with the corporation's practice for retiring employees age 50 or older with at least 10 years of service. DowDuPont will continue making payments to the insurance provider under this plan for as long as either I or my spouse is living. I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the ability or willingness of DowDuPont to make these payments, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1).

For a period of two years from the date of the severance payment, I will not participate personally and substantially in any particular matter involving specific parties in which DowDuPont is a party or represents a party, unless I first receive a written waiver pursuant to 5 C.F.R. § 2635.503(c). Following that two-year period, for as long as I continue to participate in the DowDuPont Retiree Health Insurance program, I will not participate personally and substantially in any particular matter involving specific parties in which I know DowDuPont is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

Following my resignation, I will receive a bonus for the work I performed during calendar year 2018, as is the corporation's practice for departing executive members. DowDuPont will use an objective formula to calculate this bonus. If I am confirmed before the end of the calendar year 2018, DowDuPont will pay me a *pro rata* share of my bonus that covers only the period of calendar year 2018 prior to my resignation. Until I have received this payment, I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the ability or willingness of DowDuPont to make this payment to me, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1).

Additionally, I own shares of DowDuPont common stock. I also own both vested stock options for shares of DowDuPont common stock, as well as vested DowDuPont restricted stock units. I do not hold restricted stock. Upon my resignation from DowDuPont, pursuant to the long-term incentive plan, I will retain my vested stock options and restricted stock units. The company will accelerate the delivery of both the vested stock options and restricted stock units. Within 90 days of my confirmation, I will divest all of my common stock, all of my stock options, and all of my restricted stock units. If I divest the stock options by exercising them, I will divest the resulting stock within 90 days of my confirmation. Until I have divested all of these financial interests, I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the financial interests of DowDuPont, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2).

I will divest my interests in the following entities within 90 days of my confirmation: Abbott Laboratories; Altria Group, Inc.; Coca Cola Company; Nestlé S.A.; Philip Morris International; and Starbucks Corp. With regard to each of these entities, I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the financial interests of the entity until I have divested it, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2).

I understand that I may be eligible to request a Certificate of Divestiture for qualifying assets and that a Certificate of Divestiture is effective only if obtained prior to divestiture. Regardless of whether I receive a Certificate of Divestiture, I will ensure that all divestitures discussed in this agreement occur within the agreed upon timeframes and that all proceeds are invested in non-conflicting assets.

Upon confirmation, I will also resign from my position with AgriNovus of Indiana. For a period of one year after my resignation, I will not participate personally and substantially in any particular matter involving specific parties in which I know AgriNovus of Indiana is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

I will retain my position as a trustee of Family Revocable Living Trust. I will not receive any fees for the services that I provide as a trustee during my appointment to the position

of Under Secretary. I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the financial interests of Family Revocable Living Trust, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2).

I understand that as an appointee I will be required to sign the Ethics Pledge (Exec. Order No. 13770) and that I will be bound by the requirements and restrictions therein in addition to the commitments I have made in this ethics agreement.

If I have a managed account or otherwise use the services of an investment professional during my appointment, I will ensure that the account manager or investment professional obtains my prior approval on a case-by-case basis for the purchase of any assets other than cash, cash equivalents, investment funds that qualify for the exemption at 5 C.F.R. § 2640.201(a), obligations of the United States, or municipal bonds.

I will meet in person with you during the first week of my service in the position of Under Secretary in order to complete the initial ethics briefing required under 5 C.F.R. § 2638.305. Within 90 days of my confirmation, I will also document my compliance with this ethics agreement by notifying you in writing when I have completed the steps described in this ethics agreement.

I have been advised that this ethics agreement will be posted publicly, consistent with 5 U.S.C. § 552, on the website of the U.S. Office of Government Ethics with ethics agreements of other Presidential nominees who file public financial disclosure reports.

Sincerely,

Scott H. Hutchins

Executive Branch Personnel
Public Financial Disclosure Report (OGE Form 278e)

Filer's Information

Hutchins, Scott Hasting

Under Secretary (Research, Education & Economics), Department of Agriculture

Other Federal Government Positions Held During the Preceding 12 Months:
None

Names of Congressional Committees Considering Nomination:

- **Committee on Agriculture, Nutrition, and Forestry**

Electronic Signature - I certify that the statements I have made in this form are true, complete and correct to the best of my knowledge.

/s/ Hutchins, Scott Hasting [electronically signed on 03/30/2018 by Hutchins, Scott Hasting in Integrity.gov]

Agency Ethics Official's Opinion - On the basis of information contained in this report, I conclude that the filer is in compliance with applicable laws and regulations (subject to any comments below).
/s/ Bender, Stuart, Certifying Official [electronically signed on 07/19/2018 by Bender, Stuart in Integrity.gov]

Other review conducted by

U.S. Office of Government Ethics Certification

/s/ Jaffe, Seth, Certifying Official [electronically signed on 07/20/2018 by Jaffe, Seth in Integrity.gov]

1. Filer's Positions Held Outside United States Government

#	ORGANIZATION NAME	CITY, STATE	ORGANIZATION TYPE	POSITION HELD	FROM	TO
1	Corteva Agriscience, Division of DowDuPont	Indianapolis, Indiana	Corporation	Global R&D Director	5/1987	Present
2	AgriNovus of Indiana	Indianapolis, Indiana	Non-Profit	Director on the Board	7/2017	Present
3	Family Revocable Living Trust	Carmel, Indiana	Trust	Trustee	1/2016	Present

2. Filer's Employment Assets & Income and Retirement Accounts

#	DESCRIPTION	EIF	VALUE	INCOME TYPE	INCOME AMOUNT
1	DowDuPont, stock options	N/A	$100,001 - $250,000		None (or less than $201)
2	DowDuPont Elective Compensation Deferral Account	No			
2.1	Vanguard Small Cap Index Fund	Yes	$15,001 - $50,000		None (or less than $201)
2.2	Vang Global Eq INV	Yes	$50,001 - $100,000		None (or less than $201)
2.3	PIMCO Total Return Instl Fund	Yes	$50,001 - $100,000		None (or less than $201)
2.4	10-Yr US Treasury Note	N/A	$15,001 - $50,000		None (or less than $201)
2.5	Vanguard Institutional 500 Index Trust	Yes	$50,001 - $100,000		None (or less than $201)

#	DESCRIPTION	EIF	VALUE	INCOME TYPE	INCOME AMOUNT
2.6	BlackRock Lifepath Index 2020 Fund N	Yes	$15,001 - $50,000		None (or less than $201)
3	Corteva Agriscience, Division of DowDuPont	N/A		Salary/Bonus	$846,164
4	Corteva Agriscience, Division of DowDuPont, Anticipated Severence	N/A	$250,001 - $500,000		None (or less than $201)
5	Health Savings Account (cash)	N/A	$15,001 - $50,000		None (or less than $201)
6	DowDuPont 401(k)	No			
6.1	BlackRock Lifepath Index 2020 Fund N	Yes	$500,001 - $1,000,000		$2,501 - $5,000
6.2	Vanguard Inst 500 Index Trust	Yes	$500,001 - $1,000,000		$15,001 - $50,000
6.3	Vanguard Interest Income Fund	Yes	$100,001 - $250,000		$5,001 - $15,000
6.4	TRHYX T. Rowe Price Institutional High Yield	Yes	$100,001 - $250,000		$5,001 - $15,000
6.5	Vanguard Global Equity	Yes	$100,001 - $250,000		$2,501 - $5,000
7	DowDuPont Pension Program, defined benefit plan (value not readily ascertainable): eligible for $15,194.31 per month, beginning at age 65	N/A			None (or less than $201)
8	IRA	No			
8.1	Vanguard Intermediate-Term Corporate Bond Index Fund ETF Shares VCIT	Yes	$1,001 - $15,000		None (or less than $201)
8.2	Vanguard Dividend Appreciation Index Fund ETF Shares VIG	Yes	$50,001 - $100,000		$5,001 - $15,000
8.3	Vanguard Extended Market Index Fund ETF Shares VXF	Yes	$15,001 - $50,000		$2,501 - $5,000

#	DESCRIPTION	EIF	VALUE	INCOME TYPE	INCOME AMOUNT
8.4	Vanguard FTSE All-World ex-US Index Fund ETF Shares VEU	Yes	$15,001 - $50,000		$1,001 - $2,500
8.5	U.S. brokerage account (cash)	N/A	$1,001 - $15,000		None (or less than $201)
9	DowDuPont Stock	N/A	$1,000,001 - $5,000,000	Dividends Capital Gains	$15,001 - $50,000
10	DowDuPont Stock Options (vested)(value not readily ascertainable): 4207 shares, delivery date 2/15/21, exp. 2/15/28	N/A			None (or less than $201)
11	DowDuPont Stock Options (vested)(value not readily ascertainable): 4207 shares, dekivery date 2/15/20, exp. 2/15/28	N/A			None (or less than $201)
12	DowDuPont Stock Options (vested)(value not readily ascertainable): 4206 shares, delivery date 2/15/19, exp. 2/15/28	N/A			None (or less than $201)
13	DowDuPont Stock Options (vested)(value not readily ascertainable): 2704 shares, delivery date 2/10/20, exp. 2/10/27	N/A			None (or less than $201)
14	DowDuPont Stock Options (vested)(value not readily ascertainable): 2703 shares, delivery date 2/10/19, exp. 2/10/27	N/A			None (or less than $201)
15	DowDuPont Stock Options (vested)(value not readily ascertainable): 3564 shares, delivery date 2/12/19, exp. 2/12/26	N/A			None (or less than $201)
16	DowDuPont Restricted Stock Units (vested)(value not readily ascertainable): 2720 units, delivery date 2/15/21	N/A			None (or less than $201)
17	DowDuPont Restricted Stock Units (vested)(value not readily ascertainable): 4584 units, delivery date 2/26/19	N/A			None (or less than $201)

#	DESCRIPTION	EIF	VALUE	INCOME TYPE	INCOME AMOUNT
18	DowDuPont Restricted Stock Units (vested)(value not readily ascertainable): 3932 units, delivery date 2/25/2020	N/A			None (or less than $201)
19	DowDuPont Restricted Stock Units (vested)(value not readily ascertainable): 1600 units, delivery date 2/10/20	N/A			None (or less than $201)
20	DowDuPont Restricted Stock Units (vested)(value not readily ascertainable): 2120 units, delivery date 2/12/2019	N/A			None (or less than $201)
21	Corteva Agriscience, Division of DowDuPont, Anticipated performance bonus for 2018	N/A	$50,001 - $100,000		None (or less than $201)

3. Filer's Employment Agreements and Arrangements

#	EMPLOYER OR PARTY	CITY, STATE	STATUS AND TERMS	DATE
1	DowDuPont	Midland, Michigan	I will continue to participate in the DowDupont Elective Compensation Deferral Program. Neither I nor my employer will make any further contributions. The account is managed by Fidelity for payout at based on a fixed, established schedule at various intervals and amounts following separation.	1/2000
2	DowDuPont	Midland, Michigan	I will continue to participate in this defined contribution plan. The plan sponsor will not make further contributions after my separation.	5/1987
3	DowDuPont	Midland, Michigan	I will receive pension payouts with this defined qualified pension plan, but no further accruals will occur after separation.	5/1987
4	DowDuPont	Midland, Michigan	I will continue to receive health insurance benefits pursuant to company policy for all retiring employee who are 50 and above with at least 10 years of service.	7/2009

#	EMPLOYER OR PARTY	CITY, STATE	STATUS AND TERMS	DATE
5	DowDuPont	Midland, Michigan	Under the company's long term incentive plan I am eligible to retain stock options, restricted stock units and performance shares of DowDuPont stock. Normally the delivery would be completed at least two years after the date of their granting. DowDuPont will accelerate the delivery of any vested but undelivered awards upon my separation.	1/2003
6	DowDuPont	Midland, Michigan	Following my resignation, I will receive from DowDuPont a severance payment. DowDuPont will make this payment to me before I assume the duties of the position of Under Secretary or I will forfeit it.	5/1987
7	DowDuPont	Midland, Michigan	Following my resignation, I will receive a bonus for the work I performed during calendar year 2018, as is the corporation's practice for departing executive members. DowDuPont will use an objective formula to calculate this bonus. If I am confirmed before the end of the calendar year 2018, DowDuPont will pay me a pro rata share of my bonus that covers only the period of calendar year 2018 prior to my resignation.	5/1987

4. Filer's Sources of Compensation Exceeding $5,000 in a Year

#	SOURCE NAME	CITY, STATE	BRIEF DESCRIPTION OF DUTIES
1	Corteva Agriscience, Division of DowDuPont	Indianapolis, Indiana	Global Leader of Field Science.

5. Spouse's Employment Assets & Income and Retirement Accounts

#	DESCRIPTION	EIF	VALUE	INCOME TYPE	INCOME AMOUNT
1	Indiana University Health	N/A		salary	
2	Health Savings Account (cash)	N/A	$15,001 - $50,000		None (or less than $201)

#	DESCRIPTION	EIF	VALUE	INCOME TYPE	INCOME AMOUNT
3	Indiana University - Defined Contribution Plan	No			
3.1	FBAKX Fidelity Balanced Fund	Yes	$15,001 - $50,000		$5,001 - $15,000
3.2	FXSTX Fidelity US Bond Index	Yes	$5,000,001 - $25,000,000		$201 - $1,000
3.3	FCNKX Fidelity Contrafund K	Yes	$15,001 - $50,000		$2,501 - $5,000
3.4	FDIKX Fidelity Diversified International	Yes	$1,001 - $15,000		$2,501 - $5,000
4	IRA	No			
4.1	Vanguard Intermediate-Term Corporate Bond Index Fund ETF Shares VCIT	Yes	$15,001 - $50,000		None (or less than $201)
4.2	VIG Vanguard Dividend Appreciation Index	Yes	$15,001 - $50,000		$5,001 - $15,000
4.3	VXF Vanguard Extended Market Index	Yes	$15,001 - $50,000		$2,501 - $5,000
4.4	Vanguard FTSE All-World ex-US Index ETF	Yes	$15,001 - $50,000		$2,501 - $5,000
4.5	U.S. brokerage account (cash)	N/A	$1,001 - $15,000		None (or less than $201)
5	Indiana Health Physicians Retirement	No			
5.1	Vanguard Retirement Target 2020	Yes	$50,001 - $100,000		$1,001 - $2,500
6	Indiana Public Retirement System	No			
6.1	INPRS 2020 Fund	Yes	$15,001 - $50,000		$1,001 - $2,500

6. Other Assets and Income

#	DESCRIPTION		EIF	VALUE	INCOME TYPE	INCOME AMOUNT
1	US bank account #1 (Cash)		N/A	$100,001 - $250,000		None (or less than $201)
2	Prudential and Mutual of Omaha, Fixed Annuity	See Endnote	N/A	$1,000,001 - $5,000,000		None (or less than $201)
3	Brokerage Account #1		No			
3.1	GLW Corning Inc		N/A	$1,001 - $15,000	Dividends Capital Gains	$1,001 - $2,500
3.2	F Ford		N/A	$1,001 - $15,000	Dividends Capital Gains	$2,501 - $5,000
3.3	DWDP DowDuPont		N/A	$15,001 - $50,000	Dividends Capital Gains	$2,501 - $5,000
3.4	Parnassus Core Equity Fund - Investor Shares PRBLX		Yes	$100,001 - $250,000		$2,501 - $5,000
3.5	U.S. brokerage account (cash)		N/A	$100,001 - $250,000		None (or less than $201)
4	Brokerage Account #2		No			
4.1	MMM 3M COMPANY		N/A	$1,001 - $15,000	Dividends Capital Gains	$1,001 - $2,500
4.2	AT & T INC		N/A	$15,001 - $50,000		None (or less than $201)
4.3	ABT ABBOTT LABORATORIES		N/A	$15,001 - $50,000	Dividends Capital Gains	$2,501 - $5,000
4.4	ACN ACCENTURE PLC F CLASS A		N/A	$1,001 - $15,000	Dividends Capital Gains	$1,001 - $2,500

#	DESCRIPTION	EIF	VALUE	INCOME TYPE	INCOME AMOUNT
4.5	MO ALTRIA GROUP INC	N/A	$1,001 - $15,000		None (or less than $201)
4.6	AAPL APPLE INC	N/A	$1,001 - $15,000	Dividends Capital Gains	$1,001 - $2,500
4.7	AJG ARTHUR J GALLAGHER&CO	N/A	$1,001 - $15,000	Dividends Capital Gains	$2,501 - $5,000
4.8	BBT BB&T CORPORATION	N/A	$15,001 - $50,000	Dividends Capital Gains	$2,501 - $5,000
4.9	BCE BCE INC F	N/A	$15,001 - $50,000		None (or less than $201)
4.10	BDX BECTON DICKINSON&CO	N/A	$1,001 - $15,000	Dividends Capital Gains	$1,001 - $2,500
4.11	CVX CHEVRON CORPORATION	N/A	$15,001 - $50,000	Dividends Capital Gains	$1,001 - $2,500
4.12	CSCO CISCO SYSTEMS INC	N/A	$15,001 - $50,000	Dividends Capital Gains	$2,501 - $5,000
4.13	KO COCA COLA COMPANY	N/A	$1,001 - $15,000		None (or less than $201)
4.14	CL COLGATE-PALMOLIVE CO	N/A	$1,001 - $15,000	Dividends Capital Gains	$1,001 - $2,500
4.15	CVS CVS HEALTH CORP	N/A	$1,001 - $15,000		None (or less than $201)
4.16	DE DEERE & CO	N/A	$1,001 - $15,000	Dividends Capital Gains	$1,001 - $2,500
4.17	DIAGEO PLC	N/A	$15,001 - $50,000	Capital Gains	$2,501 - $5,000
4.18	ES EVERSOURCE ENERGY	N/A	$15,001 - $50,000		None (or less than $201)

#	DESCRIPTION	EIF	VALUE	INCOME TYPE	INCOME AMOUNT
4.19	XOM EXXON MOBIL CORP	N/A	$15,001 - $50,000		None (or less than $201)
4.20	GPC GENUINE PARTS CO	N/A	$1,001 - $15,000		None (or less than $201)
4.21	IBM IBM CORP	N/A	$15,001 - $50,000		None (or less than $201)
4.22	INTC INTEL CORPORATION	N/A	$15,001 - $50,000	Dividends Capital Gains	$5,001 - $15,000
4.23	JNJ JOHNSON & JOHNSON	N/A	$15,001 - $50,000	Dividends Capital Gains	$201 - $1,000
4.24	JPM JPMORGAN CHASE & CO	N/A	$1,001 - $15,000	Dividends Capital Gains	$2,501 - $5,000
4.25	LEG LEGGETT & PLATT INC	N/A	$1,001 - $15,000		None (or less than $201)
4.26	LMT LOCKHEED MARTIN CORP	N/A	$1,001 - $15,000	Capital Gains Dividends	$2,501 - $5,000
4.27	LOW LOWES COMPANIES INC	N/A	$1,001 - $15,000		None (or less than $201)
4.28	MSFT MICROSOFT CORP	N/A	$15,001 - $50,000	Dividends Capital Gains	$5,001 - $15,000
4.29	NSRGF NESTLE SA ORDF	N/A	$1,001 - $15,000		None (or less than $201)
4.30	Novartis AG (ADR)	N/A	$15,001 - $50,000	Dividends	$201 - $1,000
4.31	OXY OCCIDENTAL PETROL CO	N/A	$1,001 - $15,000	Dividends Capital Gains	$201 - $1,000
4.32	OMC OMNICOM GROUP INC	N/A	$1,001 - $15,000		None (or less than $201)

#	DESCRIPTION	EIF	VALUE	INCOME TYPE	INCOME AMOUNT
4.33	ORCL ORACLE CORPORATION	N/A	$1,001 - $15,000	Dividends Capital Gains	$201 - $1,000
4.34	PH PARKER-HANNIFIN CORP	N/A	$1,001 - $15,000	Dividends Capital Gains	$1,001 - $2,500
4.35	PFE PFIZER INCORPORATED	N/A	$15,001 - $50,000	Dividends Capital Gains	$201 - $1,000
4.36	PM PHILIP MORRIS INTL	N/A	$1,001 - $15,000		None (or less than $201)
4.37	PPG PPG INDUSTRIES INC	N/A	$1,001 - $15,000	Dividends Capital Gains	$1,001 - $2,500
4.38	PG PROCTER & GAMBLE	N/A	$1,001 - $15,000		None (or less than $201)
4.39	RTN RAYTHEON COMPANY	N/A	$1,001 - $15,000	Dividends Capital Gains	$2,501 - $5,000
4.40	SBUX STARBUCKS CORP	N/A	$1,001 - $15,000		None (or less than $201)
4.41	TXN TEXAS INSTRUMENTS	N/A	$15,001 - $50,000	Dividends Capital Gains	$5,001 - $15,000
4.42	TJX TJX COMPANIES INC	N/A	$1,001 - $15,000	Dividends Capital Gains	$201 - $1,000
4.43	UTX UNITED TECHNOLOGIES	N/A	$15,001 - $50,000	Dividends Capital Gains	$1,001 - $2,500
4.44	VZ VERIZON COMMUNICATN	N/A	$15,001 - $50,000		None (or less than $201)
4.45	VFC VF CORPORATION	N/A	$15,001 - $50,000	Dividends Capital Gains	$2,501 - $5,000
4.46	WMT WAL-MART STORES	N/A	$1,001 - $15,000		None (or less than $201)

#	DESCRIPTION	EIF	VALUE	INCOME TYPE	INCOME AMOUNT
4.47	WSO WATSCO INC	N/A	$1,001 - $15,000	Dividends Capital Gains	$201 - $1,000
4.48	WFC WELLS FARGO BK N A	N/A	$15,001 - $50,000		None (or less than $201)
4.49	AMLP ALPS ALERIAN MLP ETF	Yes	$15,001 - $50,000		None (or less than $201)
4.50	U.S. brokerage account (cash)	N/A	$15,001 - $50,000		None (or less than $201)
5	Brokerage Account #3	No			
5.1	SCHH CHARLES SCHWAB US REIT ETF	Yes	$15,001 - $50,000		None (or less than $201)
5.2	IAU ISHARES GOLD ETF	Yes	$15,001 - $50,000		$1,001 - $2,500
5.3	iShares 0-5 Year High Yield Corporate Bond ETF	Yes	$15,001 - $50,000		None (or less than $201)
5.4	SCHWAB EMERGING MARKETS EQUITY ETF	Yes	$15,001 - $50,000		$1,001 - $2,500
5.5	SCHWAB FUNDA EMG MKTS LARGE COM ETF	Yes	$15,001 - $50,000		$1,001 - $2,500
5.6	SCHWAB FUNDAMENTAL INL LARGE COM ETF	Yes	$15,001 - $50,000		$1,001 - $2,500
5.7	SCHWAB FUNDAMENTAL INTL SMAL COM ETF	Yes	$15,001 - $50,000		$1,001 - $2,500
5.8	SCHWAB FUNDAMENTAL US LARGE CO ETF	Yes	$50,001 - $100,000		$2,501 - $5,000
5.9	SCHWAB FUNDAMENTAL US SMALL COM ETF	Yes	$15,001 - $50,000		$1,001 - $2,500
5.10	SCHWAB INTERNATIONAL EQUITY ETF	Yes	$15,001 - $50,000		$201 - $1,000

#	DESCRIPTION	EIF	VALUE	INCOME TYPE	INCOME AMOUNT
5.11	SCHWAB INTERNATNAL SMALL CAP EQY ETF	Yes	$15,001 - $50,000		$201 - $1,000
5.12	SCHWAB US LARGE CAP ETF	Yes	$15,001 - $50,000		$2,501 - $5,000
5.13	SCHWAB US SMALL CAP ETF	Yes	$15,001 - $50,000		$1,001 - $2,500
5.14	SPDR INTRMDT TRM CRPRATE BND ETF	Yes	$1,001 - $15,000		None (or less than $201)
5.15	VANECK VECTORS J P MORGAN EMERGING MKTS LOC CURRENCY BD ETF	Yes	$15,001 - $50,000		$201 - $1,000
5.16	VANGUARD GLBAL EX US REAL ESTATE ETF	Yes	$1,001 - $15,000		$201 - $1,000
5.17	VANGUARD MORTGAGE BACKED SEC ETF	Yes	$1,001 - $15,000		None (or less than $201)
5.18	VANGUARD TOTAL INTERNATIONAL BND ETF	Yes	$1,001 - $15,000		None (or less than $201)
5.19	XTRACKERS USD HIGH YIELD COR BND ETF	Yes	$1,001 - $15,000		None (or less than $201)
5.20	U.S. brokerage account (cash)	N/A	$15,001 - $50,000	Interest	None (or less than $201)
6	Brokerage Account #4	No			
6.1	AUSTIN TX WTR & WST 5%23 COMB UTIL DUE 11/15/23	N/A	$15,001 - $50,000		None (or less than $201)
6.2	CALIFORNIA STATE 5%26 GO UTX DUE 11/01/26	N/A	$15,001 - $50,000		None (or less than $201)
6.3	CLEVELAND OH WTR 5%26 WTR UTIL DUE 01/01/26	N/A	$15,001 - $50,000		None (or less than $201)
6.4	ILLINOIS FIN AUTH 5%26 FINL AUTH DUE 07/01/26	N/A	$15,001 - $50,000		None (or less than $201)

#	DESCRIPTION	EIF	VALUE	INCOME TYPE	INCOME AMOUNT
6.5	IN FIN AUTH HWY REV 5%28 HWY TRAN DUE 06/01/28	N/A	$15,001 - $50,000		None (or less than $201)
6.6	IN FIN AUTH HWY REV 5%28 HWY TRAN DUE 06/01/28	N/A	$15,001 - $50,000		None (or less than $201)
6.7	IN ST FIN AUTH REV 5%24 POOL AUTH DUE 02/01/24	N/A	$15,001 - $50,000		None (or less than $201)
6.8	IN ST FIN AUTH REV 5%27 POOL AUTH DUE 02/01/27	N/A	$15,001 - $50,000		None (or less than $201)
6.9	INDIANA UNIV REVS 5%24 PUB EDUC DUE 08/01/24	N/A	$15,001 - $50,000		None (or less than $201)
6.10	MARYLAND ST 5%24 GO UTX DUE 08/01/24	N/A	$15,001 - $50,000		None (or less than $201)
6.11	MD ST DEPT TRANS 5%30 COMB TAX DUE 09/01/30	N/A	$15,001 - $50,000		None (or less than $201)
6.12	MINNESOTA STATE 5%27 GO UTX DUE 10/01/27	N/A	$15,001 - $50,000		None (or less than $201)
6.13	N TX TWY AUTH 5%24 TOLL TRAN DUE 01/01/24	N/A	$15,001 - $50,000		None (or less than $201)
6.14	NEW JERSEY ST TURNP 5%25 TPK TRAN DUE 01/01/25	N/A	$1,001 - $15,000		None (or less than $201)
6.15	NEW YORK NY 5%26 GO UTX DUE 08/01/26	N/A	$15,001 - $50,000		None (or less than $201)
6.16	NEW YORK ST DORM AU 5%29 EXCISE TAX DUE 02/15/29	N/A	$15,001 - $50,000		None (or less than $201)
6.17	NJ ENV INFRA 5%25 FINL AUTH DUE 09/01/25	N/A	$15,001 - $50,000		None (or less than $201)
6.18	OH ST ADULT CORR 5%25 LEAS BLDG DUE 10/01/25	N/A	$15,001 - $50,000		None (or less than $201)

#	DESCRIPTION	EIF	VALUE	INCOME TYPE	INCOME AMOUNT
6.19	OH ST HOSP FAC 5%33 SYST HLTH DUE 01/01/33	N/A	$1,001 - $15,000		None (or less than $201)
6.20	OH ST INFRA PROJ 5%27 VP TRAN DUE 12/15/27	N/A	$15,001 - $50,000		None (or less than $201)
6.21	PURDUE UNIV IN 5%23 PUB EDUC DUE 07/01/23	N/A	$15,001 - $50,000		None (or less than $201)
6.22	SALT RIVER PRJ AZ 5%25 ELEC UTIL DUE 01/01/25	N/A	$15,001 - $50,000		None (or less than $201)
6.23	SD CONSVY DIST 5%29 POOL AUTH DUE 08/01/29	N/A	$15,001 - $50,000		None (or less than $201)
6.24	ST PAUL MN HSG/RDA 5%30 SYST HLTH DUE 11/15/30	N/A	$1,001 - $15,000		None (or less than $201)
6.25	WISCONSIN STATE 5%26 GO UTX DUE 11/01/26	N/A	$15,001 - $50,000		None (or less than $201)
6.26	U.S. brokerage account (cash)	N/A	$1,001 - $15,000		None (or less than $201)

7. Transactions

(N/A) - Not required for this type of report

8. Liabilities

None

9. Gifts and Travel Reimbursements

(N/A) - Not required for this type of report

Endnotes

PART	#	ENDNOTE
6.	2	This fixed annuity is jointly managed by Prudential and Mutual of Omaha.

Summary of Contents

1. Filer's Positions Held Outside United States Government

Part 1 discloses positions that the filer held at any time during the reporting period (excluding positions with the United States Government). Positions are reportable even if the filer did not receive compensation.

This section does not include the following: (1) positions with religious, social, fraternal, or political organizations; (2) positions solely of an honorary nature; (3) positions held as part of the filer's official duties with the United States Government; (4) mere membership in an organization; and (5) passive investment interests as a limited partner or non-managing member of a limited liability company.

2. Filer's Employment Assets & Income and Retirement Accounts

Part 2 discloses the following:

- Sources of earned and other non-investment income of the filer totaling more than $200 during the reporting period (e.g., salary, fees, partnership share, honoraria, scholarships, and prizes)
- Assets related to the filer's business, employment, or other income-generating activities that (1) ended the reporting period with a value greater than $1,000 or (2) produced more than $200 in income during the reporting period (e.g., equity in business or partnership, stock options, retirement plans/accounts and their underlying holdings as appropriate, deferred compensation, and intellectual property, such as book deals and patents)

This section does not include assets or income from United States Government employment or assets that were acquired separately from the filer's business, employment, or other income-generating activities (e.g., assets purchased through a brokerage account). Note: The type of income is not required if the amount of income is $0 - $200 or if the asset qualifies as an excepted investment fund (EIF).

3. Filer's Employment Agreements and Arrangements

Part 3 discloses agreements or arrangements that the filer had during the reporting period with an employer or former employer (except the United States Government), such as the following:

- Future employment
- Leave of absence
- Continuing payments from an employer, including severance and payments not yet received for previous work (excluding ordinary salary from a current employer)
- Continuing participation in an employee welfare, retirement, or other benefit plan, such as pensions or a deferred compensation plan
- Retention or disposition of employer-awarded equity, sharing in profits or carried interests (e.g., vested and unvested stock options, restricted stock, future share of a company's profits, etc.)

4. Filer's Sources of Compensation Exceeding $5,000 in a Year

Part 4 discloses sources (except the United States Government) that paid more than $5,000 in a calendar year for the filer's services during any year of the reporting period.

The filer discloses payments both from employers and from any clients to whom the filer personally provided services. The filer discloses a source even if the source made its payment to the filer's employer and not to the filer. The filer does not disclose a client's payment to the filer's employer if the filer did not provide the services for which the client is paying.

5. Spouse's Employment Assets & Income and Retirement Accounts

Part 5 discloses the following:

- Sources of earned income (excluding honoraria) for the filer's spouse totaling more than $1,000 during the reporting period (e.g., salary, consulting fees, and partnership share)
- Sources of honoraria for the filer's spouse greater than $200 during the reporting period
- Assets related to the filer's spouse's employment, business activities, other income-generating activities that (1) ended the reporting period with a value greater than $1,000 or (2) produced more than $200 in income during the reporting period (e.g., equity in business or partnership, stock options, retirement plans/accounts and their underlying holdings as appropriate, deferred compensation, and intellectual property, such as book deals and patents)

This section does not include assets or income from United States Government employment or assets that were acquired separately from the filer's spouse's business, employment, or other income-generating activities (e.g., assets purchased through a brokerage account). Note: The type of income is not required if the amount of income is $0 - $200 or if the asset qualifies as an excepted investment fund (EIF). Amounts of income are not required for a spouse's earned income (excluding honoraria).

6. Other Assets and Income

Part 6 discloses each asset, not already reported, that (1) ended the reporting period with a value greater than $1,000 or (2) produced more than $200 in investment income during the reporting period. For purposes of the value and income thresholds, the filer aggregates the filer's interests with those of the filer's spouse and dependent children.

This section does not include the following types of assets: (1) a personal residence (unless it was rented out during the reporting period); (2) income or retirement benefits associated with United States Government employment (e.g., Thrift Savings Plan); and (3) cash accounts (e.g., checking, savings, money market accounts) at a single financial institution with a value of $5,000 or less (unless more than $200 of income was produced). Additional exceptions apply. Note: The type of income is not required if the amount of income is $0 - $200 or if the asset qualifies as an excepted investment fund (EIF).

7. Transactions

Part 7 discloses purchases, sales, or exchanges of real property or securities in excess of $1,000 made on behalf of the filer, the filer's spouse or dependent child during reporting period.

This section does not include transactions that concern the following: (1) a personal residence, unless rented out; (2) cash accounts (e.g., checking, savings, CDs, money market accounts) and money market mutual funds; (3) Treasury bills, bonds, and notes; and (4) holdings within a federal Thrift Savings Plan account. Additional exceptions apply.

8. Liabilities

Part 8 discloses liabilities over $10,000 that the filer, the filer's spouse or dependent child owed at any time during the reporting period.

This section does not include the following types of liabilities: (1) mortgages on a personal residence, unless rented out (limitations apply for PAS filers); (2) loans secured by a personal motor vehicle, household furniture, or appliances, unless the loan exceeds the item's purchase price; and (3) revolving charge accounts, such as credit card balances, if the outstanding liability did not exceed $10,000 at the end of the reporting period. Additional exceptions apply.

9. Gifts and Travel Reimbursements

This section discloses:

- Gifts totaling more than $390 that the filer, the filer's spouse, and dependent children received from any one source during the reporting period.
- Travel reimbursements totaling more than $390 that the filer, the filer's spouse, and dependent children received from any one source during the reporting period.

For purposes of this section, the filer need not aggregate any gift or travel reimbursement with a value of $156 or less. Regardless of the value, this section does not include the following items: (1) anything received from relatives; (2) anything received from the United States Government or from the District of Columbia, state, or local governments; (3) bequests and other forms of inheritance; (4) gifts and travel reimbursements given to the filer's agency in connection with the filer's official travel; (5) gifts of hospitality (food, lodging, entertainment) at the donor's residence or personal premises; and (6) anything received by the filer's spouse or dependent children totally independent of their relationship to the filer. Additional exceptions apply.

Privacy Act Statement

Title I of the Ethics in Government Act of 1978, as amended (the Act), 5 U.S.C. app. § 101 et seq., as amended by the Stop Trading on Congressional Knowledge Act of 2012 (Pub. L. 112-105) (STOCK Act), and 5 C.F.R. Part 2634 of the U. S. Office of Government Ethics regulations require the reporting of this information. The primary use of the information on this report is for review by Government officials to determine compliance with applicable Federal laws and regulations. This report may also be disclosed upon request to any requesting person in accordance with sections 105 and 402(b)(1) of the Act or as otherwise authorized by law. You may inspect applications for public access of your own form upon request. Additional disclosures of the information on this report may be made: (1) to any requesting person, subject to the limitation contained in section 208(d)(1) of title 18, any determination granting an exemption pursuant to sections 208(b)(1) and 208(b)(3) of title 18; (2) to a Federal, State, or local law enforcement agency if the disclosing agency becomes aware of violations or potential violations of law or regulation; (3) to another Federal agency, court or party in a court or Federal administrative proceeding when the Government is a party or in order to comply with a judge-issued subpoena; (4) to a source when necessary to obtain information relevant to a conflict of interest investigation or determination; (5) to the National Archives and Records Administration or the General Services Administration in records management inspections; (6) to the Office of Management and Budget during legislative coordination on private relief legislation; (7) to the Department of Justice or in certain legal proceedings when the disclosing agency, an employee of the disclosing agency, or the United States is a party to litigation or has an interest in the litigation and the use of such records is deemed relevant and necessary to the litigation; (8) to reviewing officials in a new office, department or agency when an employee transfers or is detailed from one covered position to another; (9) to a Member of Congress or a congressional office in response to an inquiry made on behalf of an individual who is the subject of the record; (10) to contractors and other non-Government employees working on a contract, service or assignment for the Federal Government when necessary to accomplish a function related to an OGE Government-wide system of records; and (11) on the OGE Website and to any person, department or agency, any written ethics agreement filed with OGE by an individual nominated by the President to a position requiring Senate confirmation. See also the OGE/GOVT-1 executive branch-wide Privacy Act system of records.

Public Burden Information

This collection of information is estimated to take an average of three hours per response, including time for reviewing the instructions, gathering the data needed, and completing the form. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Program Counsel, U.S. Office of Government Ethics (OGE), Suite 500, 1201 New York Avenue, NW., Washington, DC 20005-3917.

Pursuant to the Paperwork Reduction Act, as amended, an agency may not conduct or sponsor, and no person is required to respond to, a collection of information unless it displays a currently valid OMB control number (that number, 3209-0001, is displayed here and at the top of the first page of this OGE Form 278e).

November 27, 2018

The Honorable Pat Roberts, Chairman Committee on
Agriculture, Nutrition & Forestry
United States Senate
Washington, D.C. 20510

The Honorable Debbie Stabenow, Ranking Member
Committee on Agriculture, Nutrition & Forestry
United States Senate
Washington, DC 20510

Dear Chairman Roberts and Ranking Member Stabenow:

On July 19, 2018, the Public Financial Disclosure Report (OGE Form 278), required in connection with my nomination to serve as Under Secretary for Research, Education and Economics, at the United States Department of Agriculture was submitted to the U.S. Office of Government Ethics. That report contained all required financial information for calendar year 2017 and for the current calendar year through July 19, 2018.

The Ethics in Government Act of 1978, as amended, also requires that I update certain of the information reported on the OGE Form 278, i.e., that required by section 102(a)(1)(A) of the Act, respecting income (other than dividends, interest, rents, and capital gains) and honoraria, to date which occurs not more than five days before the date of the hearing to be held by your Committee to consider my nomination. The hearing to be held on my nomination is scheduled for November 28, 2018.

The purpose of this letter is to report that since I filed that Financial Disclosure Report on July 19, 2018, I have retired from my position as the global leader of integrated field sciences for Corteva Agriscience, a division of DowDuPont. The date of my retirement was November 2, 2018. During the period between the submission of my financial disclosure report and today, I earned an additional $111,029 in income from DowDuPont.

I trust that this letter satisfies the additional applicable reporting requirements contained in the Ethics in Government Act.

Sincerely,

Scott Hutchins

QUESTIONS AND ANSWERS

NOVEMBER 28, 2018

Senate Committee on Agriculture, Nutrition & Forestry
Hearing to consider the nomination of Mindy Brashears to be Under Secretary of Food Safety, Naomi Earp to be Assistant Secretary for Civil Rights, and Scott Hutchins to be Under Secretary of Research, Education and Economics at the United States Department of Agriculture
November 28, 2018
Questions for the Record
Dr. Mindy Brashears

Chairman Pat Roberts

1. **Regulatory changes have been implemented or proposed in recent years that shift certain inspection responsibilities from USDA inspectors to plant personnel. From your experience, what impacts could such a change have that would need to be considered?**

   All modernization efforts will always focus on food safety and public health. My understanding is that modernization does not eliminate government inspection – all inspection tasks are handled by government inspectors. My focus will be on improving food safety and ensuring that the food reaching consumers is as safe as possible.

2. **Catfish inspection is a relatively new inspection responsibility for FSIS. Yet, this food safety program has demonstrated documented success in keeping unsafe products out of the U.S. marketplace. Will you commit to continuing the collaborative process the U.S. government has embarked upon to establish processing equivalency in countries that wish to export catfish to the U.S.?**

   Yes, I will fully comply with the law.

3. **On occasions in the past, the use of new science-based technologies in food processing have encountered public concern. What will be your approach to reconciling public concerns with scientific advancement in order to promote food safety?**

   I've spent my career studying and observing firsthand how advancements in technology can improve food safety and prevent foodborne illness. I am also an educator, so my approach will be to do just that; I will look for opportunities to enhance public knowledge at the intersection of technology and food safety. I will be a champion of scientific advancement and modernization related to food safety while aggressively addressing misinformation and public concern related to those advancements.

4. **In recent weeks USDA and FDA announced their plan for regulating new products referred to as cell-based meat. The development of new technologies has paved the way for these products, but there is a lot that regulators, policymakers and the general public are still learning with regard to cell-based meat. In your view what questions exist or what important factors should be considered when it comes to FSIS regulating these products?**

I've spent my career studying and observing first-hand how advancements in technology can improve food safety and prevent foodborne illness. First and foremost, my top priority for this emerging technology will be on consumer safety. In addition, transparent labeling and ensuring consumer understanding will be critical as these products come to market.

Ranking Member Debbie Stabenow

1. **Food safety has historically been a bipartisan issue. If you are confirmed, I look forward to working very closely with you on important food safety issues. If confirmed, do you agree without reservation to:**

    a. **Commit to spending all money appropriated to your mission area if confirmed? What experience do you have in management and what do you see as the biggest management challenge you will face if you are confirmed in your new position?**

    Yes.

    My experience in a high-level leadership position at a major university required a great deal of both managerial and budgetary expertise. These are skills that I will be honored to bring to this Agency. And as I did in all of my previous leadership positions, I will allocate funding to those areas that have the greatest impact on the Agency mission.

    b. **If you are confirmed, will you commit to releasing all appropriated funds in a timely manner, as intended by Congress?**

    Yes.

    c. **Promptly reply to any request for information from me or any duly constituted committee of the Congress and provide the requested information?**

    Yes.

    d. **Respond to my requests for data and technical assistance in informing or drafting legislation or implementation of the law?**

    Yes.

    e. **Notify me or my staff in advance of any public announcement of any major changes made by you or within the FSIS mission area during your tenure?**

    Yes.

f. **Provide to this Committee any reports provided by the FSIS mission area to the Senate Appropriations Committee or the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Subcommittee?**

Yes.

2. **FSIS is currently implementing a five year strategic plan focused on prevention of food borne illness and protection of public health, modernization of inspection, policy and scientific approaches, and operational excellence. How does your vision for FSIS fit into this strategic plan and what are the key goals you would like to achieve while at FSIS?**

I have always looked for opportunities to improve and modernize food safety, which is how I will approach this new role at USDA if confirmed.

3. **You have been working in food safety your whole career in a number of different aspects. Given your experience, what gaps do you see in the current food safety system within FSIS?**

I believe that gaps in the food safety system occur when we fail to improve. I look forward to putting my food safety experience to work in this new position if confirmed.

4. **You were well compensated for serving as an expert witness in the defamation suit brought by BPI against ABC News regarding lean finely textured beef and you hold several food safety technology patents. These issues have raised some concerns as to your impartiality given the ties to industry and potential conflict of interest with your food safety technology patents.**

a. **How will you address these concerns?**

My professional reputation is as an honest and impartial scientist, committed to using objective data and science to improve food safety. If confirmed, I would commit to doing the same at USDA. In addition, I would agree to sign and abide by the White House's Ethics Pledge. This Ethics Pledge requires that, for a period of two years, I must disqualify myself from participating in contracts, applications, and even meetings with my former clients. Finally, if confirmed, I would seek ongoing consultation from USDA's Office of Ethics to ensure I am fully aware of and adhere to the applicable laws and regulations.

b. **How will you balance the various stakeholder interests—whether they be poultry or meat establishments, consumer advocacy groups, workers safety groups, animal rights groups, and other relevant groups—as you carry out the FSIS mission?**

Improving food safety is a broad mission that requires a collaborative approach from stakeholders from farm to fork. If given the opportunity to serve in this role,

I will engage and give careful consideration to all parties and stakeholders.

c. **Will you commit to working with all stakeholder groups interested in food safety and FSIS programs?**

Yes.

5. **In recent years, USDA has been focusing its regulatory reform efforts on modernizing inspection systems around the nation's poultry, swine, and beef products to encourage practices that promote food safety while taking advantage of efficiencies from innovations. These new systems, however, have not been without controversy. Several concerns have been raised that the privatization of food safety inspection services under the New Poultry Inspection System (NPIS) and the proposed New Swine Slaughter Inspection System (NSSIS) favors the interests of the industry to the detriment of animal welfare, slaughter plant workers, and public health.**

   a. **How will you balance the interests of the industry in innovative and streamlined food production with the interests of the public health in remaining steadfast in upholding food safety?**

   I look forward to the opportunity to review the modernization policies and efforts, and to lead future food safety efforts that result in a safe food supply. While my background is in food safety and science, I look forward to engaging with all entities that are impacted by agency policies. If confirmed, I am committed to ensuring that all modernization efforts focus on food safety and on public health.

   b. **How do you respond to concerns about the impact that increased line speeds have on worker safety?**

   If confirmed, I look forward to fully reviewing modernization efforts, including those issues surrounding line speeds. I am committed to ensuring that all modernization efforts focus on food safety and on public health.

6. **Over the past 5 years, CDC has reported significant declines in the prevalence rate of Salmonella levels in poultry products, this is in large part, due to the FSIS Salmonella Improvement Plan (SIP). Despite these declines, Salmonella is still a frequent cause of human foodborne illness in the United States with approximately 1 million illnesses, 20,000 hospitalizations, and almost 400 deaths occurring every year.**

   a. **In a report published in March 2018 entitled "USDA Should Take Further Action to Reduce Pathogens in Meat and Poultry Products," GAO made three recommendations for FSIS. Will you follow through on the recommended actions from GAO? Outside of GAO's recommendations and in addition to the Salmonella Improvement Plan, what measures could FSIS implement in order to further prevent these types of outbreaks moving**

forward?

If confirmed, I will review GAO recommendations and associated FSIS activities. I am committed to strengthening food safety to reduce foodborne illness.

b. **How will you improve upon current Salmonella performance standards to ensure they correlate to the actual risk posed to public health?**

I believe that it is important to always examine strategies to strengthen food safety. I will ensure that data and science drive changes to increase public health.

c. **How will you protect consumers against antibiotic resistant strains of pathogens?**

If confirmed, I will work with scientists and experts within the Agency and USDA to combat these strains, building upon the work that is currently being undertaken.

7. **Unlike E. coli, USDA does not have the authority to declare Salmonella or Campylobacter an adulterant. Since the declaration of E. coli as an adulterant, deaths and infections attributable to the bacteria have decreased significantly while the instances of illnesses attributable to Salmonella and Campylobacter are on average 1.2 and 1.3 million, respectively, each year. Should FSIS seek statutory authority to declare strains of Salmonella and Campylobacter that present acute health risks as adulterants?**

My entire career has been focused on the prevention of foodborne illness from farm to fork, and if confirmed, I am committed to advancing that mission using available resources and authority in order to prevent foodborne illness and protect public health.

8. **The Under Secretary for Food Safety plays a critical role in international issues, including the U.S. role in the Codex Alimentarius Commission and equivalency determinations for food safety inspection systems in other countries. As part of the USDA reorganization, the U.S. Codex Office was moved under the purview of the Under Secretary for Trade and Foreign Agricultural Affairs, raising some concerns about the scientific independence of this office and the possibility that trade concerns would be elevated above food safety. How will you maintain the scientific integrity of the Codex Office, and FSIS generally, to ensure USDA is upholding the food safety mission?**

If I am confirmed, I come to this position as scientist, so I can pledge my support to maintain scientific integrity. I will use science and data to work in collaboration with our counterparts across the globe to develop international policies that ensure that our food is safe, and that it can be traded.

9. **FSIS has jurisdiction over equivalence determinations, the process by which the agency assesses the food safety inspection systems of another country as a prerequisite for importing meat, poultry, and egg products into the United States. Consumer concerns have recently been raised about the equivalency findings for China and Brazil.**

    a. **Do you think you think the current equivalency process is adequate to ensure the safety of imported meat and poultry products?**

    Yes, and I look forward to reviewing the equivalency system and looking for ways to further strengthen our food safety system as it applies to both domestic and foreign products.

    b. **What kind of improvements could be made to existing equivalency agreements?**

    Improvements to equivalency starts with strengthening and modernizing our domestic approaches. The improvements to foreign systems are a natural byproduct of our continued improvement as foreign countries work to have systems that provide inspection equivalent to ours.

    c. **Under the current system, once FSIS determines equivalence this finding is almost never revoked. Under what circumstances do you believe an existing equivalency determination should be revoked?**

    If given the opportunity, I look forward to reviewing the equivalency system and looking for ways to strengthen our food safety system as it applies to both domestic and foreign products. Throughout my career I have worked with international food safety experts and I can say without a doubt that our food safety system is the gold standard. My goal would be to build on that to further enhance our great food safety system.

10. **In the past, there have been proposals to establish a single federal food safety agency. What are your views on the idea of a "single food safety agency," and where does that belong within the federal government?**

    I have spent my career collaborating with a wide range of experts and entities, because the best way to improve food safety is through a comprehensive and collaborative approach. I support the President's call for a single food safety Agency at USDA, and would work hard to integrate all components of food safety if Congress pushes forward with this change. In the meantime, I will seek to expand the cohesiveness and cooperation across programs and agencies that underpin the solid food safety currently in place.

Senator John Thune

1. **What would you say are the top threats to food safety in our country, and what are your plans to ensure that the Food Safety Inspection Service is addressing these threats?**

   As a scientist who has committed my entire professional career to food safety and public health, I know that we have the safest food supply in the world. The biggest threat to food safety is the threat we don't yet face. I know from years of experience that we have to stay at the forefront of science and technology if we are going to prevent those threats to our safety. My goal is to hire and retain the highest level of food safety professionals who have the expertise and resources to identify new and emerging threats so that American families never have to face them.

2. **As I'm sure you know, USDA and FDA recently reached an agreement on the regulatory framework for lab-grown meat. Under the agreement, FDA will oversee cell collection, cell banks, and cell growth and differentiation, and USDA will oversee the production and labeling of these food products. I strongly support a clear and transparent labeling process that fully informs consumers about the products they consider bringing home to their families. If confirmed, will you commit to ensuring that meat is labeled accurately?**

   I am committed to ensuring that the labels of all products FSIS regulates are truthful and not misleading, including cell cultured protein. Consumers must be confident in and informed about the products they are purchasing. If given the opportunity, I look forward to working through these issues and reaching solutions to the numerous questions related to the use of cell culture technology.

Senator Patrick Leahy

1. **In addition to my role as the longest serving member of the Senate Committee on Agriculture, Nutrition, and Forestry and a former Chairman and Ranking Member of this committee, I currently serve as the Vice Chairman of the Senate Appropriations Committee. In that role, I would like to remind you of the Congressional authority to determine and set the final funding levels for each fiscal year. It has come to my attention recently that the U.S. Department of Agriculture and other federal agencies have taken it upon themselves to presuppose program funding outcomes for future years and have prematurely initiated action to redirect staffing levels prior to knowing the final outcomes of the Fiscal Year Appropriations bills or have completely ignored congressional direction and instead followed their own initial budget requests that Congress has repeatedly rejected by bipartisan votes.**
   a. **Should you be confirmed for this position, can you assure me that you will commit to abiding by the congressional intent for staffing levels and for programmatic spending levels, rather than merely following your administration's budget request level?**

I am committed to adhering to Congressional direction.

2. **President Trump has proposed reducing food safety funding in Fiscal Year 2019 for FDA by more than $10 million and more than $20 million for USDA Food Safety and Inspection Service.**
    a. **Do you support the reduction in funding for food safety activities?**
    b. **How will these reductions impact the mission and food safety activities carried out by these agencies?**

If confirmed, I plan a careful review of the FSIS budget, and I can make a firm commitment to fight to maintain the budget and staffing levels needed to protect public health and execute the mission of the agency.

Senator Sherrod Brown

1. **As you know, there has been controversy over the both the New Poultry Inspection System and the proposed New Swine Slaughter Inspection System. Earlier this year, I submitted a letter to USDA regarding my concerns related to food safety and worker safety concerns tied to deregulating the slaughter inspection system and allowing increased slaughter line speeds. What are your views about these concerns—that faster line speeds could result in more injuries and reducing the number of FSIS inspectors at plants could undermine our food safety system?**

I look forward to the opportunity to review the modernization policies and efforts, and to lead future food safety efforts that result in a safe food supply. If confirmed, I will ensure that all modernization efforts focus on food safety and public health.

2. **A shortcoming of the FSIS equivalency determination system is that once a country achieves equivalency status, it is never removed as being eligible to export to the U.S. even though it may have had exports repeatedly suspended by FSIS for food safety violations. For example, despite numerous violations in Brazil, that country is still listed as eligible to export beef and pork products to the U.S. even though some or all of its exports have been banned by FSIS several times in the last fifteen years. As you know, the meat inspection system in Brazil is currently under investigation by its own criminal justice authorities for corruption. Do you think that there needs to be reform of the equivalency determination system so that repeat violators can be removed as being eligible to export their products to the U.S.?**

If given the opportunity, I look forward to reviewing the system and looking for ways to strengthen our food safety system as it applies to both domestic and foreign products. Throughout my career I have worked with international food safety experts, and I can say without a doubt that our food safety system is the gold standard. My goal would be to build off of that and enhance our great food safety system.

Senator Michael Bennet

1. **Water buffalo meat is coming into the U.S. and being sold in the retail marketplace labeled as "natural ground buffalo." The packaging and labeling provide the perception that the product is North American bison meat. Bison ranchers and marketers in the U.S. have worked diligently for more than two decades to build a strong market for their product. The failure to label water buffalo accurately could be misleading to the American consumer. Bison producers from my state met with staff from FSIS and FDA and they filed a formal complaint on September 19th and a supplemental complaint on October 1st.**
    a. **Can you assure us that, if you are confirmed, FSIS will do everything in its power and work with FDA to prioritize the resolution of this complaint?**

I believe accurate and truthful labeling is an important issue, both for consumer awareness, as well as ensuring the consumer is getting the product they purchased. If confirmed, I will ensure that labeling requirements are met, and will commit to work with FDA on labeling of imported product that falls under their regulatory jurisdiction.

Senator Kirsten Gillibrand

Recalls
Last week, I wrote a letter with Senator Blumenthal to Secretary Perdue urging him to disclose publically the sources of turkey contaminated with Salmonella.
This outbreak has made 164 people sick – including a dozen in New York – and has been going on for more than a year.
While FSIS has issued a recall for Jenny-O brand of ground turkey products, data released just yesterday by USDA shows nearly 15 percent of all turkey slaughter facilities have a failing grade when it comes to Salmonella.
More than 10 different companies have a failing facility.

Questions

(1) **Should FSIS allow companies to ship meat from a plant that has been contaminated with a strain of *Salmonella* known to be implicated in an ongoing outbreak?**

My experience with food safety has led me to focus on preventing foodborne illness. To do that, having clear and precise data is essential. When prevention is not enough, and outbreaks occur, they can be complex. If a product is found to be linked to human illness through traceback efforts, then it should be recalled and removed from commerce.

(2) **Is it reasonable for FSIS to wait until an unopened package of contaminated poultry is found in the home of an outbreak victim before a recall is requested?**

Each traceback investigation is unique. As a scientist and food safety educator, I know that the key to any investigation is to evaluate the entire body of evidence. If confirmed, I look forward to preventing foodborne illness from occurring, and where outbreaks involve FSIS-

regulated product, working quickly with federal and state public health partners to identify the source of the contamination.

(3) When should raw meat and poultry contaminated with Salmonella be considered "adulterated"?

There are approximately 2,500 types of Salmonella, some of which can cause human illness. My entire career has been focused on the prevention of foodborne illness from farm to fork. If confirmed, I commit to making it a priority to review the Agency's current policies on Salmonella and contribute to future policy, always with the goal of preventing foodborne illness and protecting public health.

(4) Do you think that FSIS should seek statutory authority to declare strains of Salmonella that are harmful to public health as adulterants?

If confirmed, I commit to making it a priority to review the Agency's current policies on Salmonella and contribute to future policy, always with the goal of preventing foodborne illness and protecting public health.

Pathogen Standards
I have written many, many letters urging FSIS to update and improve pathogen standards and sampling techniques and while they have made progress, it has been uneven.

There are current Salmonella outbreaks in chicken, turkey, beef, and eggs.

FSIS recently rescinded its Campylobacter performance standards for poultry and earlier this month they scrapped their sampling method as well.

This does not inspire confidence.

Questions

(1) If you are confirmed, what is your timeline for having a new poultry Campylobacter standard in place?

Performance standards are important, and if confirmed I will work closely with the FSIS policy team to quickly promulgate new standards, where appropriate.

(2) Are you aware of the Agency's reason for the withdraw of the Campylobacter sampling method and how would you prevent a similar mistake in the future?

I would have to further study these sampling methods. As outlined in my opening statement, I've spent my career studying and observing firsthand how advancements in technology can improve food safety and prevent foodborne illness, and I will always look for opportunities to improve and modernize our testing and sampling capabilities.

(3) How would you, as FSIS Administrator, improve upon current Salmonella performance standards and ensure that they are reflective of the actual risk to public health?

My experience as a scientist has been focused on developing technologies and methods to reduce and control pathogens, including *Salmonella*. If confirmed, I will also bring my experience in evaluating systems and making recommendations to prevent foodborne illness with me to the Office of Food Safety.

(4) How would you prioritize public health outcomes in the promulgation of new Salmonella performance standards to ensure that FSIS metrics lead to fewer illnesses and death?

If confirmed, I plan to work with the scientists at FSIS to continue developing policies and improved sampling methods to reduce and control pathogens such as *Salmonella*.

Senator Robert P. Casey, Jr.

1. **Last week, USDA's Food Safety and Inspection Service posted data that show how individual poultry processing plants across the country are doing with respect to controlling levels of *Salmonella* on chicken parts. This was the right thing to do and I applaud the agency for taking this step, which provides transparency and can incentivize improved industry performance. But, I am disturbed by what the Agency has found, which is that some of the largest poultry companies in our country are selling products that fail to meet the FSIS performance standard for chicken parts. What steps can USDA take to improve the performance of those category 2 and 3 plants that are putting product with high levels of Salmonella into the marketplace?**

   I have spent my career developing technologies and methods to reduce and control pathogens, including *Salmonella*. From this experience, I understand there is not one single approach for all processing systems, but if confirmed, I am committed to examining ways in which we can continue to give plants the resources, training, and incentives necessary to improve their safety standards.

2. **What role should USDA play in incentivizing the adoption on-farm practices that reduce Salmonella in poultry?**

   I have spent my career studying pre-harvest intervention technologies and the impact of good practices to reduce pathogens during live animal production. If confirmed, I will work with other USDA agencies on new technologies and methods to control and reduce Salmonella. We need to focus on reducing pathogens at every level of the food production process.

3. **Small and very small meat and poultry processing facilities play a significant role in the development of local and regional markets. Pennsylvania is in the top 5 states for direct farm to consumer sales and the small and very small processors play an integral role in that sector. FSIS has been helpfully holding a series of regional meetings and**

discussions with small plants and the farmers they serve. Would you be interested in having FSIS leadership continue to meet with stakeholders on a regional basis to discuss the concerns of this sector and work toward mutual solutions to the problems they experience?

I have spent a good portion of my career working with small plants and have every intention of continuing to do so. The best way for me to do this is to get out into the areas where these small plants are. Hearing firsthand from plant owners about the issues they face would help ensure that FSIS is providing the best customer experience possible to small and very small plants. If confirmed, I will absolutely make this a priority.

4. **Would you be committed to a full-scale review of Agency guidance documents with an eye toward making sure they are appropriate for smaller plants?**

   I know firsthand how important guidance documents are to small and very small producers. If confirmed, I will seek small and very small plant input on additional guidance documents that are useful, and work within FSIS to update guidance documents as needed.

5. **Can you discuss your views on the importance of collaboration with other Federal agencies on the issue of food safety? Will you support CDC's efforts to upgrade and transition PulseNET with whole genome sequencing programs being developed?**

   The best way to improve food safety is through a comprehensive and collaborative approach. PulseNET is the backbone of our ability to detect and eliminate outbreaks, and I am particularly excited about exploring the new opportunities for human illness outbreak investigation and traceback efforts using whole genome sequencing. If confirmed, this will be a priority.

Senator Tina Smith

1. **The laws that govern food safety regulations are more than a century old. How would you work to make sure the Food Safety and Inspection Service (FSIS) is using modern methods to keep our food supply safe?**

   I've spent my career studying and observing firsthand how advancements in technology can improve food safety and prevent foodborne illness. As an educator, I have always looked for opportunities to improve and modernize, which is how I will approach this new role at USDA, if confirmed.

2. **In May, the Food Safety and Inspection Service (FSIS) issued a report showing there is a significant lack of proper food handling in kitchens today. How will you improve consumer knowledge so they can ensure safer food for their families?**

   I read this public report, and have actually conducted research on food safety behaviors in the kitchen. Consumer education and risk communication are key to addressing food safety

issues. I fully support conducting research on how consumers handle and prepare food that would allow FSIS to be more targeted in its outreach and education efforts.

Senate Committee on Agriculture, Nutrition & Forestry
Hearing to consider the nomination of Mindy Brashears to be Under Secretary of Food Safety, Naomi Earp to be Assistant Secretary for Civil Rights, and Scott Hutchins to be Under Secretary of Research, Education and Economics at the United States Department of Agriculture
Wednesday, November 28, 2018
Questions for the Record

Chairman Roberts

1. The Forest Service has been struggling for several years with addressing and handling the spectrum of sexual harassment and gender discrimination issues. How do you envision you or your staff being involved in the efforts of the Forest Service as it moves forward with its efforts to address these persistent challenges?

   Response: I want to be right there with the Forest Service, step-by-step, as they work to change the culture of their agency and hold individuals accountable. Employees need to feel safe and to look out for one another. I think there are a number of cultural related issues given the type of work and location of Forest Service jobs and I would like to explore and better understand the underlying factors if confirmed. This issue must be fixed. I would start by reviewing the issues directly with Forest Service management to better understand what they have done to date and their ongoing plans, but then also seek input from those outside of the Forest Service, including the Inspector General.

Senator John Thune

1. USDA is a broad coalition of agencies that affects every single American, with tremendous responsibilities for ensuring that agricultural production is sustainable and our food is safe and affordable. What do you see as your greatest challenge in keeping USDA's diverse staff cutting edge, competitive, and unbiased, and that USDA programs are delivered fairly and equitably to all applicants and recipients?

Response: The USDA workforce is indeed large, complex, diverse and geographically dispersed. If confirmed, I am committed to leading the kind of cultural change needed to embrace civil rights as a core value. I will need the personal support and commitment of every colleague, manager and employee in every USDA occupation and location to elevate civil rights to a core organizational value.

From an equal access perspective, I see an opportunity to leverage existing data to make meaningful inferences and remove barriers to equal access. For example, if confirmed I would like to learn what trends program compliance reviews have yielded, as well as how these trends might correlate with program complaint activity and program participation rates. The better equipped we are to identify barriers to equal access, the sooner we can mitigate,

remove and prevent those barriers in a more meaningful way.

2. What do you foresee as your greatest challenge in your new role as Assistant Secretary for Civil Rights?

Response: I have the honor of being considered for a position that has been without political leadership for a long time. If confirmed, I would need to act quickly to update the civil rights strategic plan to reflect the priorities of this Administration, Secretary Perdue, and the new Farm Bill. I would need to oversee the progress that has been made by the Forest Service in addressing sexual harassment and retaliation and lead a similar effort USDA-wide. In addition, it will be important to assess operations to ensure civil rights functions are implemented consistently and effectively across mission areas. In short, there is much work to be done. I am confident that my background has equipped me to address these issues effectively, and that I would count on the support of the USDA civil rights community to get the job done.

3. One of the greatest challenges in delivering USDA programs is the exceptionally broad range of program recipients, from underserved areas with little or no technical capability to producers with the latest in technology and equipment. One area I would like you to review is USDA program delivery on our Native American reservations. Could I get you to do this, especially in the realm of providing additional extension agents and educational opportunities in Indian Country?

Response: Yes, and I look forward to coordinating with our Office of Tribal Relations on these issues if confirmed.

Senator Patrick Leahy

1. In addition to my role as the longest serving member of the Senate Committee on Agriculture, Nutrition, and Forestry and a former Chairman and Ranking Member of this committee, I currently serve as the Vice Chairman of the Senate Appropriations Committee. In that role, I would like to remind you of the Congressional authority to determine and set the final funding levels for each fiscal year. It has come to my attention recently that the U.S. Department of Agriculture and other federal agencies have taken it upon themselves to presuppose program funding outcomes for future years and have prematurely initiated action to redirect staffing levels prior to knowing the final outcomes of the Fiscal Year Appropriations bills or have completely ignored congressional direction and instead followed their own initial budget requests that Congress has repeatedly rejected by bipartisan votes.
    a. Should you be confirmed for this position, can you assure me that you will commit to abiding by the congressional intent for staffing levels and for programmatic spending levels, rather than merely following your administration's budget request level?

Response: I intend to follow congressional direction.

Senator Debbie Stabenow

1. The Office of the Assistant Secretary for Civil Rights (OASCR) plays a critical role in ensuring that the USDA acts in accordance with civil rights laws.

    a. Please describe your vision and priorities.

Response: If confirmed, I am committed to leading the kind of cultural change needed to embrace civil rights as a core value at USDA. I will need the personal support and commitment of every colleague, manager and employee in every USDA occupation and location to elevate civil rights to a core organizational value.

I plan to act quickly to update the civil rights strategic plan to reflect the priorities of this Administration, Secretary Perdue, and the new Farm Bill. I would oversee the progress that has been made by the Forest Service in addressing sexual harassment and retaliation and lead a similar effort USDA-wide. In addition, it will be important to assess operations to ensure civil rights functions are implemented consistently and effectively across mission areas.

I also want to leverage existing data to make meaningful inferences and remove barriers to equal access. For example, if confirmed I would like to learn what trends program compliance reviews have yielded, as well as how these trends might correlate with program complaint activity and program participation rates. The better equipped we are to identify barriers to equal access, the sooner we can mitigate, remove and prevent those barriers in a more meaningful way.

    b. What changes to OASCR – or to its operations, processes, or personnel – do you believe should be implemented?

Response: I believe that before I can fully answer this question, I would need to be briefed on the current status of the operations, programs, and personnel of OASCR. I would not want to make change for change's sake, but make sure that any adjustments to the existing operation are rooted in the overall goal to ensure a positive civil rights culture at USDA as well as a culture of accountability.

    c. If confirmed, do you commit to ensuring that all USDA employees and customers are treated with dignity and respect, and not discriminated against on the basis of race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity?

Response: Yes. I will enforce civil rights to the fullest extent of the law.

    d. Please describe your management experience and what do you see as the biggest management challenge you will face if you are confirmed in your new position?

Response: As mentioned in my testimony, I have broad experience in a number of varied government organizations in successfully implementing civil rights programs and outreach. I am confident that my background has equipped me to effectively address the issues USDA currently faces. One significant challenge is how large, complex, diverse and geographically dispersed the USDA workforce is. However, if confirmed, I am committed to leading the kind of cultural change needed to embrace civil rights as a core value across USDA.

2. Agriculture has historically been a bipartisan issue. If you are confirmed, I look forward to working very closely with you on civil rights issues at the USDA. The USDA must ensure that its workplace is a safe and healthy environment for all workers, and that USDA policies are inclusive to all farm communities. If confirmed, do you agree without reservation to:

   a. Commit to investigating all forms of misconduct and discrimination within your jurisdiction?

   Response: Yes.

   b. Promptly reply to any request for information from me, any duly constituted committee of the Congress, or the USDA Inspector General, and provide the requested information?

   Response: I will respond promptly to any request.

   c. Respond to my requests for data and technical assistance in informing or drafting legislation or implementation of the law?

   Response: I will respond promptly to any request.

   d. Notify me or my staff in advance of any public announcement of any major changes made by you or within OASCR during your tenure, or of any other major changes impacting civil rights at the USDA?

   Response: Yes.

   e. Provide to this Committee any reports provided by OASCR to the Senate Appropriations Committee or to the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Subcommittee?

   Response: I will respond promptly to any request.

   f. Provide to this Committee a quarterly briefing on the activities of OASCR, including the volume of equal employment opportunity (EEO) complaints and the

processing of those complaints, as well as the status of any new initiatives that impacts civil rights enforcement?

Response: Yes.

3. Given its history of civil rights violations, the USDA needs robust enforcement of civil rights laws. However, the reorganization of the civil rights functions at the USDA has raised concerns that the USDA's ability to comply with—and vigorously enforce—civil rights laws will be hindered.

   a. What steps will you take to ensure that the reorganization will not affect the important functions of civil rights enforcement at the USDA?

      Response: If confirmed, I plan to quickly be briefed on and review the reorganization of civil rights functions at USDA to ensure that it is consistent with my and the Secretary's expectation of zero tolerance and accountability for discrimination in the workplace at USDA.

   b. Will you commit to completing a full assessment of the effects of the reorganization on the USDA's ability to enforce civil rights laws? Will you commit to sharing those findings with the Committee, and will you commit to regularly briefing my staff on the reorganization?

   Response: Yes, and I would be happy to brief your staff, if confirmed.

4. The Forest Service has shown a pervasive culture of sexual misconduct, with rampant allegations of gender discrimination, retaliation, sexual harassment, and assault. This is abhorrent and unacceptable. Unless the USDA is willing to hold people accountable for civil rights violations, negative cultures will persist, civil rights laws will be violated, and more individuals will be victimized.

   a. What does the term "accountability" mean to you, particularly in the context of civil rights violations? How specifically should the USDA hold individuals accountable for civil rights violations?

   Response: I believe that every individual who feels they have been treated inappropriately has the right to be heard, and USDA is responsible for ensuring a fair, thorough, and complete process for those individuals. If someone is found to have violated civil rights laws, then absolutely, they must be held accountable. If discrimination is substantiated, USDA must take appropriate disciplinary and corrective action. USDA must provide the process and the tools for managers to do so, and employees need to understand from the start of their employment the process and types of consequences such violations will incur.

b. If confirmed, what specific steps will you take to address the critical situation at the Forest Service?

Response: I want to be right there with the Forest Service, step-by-step, as they work to change the culture of their agency and hold individuals accountable. Employees need to feel safe and to look out for one another. I think there are a number of cultural related issues given the type of work and location of Forest Service jobs and I would like to explore and better understand the underlying factors if confirmed. I would start by reviewing the issues directly with Forest Service management to better understand what they have done to date and their ongoing plans, but then also seek input from those outside of the Forest Service, including the Inspector General.

From a processing standpoint, I believe sexual misconduct allegations can benefit from a pilot program that would explore ways to expedite processing while ensuring a fair and effective process. If confirmed, I intend to pilot a process that would allow agencies to respond promptly and appropriately to sexual misconduct allegations based on whether the claim involves assault or hostile behaviors that fall short of assault. I think the USDA Office of the Assistant Secretary for Civil Rights has a lot to bring to the table.

5. During your past work experience at the USDA, you were tasked with addressing discrimination in various farm programs. However, your time at the USDA coincided with activities that subsequently were found to be discriminatory, resulting in major class-action discrimination settlements by the USDA.

a. What problems did you identify during your prior work at the USDA, and what steps did you take to address those problems?

Response: During my previous tenure at USDA, I worked on disparate treatment as it relates to minority farmers, but did not at the time see the patterns that we have since identified and that USDA has worked to address. This is in part because back then, we were dealing with individual complaints and because we did not have the kind of data needed to identify broad patterns. On the employment side, I established an affirmative action program to address the under-representation of females in the firefighter occupation. As a result, there are now more women in this occupation.

b. What lessons did you learn from your previous experience at the USDA, and how will it shape the direction of OASCR, if you are confirmed?

Response: I learned that USDA is a very large and complex organization, with a diverse workforce that is geographically spread and in a multitude of occupations. A one size fits all approach doesn't work when we are trying to change culture and behaviors. For this reason, I am committed to addressing issues at the team-level, in a way that is meaningful to each occupation. In addition, I realize the

USDA I would join, if confirmed, is very different from the late 1980s, and I am committed to looking at today's challenges in the current historical context and not how they were viewed 30 years ago.

c. Are you concerned that civil rights abuses may occur more frequently in some local offices than in other parts of the USDA? If confirmed, what steps would you take to ensure that local offices are compliant with all civil rights requirements, and that the process for enforcing those requirements is transparent?

Response: That is something I intend to dig into, if confirmed. The USDA workforce is large, complex, diverse and geographically dispersed, which presents challenges. But, if I am confirmed, I am committed to leading the kind of cultural change needed to embrace civil rights as a core value both at headquarters and in the field. I will need the personal support and commitment of every colleague, manager and employee in every USDA occupation and location to elevate civil rights to a core organizational value. And we will have to develop the tools and support necessary for managers and employees at all levels of the organization and at all locations, which I am committed to doing.

6. Have you ever been investigated by any Inspectors General? If so, what were the circumstances surrounding any such investigations, and what were the results?

Response: I am aware that anonymous OIG Hotline complaints were made against me at USDA; however, I was never made aware of any investigation or action as a result.

7. What is the appropriate role of OASCR in policy development, and how important are civil rights impact analyses in policy development?

Response: I believe OASCR has an important role in setting civil rights policy at the Department level, to help guide mission areas and agencies in properly interpreting and implementing civil rights law and rights. This includes ensuring that as appropriate, civil rights analyses are conducted and reviewed to identify and address any potential issues with proposed policies.

8. Have you ever been found to have engaged in discriminatory conduct or ever settled any claims brought against you? If so, please explain.

Response: No, I have not been found to have engaged in discriminatory conduct. In one case, an employee of mine complained about her annual performance rating and the agency resolved it informally.

Senator Sherrod Brown

1. USDA has a large and diverse workforce. Earlier this year the Policy Division of the Office of Civil Rights was eliminated. This Division helped develop policy guidance to assist in implementation of civil rights laws and policies across the department. Do you agree with the decision to eliminate this division? Please explain your answer.

Response: As I understand it, the policy function is now handled in the Center for Civil Rights Operations, and was not eliminated.

Senator Amy Klobuchar

1. As a member of the Senate Agriculture Committee, I have worked to expand access to United States Department of Agriculture (USDA) programs like crop insurance, livestock disaster assistance, and educational training courses for young, beginning, veteran, and disadvantaged farmers from diverse backgrounds.
    - *What steps will you take to improve on prior Department practices relating to equal access to loans, grants, and other USDA services?*

Response: My goal is to help make USDA a department that does right by all people, all the time, and in all locations, and this includes young, beginning, veteran, and disadvantaged farmers. I would like to see more technical assistance provided to these farmers and ranchers to make sure that they comprehend all of the options and the consequences for any decision made, so that true access to our programs can be achieved.

2. In recent years, USDA has settled a number of lawsuits alleging discrimination against racial minorities and women farmers.
    - *In your view, what should USDA do to ensure that farmers and ranchers of all backgrounds are treated fairly?*

Response: If confirmed, I will devote my energy to building a "culture of civility" based on respect for our customers as well as our employees. I am committed to aggressively continuing the work to make sure minority and female farmers and ranchers have access to all programs and services and that they receive the technical assistance to understand our programs and their options. I will enforce the Secretary's zero tolerance for discrimination in any form and ensure that there are strict accountability measures in place to deal with it.

Senator Michael F. Bennet

1) A recent report by the Des Moines Register found that Administration officials in the Secretary's office forced the national 4-H youth organization program to withdraw their policy welcoming LGBTQ members. As you know, 4-H is a congressionally authorized youth program that has an obligation to follow federal civil rights statutes.

a. If confirmed, how will you ensure the rights of LGBTQ individuals are protected?

Response: My professional and personal belief is that every human being is entitled to civility, respect, fairness and equity. If confirmed, I would work to ensure that protecting everyone's rights is reflected in the culture of the entire USDA, both in our treatment of customers and of colleagues.

Senator Kirsten Gillibrand

LGBT IN 4-H:

The Des Moines Register reported that Secretary Perdue's former Chief of Staff, Heidi Green, directly intervened to require 4-H to withdraw a guidance document intended to help 4-H leaders make LGBT youth feel more included in the organization.

A member of the USDA communications staff went so far as to reach out to New York's 4-H leadership to request they remove the guidelines they had posted.

This Administration has repeatedly demonstrated a shocking disdain for the LGBTQ community.

Questions

(1) Would it be appropriate for the Assistant Secretary for Civil Rights to provide counsel in this situation?

Response: Yes. The Assistant Secretary for Civil Rights is the highest authority on civil rights matters at the USDA, and the Assistant Secretary would be remiss if he or she failed to provide guidance on this matter.

(2) How would you have counseled the Secretary and his staff to ensure protection and inclusion of LGBTQ youth in 4-H?

Response: While I have not been briefed on the 4-H situation, in the past, I have advised heads of agencies on a number of civil rights matters, some novel and complex. Each time, I relied on the language and intent of civil rights laws, and relevant regulations and executive orders. For example, when I was at the Library of Congress, I advised the Librarian to establish an LGBT special emphasis program. Based on my advice and leadership, the Library celebrated its first LGBT Program in 2011 and established an LGBT collection to make LGBT resources available on the public website. These efforts also led to the establishment of the first LGBT employee affinity group at the Library.

(3) **Would you advocate for the discipline or dismissal of a USDA employee who was found to have violated the civil rights of another employee or a member of the public and can you provide specific examples from your work in EEO where you have pursued such a course of action?**

Response: My professional and personal belief is that every human being is entitled to civility, respect, fairness and equity. If confirmed, I would counsel any member of the USDA team to help ensure that these values are reflected in the culture of the Department. While I do not know the specifics of the situation you reference, I do believe that we should have a strong accountability system in place to address any employee who violates the civil rights of another person.

Senator Tina Smith

Mrs. Naomi Earp

1. Hmong and Native farmers in Minnesota have an incredibly strong agricultural heritage. Hmong refugees carried on their farming traditions as soon as they began to settle in Minnesota in the 1970s. The growth of the Hmong farming community in Minnesota has contributed greatly to the growth of farmers markets in Saint Paul and Minneapolis.

   Native farmers in Minnesota are also part of our state's agricultural foundation. Native grown wild rice is now being sought in overseas markets. Native farming communities rely on USDA rural development programs and a broad array of resources designated for socially disadvantaged farmers and ranchers.

   It is my goal to expand opportunities in agriculture for everyone, and to ensure that all farming communities in Minnesota can access USDA resources. In the Senate-passed Farm Bill, I pushed for the inclusion of a provision that would request a GAO study to evaluate civil rights at USDA and review farm program usage by minorities, like the Hmong and Native communities in my state.

   a) What will you do to ensure that USDA programs are accessible to historically underserved communities in Minnesota and across the country?

   Response: Access to our programs is key. But we have to do more than just announce that a program is available. We have to make sure that farmers and potential farmers understand what USDA has to offer. This is an issue that I am passionate about, and if confirmed, would be fully committed to addressing. I would work with our programs to expand access and understanding of USDA programs. I am also optimistic about opportunities the Farm Bill will create if passed.

   b) Will you commit to visiting with Native farmers and Hmong farmers in Minnesota to hear about their experiences firsthand?

   Response: Yes.

Senate Committee on Agriculture, Nutrition & Forestry
Hearing to consider the nomination of Mindy Brashears to be Under Secretary of Food Safety, Naomi Earp to be Assistant Secretary for Civil Rights, and Scott Hutchins to be Under Secretary of Research, Education and Economics at the United States Department of Agriculture
November 28, 2018
Questions for the Record
Dr. Scott Hutchins

Chairman Pat Roberts

1. The Committee is in the final stages of the 2018 Farm Bill process. In addition to the continuation of existing research programs, the Research Title will likely include provisions requiring USDA to implement once a new law is enacted. How will you lead the implementation of the 2018 Farm Bill while ensuring the Congressional intent of the law is maintained and fulfilled?

   Response: I will rely on the great men and women of the REE mission area to assist in implementing any new programs or offices that are required in the new Farm Bill. In my previous roles I have gained experience in setting up new offices and programs that I believe will be vital in implementing any new legislation. In addition, in order to ensure that Congressional intent is met I commit to working closely with you and the Committee during the initial implementation phase.

2. There are many agencies within the U.S. government that establish policies that have an impact on U.S. agriculture. If confirmed, how will you coordinate with the Environmental Protection Agency, Department of Interior, or Health and Human Services to ensure that science-based agriculture is strongly represented?

   Response: I agree that it takes a coordinated and thoughtful approach to ensure that federal policies have a positive impact on U.S. agriculture. I intend to coordinate with all three agencies you mention, as well as others, so that the great research we are carrying out at USDA and also supporting at land grant and other institutions can help inform decision making across the federal government.

3. The agriculture industry is constantly bracing for the next threat that could have devastating results both on and off the farm. Invasive pests or diseases such as High Pathogenic Avian Influenza, Food and Mouth Disease, or Wheat Stripe Rust could compromise the U.S. food supply, as well as cause severe economic harm in Kansas and throughout the country. How do you view the role of agricultural research in ensuring and maintaining a safe and affordable food supply?

   Response: Agricultural research is absolutely critical to ensuring and maintaining a safe and affordable food supply. As an example, when I was a cotton scout in the 1980's the boll weevil was plaguing cotton crops. It was because of the research done by USDA that boll weevil has largely been eliminated. If confirmed I would ensure that USDA continues to

work toward the breakthroughs that will help eliminate pests and diseases that pose a threat to American agriculture.

4. USDA arguably has one of the greatest reaches of any federal agency across the country due to its extension services. What do you see as the Department's role in disseminating the information gained by and through research to producers, businesses, institutions of higher education such as the 1890s or 1994s, and others around the U.S.? What role do you see for U.S. extension in an international setting?

   Response: As a product of the Land Grant system I know firsthand how critical these institutions are to the success of American agriculture. Part of the reason that the U.S. has continued to lead the world in this area is because research is made relevant through the extension activities carried out at these universities. Because of this success, our extension service provides a model on which the rest of the world should consider basing their own systems.

5. The President's FY 2019 Budget request proposed a transfer of the operational responsibility for the National Bio and Agro-Defense Facility (NBAF) from the Department of Homeland Security to the Department of Agriculture. NBAF, based in Manhattan, KS, is critical for homeland security, national security, and agricultural research in developing countermeasures to intentional and naturally occurring threats. The Department of Agriculture is preparing the management requirements to operate this $1.25 billion national laboratory, and has indicated that it will be operated by ARS. How would you ensure that NBAF will operate at the intended capacity while maintaining—and strengthening—other research priorities of USDA that already operate on limited resources?

   Response: All security begins with food security. If confirmed, I would be honored to oversee this effort within the Agricultural Research Service, as I know how critical NBAF is to the state of Kansas and the Nation as a whole. I will want to be fully briefed on the NBAF, its capabilities, and its needs. If USDA is going to be successful in operating NBAF and reaching its full potential, then it will need to be fully funded, but we must be cognizant to do so without jeopardizing our other research needs.

6. Part of the operation design that the Department of Homeland Security (DHS) has for the National Bio Agro-defense Facility (NBAF) is a unique operational unit called the Biotechnology Development Module (BDM). DHS has envisioned that scientific discoveries at NBAF could be moved into real applications with real solutions to animal and human disease problems. Therefore, partnering with animal health industries early in the research process was an important goal for DHS. What are your views on the BDM, and what might you affect as the Undersecretary to see to the success of the public-private partnership the BDM embodies?

   Response: While I don't know the specifics of the BDM, the concept sounds like a great opportunity to utilize science and innovation to address the very challenging human and animal disease issues that we face. Moving scientific research into applicable solutions is

critical. Coming from the private sector, if confirmed, I commit to you that I will bring that lens to the discussion as the NBAF facility moves closer to completion. I would also look forward to visiting the NBAF, quickly getting up-to-speed on plans for the BDM, and working to ensure that NBAF is a world class, cutting edge facility that meets agriculture's needs and helps protect our nation.

7. Dr. Hutchins, if confirmed you would be tasked with leading the management of the Department of Agriculture's $3 billion annual federal investment in agricultural research. How do you plan to maximize that investment and what do you view as the role of the U.S. government in agricultural research?

   Response: It is critical to the success of American agriculture that we properly prioritize how federal funds are spent. In my previous roles, I have gained experience in research portfolio management. If confirmed, I look forward to bringing that experience to USDA to help prioritize limited funding. USDA research provides the opportunity to focus on national projects and issues such as invasive species that require a large coordinated effort. It also allows for investments to be made across multiple time horizons.

8. Dr. Hutchins, producers rely on scientists to find new tools like biotechnology or CRISPR (CRISP-er) to help them combat new pests, diseases, and unpredictable weather patterns. How will you go about supporting the needs of producers and for innovation, while also communicating with consumers regarding these important tools?

   Response: Innovation has played a key role in the success of American agriculture and Innovation and its advocacy has been the focus of my professional career. USDA plays a key role in the development and nurturing of these technologies and bringing together the players with a focus on addressing agricultural issues and opportunities. The educational mission of Land Grants, often overlooked, is critical to prepare growers and the ag community for acceptance. I look forward, if confirmed, to continue the work being done in this area and strengthening USDA's efforts if needed.

Senator Debbie Stabenow

1. If you are confirmed, I look forward to working with you. If confirmed, do you agree, without reservation, to:

   a. Promptly reply to any request for information from me or any duly constituted committee of the Congress and provide the requested information?

      Response: Yes.

   b. Respond to my requests for data and technical assistance in informing or drafting legislation or implementation of the law?

Response: Yes.

c. Notify me or my staff in advance of any public announcement of any major changes made by you or within the Research, Education, and Economics mission area during your tenure?

Response: Yes.

d. Provide to this Committee any reports provided by the Research, Education, and Economics mission area to the Senate Appropriations Committee or the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Subcommittee?

Response: Yes.

2. If confirmed, your role as Chief Scientist of USDA makes you uniquely qualified to speak to significant and perplexing challenges facing our country. The U.S. faces economic, social, and environmental challenges that will require strong and innovative systems of food and agricultural science for answers and technology solutions. What is your experience and approach to being a chief executive of an organization with global reach and strong local ties?

a. How will you integrate science into developing programs and making regulatory decisions?

Response: In both the role of Chief Scientist and that of Under Secretary I would, if confirmed, ensure that the research efforts across the Department are done in a coordinated manner as to meet the overall research goals. In addition, I will ensure that my colleagues in the regulatory agencies of USDA have access to sound data and analysis on which to base their decisions.

b. What research priorities regarding food and agriculture should the USDA focus on during the next four years?

Response: USDA is a position to ensure that the uniquely governmental functions such as conducting research that requires a large coordinated effort as well as that which requires that investments be made across multiple time horizons. These unique functions will be at the forefront of my priorities. I look forward to working both with Congress and within the Administration to ensure that additional priorities designated by each are carried out and incorporated into the overall research goals.

c. How would you use the existing intramural and extramural programs to respond to a disease outbreak of an emerging pathogen?

Response: While many of the functions in responding to an outbreak lie with APHIS, ARS is uniquely suited to address these issues should they arise. ARS has the flexibility to shift its ongoing research to respond to an urgent need. If confirmed, I would use this flexibility to foster the innovation needed to respond quickly to an emerging pathogen. In addition, NIFA working with its Land Grant partners can help to make sure that producers have the information necessary to both help stop the spread of the disease once best practices have been identified.

3. The "Fourth National Climate Assessment" (Assessment) issued in November 2018 by the US Global Change Research Program (which includes USDA) details the devastating impact of climate change on both the environment and the economy, which could lose more than 10% of its GDP by the end of the century if this issue is not promptly addressed. Specifically with respect to agriculture, the Assessment found that the quantity and quality of crops will decline due to increased temperatures, drought, soil erosion, and disease and pest outbreaks. Have you read the Assessment? What do you see as being the Assessment's most concerning findings with respect to agriculture? How will your incorporate the report's findings into your research priorities for REE moving forward?

Response: I have not read the full assessment, but I have read the chapter on Agriculture (Chapter 10) with an outline of key points. From a research perspective, the most concerning proposed finding is the increase in extreme events because these cannot be managed with best practices or new technologies. Hurricanes, for example, will be destructive to agriculture no matter how much adaptation is made in the agricultural system. Subtle shifts over time, however, can be addressed: Crops can be developed (either through conventional breeding or advanced breeding) that are more drought tolerant or heat resistant, pest range expansion can be addressed with thoughtful research, etc.

Before I am able to describe how the report will be used for priorities, I need to be briefed on how the agencies are addressing the questions today. NIFA and ARS, for example, already have research programs on invasive species and climate-impacts more broadly. My intent would be to establish clear priorities based on not only the size of the impact of a projected effect, but the ability to make real and tangible progress. If confirmed, I will be happy to consult stakeholders, including Congress, on these priorities.

a. Do you believe in the scientific consensus that anthropogenic climate change is occurring and if not mitigated will negatively impact the living conditions for humans on Earth?

Response: Yes.

b. Will you commit to independent research on efforts to mitigate the effects of climate change from an agricultural perspective?

Response: Yes.

c. What kind of research should USDA support to update scientific understanding of changing environmental risks? Will you commit to work across agencies to integrate climate related research into policies that protect farmers from environmental risk?

Response: Yes, I plan to work across agencies on all relevant topics to leverage expertise wherever it exists and also to share USDA expertise where it can be helpful.

4. Both the recent harmful algal blooms in Lake Erie and the "dead zone" in the Gulf of Mexico have been linked to nutrient runoff from agriculture. What research do you believe will find solutions that encourage farmers to adopt conservation measures to reduce runoff and improve water quality?

Response: Agricultural research has contributed many best practices to help manage nutrient run off and more should be explored and validated to provide the tools and expertise in this area. However, approaches for adoption of these measures either via incentives or regulatory requirement would be outside the scope of the REE Mission itself, although if confirmed I would welcome the opportunity to consult on this topic on behalf of the Office of the Chief Scientist.

5. Stakeholders have expressed concerns that not enough financial support or scientists have been dedicated towards traditional plant and animal breeding, that is, the production of new plant varieties and lines of animals that are not genetically engineered. Having adequate plant varieties that are suitable for specific regions and environmental conditions is especially important to organic producers. If confirmed, will you commit to reinvigorating organic research, and ensuring there are adequate scientists to produce new seed varieties and lines of animals that are not genetically engineered?

Response: Throughout my career I have researched ways to assist organic production, including leading the research team that developed spinosad, a naturally derived insect management tool that is today the most widely used insect management tool in organic agriculture within the USA. I have not been briefed on the organic research activities ongoing at USDA and cannot speak to nor commit to the need to "reinvigorate" this research. If confirmed, I will examine this topic and would be eager to learn more about USDA's current activities.

6. For every dollar invested in agricultural research $20 is invested into the economy. Given the significance of this investment and the fact we are falling behind in investments in agricultural research compared to countries like China, will you commit to fighting for

and supporting funding increases for agricultural research in the President's budget? Will you commit to spending all of the funds that Congress appropriates for research investments?

Response: If confirmed, I plan a careful review of the budget, and I can make a firm commitment to fight to maintain the budget and staffing levels needed to fulfill the needs of agricultural research.

7. The Chief Scientist has the responsibility for all aspects of scientific integrity in USDA's scientific research and statistical programs, and in program and policy decisions informed by science. How you will maintain the integrity of the scientific record as you perform the role of the Chief Scientist?

    a. Will you pledge to continue to publicly share allegations of compromised scientific integrity and research misconduct involving USDA conducted or supported scientific and technological activities, as has been done previously?

    Response: Yes, to the extent it is consistent with the scientific research misconduct policy and due process.

    b. Will you pledge to continue to protect independent economic analysis at the USDA that helps policymakers and the public understand the economic impact of taxpayer investments, despite the possibility of it not supporting the administrations political positions and agenda?

    Response: Yes.

    c. Will you commit to ensuring there are no restrictions prohibiting USDA employees from communicating their research with the public?

    Response: Within the bounds of USDA's established Scientific Integrity Policy, yes.

    d. Will you commit to being impartial and independent as the Chief Scientist?

    Response: Yes.

    e. Will you commit to upholding the standards in the Animal Welfare Act in all Agricultural Research Service?

    Response: Yes.

8. Earlier this year, Secretary Perdue outlined his intent to relocate the Economic Research Service (ERS) and National Institute of Food and Agriculture (NIFA) away from the Capital Region.

a. Will you ensure that the relocation will not adversely affect the budgets for either NIFA or ERS, which thus far have been steadily increasing, as well as the independent scientific research functions of both agencies?

Response: I will continue the high-quality research and analysis provided by ERS and the research partnerships with land grant partners funded by NIFA.

b. Will you commit to releasing USDA's assessments and rationale for the relocation and reorganization as well as any other reports that could give the Committee and public insight on the move in by June 2019?

Response: This decision would the Secretary's to make.

c. Will you commit to consider input from stakeholders on the reorganization and relocation before a final decision is made?

Response: At this time, I am only familiar with what has been reported in the press regarding the relocation of ERS and NIFA. I have noted that there appears to be broad public support with 136 expressions of interest from 35 states. From what I understand, this decision will be made by the Secretary, who has been receiving stakeholder input. If confirmed, I would commit to continuing to receive that input and provide guidance to the Secretary utilizing this input as a factor in my guidance.

d. Will you commit to survey current employees before a final decision is made to move ERS/NIFA to determine what percent of employees will make the move? In the event that the relocation should result in major turnover, how will you ensure that critical expertise and institutional knowledge is not lost with it? What measures will you implement to ensure that the mission and work of ERS and NIFA progress despite the staffing lull?

Response: At this time, I am only familiar with what has been reported in the press regarding the relocation of ERS and NIFA. From what I understand, Ernst & Young has been retained to aid in these evaluations. Without knowledge of the ongoing activities I am unable to answer your questions. I look forward to being fully briefed on these matters, if confirmed.

e. Will you commit to releasing attrition rates, vacancy reports, and any surveys sent out assessing the impact on staff within the first year of your appointment?

Response: To the extent practicable, yes.

f. Will you commit to full transparency on all aspects of the reorg to the committee?

Response: Yes.

9. The epidemic of opioid misuse, abuse, and addiction continues to have devastating effects on communities throughout this country, including in my home state of Michigan. Extension systems throughout the country have responded in a variety of ways to educate community members and provide resources to those impacted. Given their unique position in rural and urban communities, how do you think Extension systems could play a larger role as part of a coordinated federal response to the opioid crisis?

   Response: I agree that extension could play a role in combatting this devastating crisis. If confirmed, I look forward to learning more about what extension may already be doing in this space and identifying ways in which extension may be able to help further.

10. The U.S. National Arboretum (USNA), located on 446 acres in the heart of Washington, DC, is a great example agricultural research and education. If confirmed, you will be responsible for stewardship of the USNA, whose mission is to serve the public need for scientific research and education through gardens that conserve and showcase plants to enhance the environment. In addition, the Washington Youth Garden at USNA touches the lives of 7,000 young people in Washington each year. For many years, there have been several unfilled positions putting burdensome stress on the small group of scientists and horticulturalists trying to cover these additional responsibilities, in addition to their own. Will you commit to meet with the leadership of the USNA and help them fill their current vacancies?

    Response: Yes.

Senator John Thune

1. Under your direction, what would be USDA's agricultural research priorities?

   Response: USDA research provides the opportunity to focus on national projects and a broad range of issues. If confirmed, I look forward to working with the great career staff at REE and stakeholders to develop a comprehensive research plan and establish priorities over multiple time horizons: long term foundational discoveries, mid-term reduction to practice, and short-term efficiencies in agriculture.

2. On what areas do you think the agency needs to focus more attention?

   Response: I have not been briefed on all of the activities of the REE mission area. I look forward to learning more about where resources are currently being utilized. If confirmed, I would also use my experience in portfolio management to ensure that taxpayer dollars are being focused in the right places to meet the objectives as laid out by the Administration and Congress.

3. Do you think your past employment at Dow will affect your ability to be objective when it comes to making decisions in the USDA research portfolio?

   Response: No.

Senator Patrick Leahy

1. In addition to my role as the longest serving member of the Senate Committee on Agriculture, Nutrition, and Forestry and a former Chairman and Ranking Member of this committee, I currently serve as the Vice Chairman of the Senate Appropriations Committee. In that role, I would like to remind you of the Congressional authority to determine and set the final funding levels for each fiscal year. However, it has come to my attention recently that the U.S. Department of Agriculture and other federal agencies have taken it upon themselves to presuppose program funding outcomes for future years and have prematurely initiated action to redirect staffing levels prior to knowing the final outcomes of the Fiscal Year Appropriations bills or have completely ignored congressional direction and instead followed their own initial budget requests that Congress has repeatedly rejected by bipartisan votes.
   a. Should you be confirmed for this position, can you assure me that you will commit to abiding by the congressional intent for staffing levels and for programmatic spending levels, rather than merely following your administration's budget request level?

      Response: It would be my intention to follow the guidance and intent that Congress puts forth.

2. I have heard from hundreds of Vermonters who are concerned that your career at Dow Chemical's pesticide division suggests a significant conflict of interest if you were to be confirmed as the U.S. Department of Agriculture's (USDA) chief scientist. The role of Undersecretary for Research, Education, and Economics means you would be in charge of distributing grant funding and overseeing programs that perform research and education on topics including nutrition, food safety, sustainability, and economic viability of U.S. agriculture.
   a. How will you ensure that your previous work for Dow Chemical, specifically advocating for the use of chemicals and pesticides, does not undermine the important USDA mission of funding research and presenting objective, scientific data to support America's farmers and rural communities?

      Response: Throughout my career I have sought transformative innovation. For instance, while at Dow I was the global program leader that developed spinosad, a naturally derived insect management tool that is today the most widely used insect management tool in organic agriculture within the U.S. As a scientist, I have always believed that objective analysis of data is the most critical aspect to success of any scientific endeavor. It is this same spirit of innovation and objectivity that I will bring to USDA. It is not accurate to characterize my career

as being in the "pesticide division" – I have held many roles in Human Resources, Six Sigma Quality, and Organizational Effectiveness. Programs to which I have contributed have been awarded six US EPA Green Chemistry Awards for progressive products in weed management, nitrogen management, insect management, and termite colony elimination for urban pest management.

Regarding matters specific to Dow Chemical, since beginning the nomination process, I have worked closely with the senior career officials at USDA's Office of Ethics. As part of that process, I have entered into an Ethics Agreement in which, among other things, requires, if I am confirmed, that I will divest any existing financial connections to Dow Chemical. Furthermore, in my Ethics Agreement, I agree to sign and abide by the Ethics Pledge contained in Executive Order 13770. The Ethics Pledge requires that, for a period of two years, I must disqualify myself from participating in contracts, applications, and even meetings with my former employer. To further underscore the importance I place on maintaining my impartiality, my first official meeting at USDA will be a one-on-one Ethics briefing provided to me by the Director and Deputy Director of USDA's Office of Ethics. If a question arises, I will consult first with these two senior career ethics officials, seek ethics guidance, and follow the advice provided.

b. Can you guarantee that if you are confirmed the science performed at USDA will be without outside influence and will contribute to the sustainability, profitability, efficiency, and safety of our nation's farms?

Response: Yes.

3. Dow Chemical contributed $1 million to President Trump's inauguration and shortly after, his administration decided to reverse a proposed ban of the highly toxic and dangerous chlorpyrifos chemical, despite years of scientific study and deliberation indicating that the chemical poses a clear risk to children, farmworkers, and users of rural drinking water. You yourself have spoken in defense of using this chemical in a 2001 journal article.

   a. How have your views on the chemical chlorpyrifos changed or remained consistent since 2001?

   Response: The 2001 article referenced in the question was co-authored by me with several colleagues and is entitled: **"Publish or Perish: A Business and Professional Argument for Private-Sector Scientists to Publish in Refereed Journals"** and the article has nothing at all to do with chlorpyrifos. I believe your reference is to page 70, paragraph 1 which indicates that the newly created Food Protection Quality Act (FQPA) required a fresh assessment of product risk based on exposure and our point was that the published literature from the private-sector was helpful to the scientific community in establishing correct assessments and assumptions about realistic exposure of the product. Indeed, the science peer-reviewed scientific articles from the private-sector along with public-

sector articles did provide helpful insights for establishing new use pattern regulations for chlorpyrifos in the early era of FQPA implementation.

My views on the importance of the private sector publishing relevant research in credible peer-reviewed journals does remain the same since 2001, which was the sole premise of the article. Whether or not the relevancy of chlorpyrifos as a registered tool in U.S. Agriculture should be newly addressed or reviewed based on any new assumptions about exposure is a question for the EPA to decide.

b. Do you think chlorpyrifos should be considered for banning?

Response: As EPA is the regulatory agency on pesticides, this is a question for EPA, not USDA REE to decide. The U.S. EPA has a very rigorous registration and periodic re-registration process and systematically evaluates all products for their continued risk:benefit to society per their mission.

4. The administration just released a major report on climate change put together by 13 federal agencies that lays out the threat of climate change and how human activity is driving warming that further puts humanity at risk. The President himself continues to try to undermine and dismiss this report.

During the hearing in response to Senator Brown you stated that you do accept the fact that climate change is occurring. You also stated that "it's always occurred." You went on to state that you accept that a "large body of work exists" that humans are having an impact on the acceleration of that change, but that there are individuals that have different perspectives and may debate "the rate, and specifics, and the rest of it."

a. It was not clear to me from your response to Senator Brown at the hearing that you fully accept that this accelerated rate is human caused AND a significant threat to our way of life and the productivity of our agricultural sector. Do you consider yourself as one of those individuals that you described who "have a different perspective" or that debate the "large body of work" as you described it this morning?

Response: No

b. How do you plan to support research that addresses climate change and helps farmers to be more productive in the face of increasing threats of climate driven violent weather, natural disasters, habitat degradation, invasive species, and rising temperatures?

Response: The scientific innovation fostered by ARS and NIFA and delivered to our farmers and ranchers through Extension all play a part in helping agricultural adapt to a changing climate. If confirmed, I look forward to continuing and strengthening these efforts at USDA.

c. What strategies specifically do you see as critical for agriculture in adapting to climate change and even contributing to carbon sequestration and sustainability?

Response: To answer this question fully, I would need to consult with scientists within the REE Mission Area on their insights about best practices that are demonstrated via research to sequester carbon and any relevant models. Nonetheless, there are several presumptive themes that seem appropriate:

- Winter cover crops between seasons for broadacre (e.g., corn, soy) cropping systems. Planting grasses, legumes, etc. between annual cropping cycles can add organic nitrogen to the soil for the farmer and also sequester carbon during a period that ordinarily would be fallow.
- Production intensification whereby productivity per unit of land increases to meet food security demands while keeping forests and green space intact or even expanded will support carbon sequestration. This could be through genetic gain, digital prescriptive ag, or other means.

This is an important area of research, education, and economics – so if confirmed, establishing a focus and strategic theme on best practices that are both a "win" for the individual farmer and a "win" for the broader environment would be a priority.

5. The USDA has decided to move the National Institute of Food and Agriculture (NIFA) and the Economic Research Service (ERS) from its current location in Washington to DC to locations across the country. If confirmed, you will be in charge of overseeing this movement and reorganization.

a. Do you believe that the effectiveness of these programs and the staff that deliver them will be enhanced by uprooting them from their long established homes? If yes, please provide specific examples of how an abrupt move across the country will be helpful.

Response: At this time, I am only familiar with what has been reported in the press regarding the relocation of ERS and NIFA. From what I have read I believe that the goals of the Secretary are the right ones; being more effective, more efficient and improving customer service. My personal philosophy when dealing with large reorganization or relocation is that the details matter. If confirmed, I look forward to being briefed fully on the activities of USDA on this matter and bringing my past experience through two large mergers to the table to ensure that specifics of this move, such as the one you mentioned, will accomplish the goals detailed by the Secretary.

b. Do you believe that you can oversee this restructuring in a way that will not sacrifice the research and inter-agency collaboration currently being done by NIFA and ERS in Washington?

Response: At this time, I am only familiar with what has been reported in the press regarding the relocation of ERS and NIFA. From what I have read there are plans that a contingent of personnel from each of those agencies will remain in the D.C. area to ensure that these vital collaborations are not affected. I assume that much of this work is already underway at USDA to determine who is going to be included in this group, and if confirmed, I am eager to bring my experience in Human Resources and Six Sigma Quality Improvement to the table in those discussions.

c. How will you work to ensure that the great experience and expertise of scientist and program staff will not be disrupted or lost by the moves?

Response: At this time, I am only familiar with what has been reported in the press regarding the relocation of ERS and NIFA. If confirmed, I will ensure that the effectiveness of these agencies is not negatively impacted by the move. Once briefed on the details of the move, I will work diligently to this end, drawing on my experience in these matters.

d. How will you make sure that rural and agricultural communities will have access to the best available research and information being generated and shared from these agencies?

Response: As a product of the Land Grant system I have seen firsthand the positive impact that Extension can have in rural communities. Utilizing our partnerships with the Land Grant Universities and other educational systems across the country is critical to distributing research to these communities. I will continue to strengthen these efforts to ensure that all communities have access to the best available information and resources not just from these agencies, but from all across USDA.

6. I am very concerned about the reorganization proposals at USDA. Relevant to your nomination, the proposal to move the Economic Research Service (ERS) from within REE and place it in the Secretary's office with the Chief Economist's Office has been criticized by groups who claim that such a move would politicize the federal economic and policy analysis done by ERS. However, we cannot just look at this proposed reorganization in a bubble when this administration has also recommended cutting the ERS budget by 50 percent.
   a. If confirmed for this position, how would you push back on efforts to cut, marginalize, and politicize USDA research?

      Response: I will advocate within the Administration the need for strong independent research. I was not part of the reorganization, and as I stated in my hearing I will always give the Secretary and others in in the Administration my views based on where the science and data points.

7. Many questions have been raised within the research community about the proposed relocation of NIFA and ERS that to date have all still gone unanswered. For instance: How will the proposed move affect NIFA's budget, and ultimate cost to taxpayers, in both the short and long-term? How much will the relocation cost? What is the projected cost-savings for moving three, five, and ten years out? What data does USDA have about recruitment and turnover that indicate a move is the best option? What evidence is there that staff retention will be higher at a different location? What impact has the hiring freeze had with the current location? What are the estimates for staff retention during the relocation? How will the proposed relocation affect NIFA's relationship with other federal research agencies and policymakers? How will the two agencies' core functions be impacted given the likely shortage of trained personnel in the immediate term after a relocation? What will be the return on investment? What procedures are in place to ensure an open and transparent site selection process? We have yet to get complete and solid answers and details on these and numerous other questions on this proposed move.
    a. If confirmed to his position, what are the top ten questions related to this relocation that would you demand complete and through answers to before any further steps are taken with this relocation proposal?

       Response: Given that, at this time, I am only familiar with what has been reported in the press I have many questions. My understanding is that Ernst and Young has been retained to perform many of the analyses required to answer these questions you posed and others I may have as well. I look forward to being briefed on the ongoing activities at USDA regarding the re-location and meeting with Ernst & Young regarding their analysis. My focus would relate to using the program metrics already in place with NIFA to ensure there is little or no impact – a goal would be to ensure that however NIFA defines success today is not diminished in any way as a result of the proposed move. To create a list of specific questions would require detailed information, to which I am not privy as a nominee, but I can assure you that, if confirmed, I will have many questions and would be happy to sit down with you or any other Member of Congress to discuss not only my questions, but my assessment of this effort.

8. With respect to the proposed NIFA and ERS relocations, Secretary Perdue has stated that he expects such a move would improve the USDA's ability to attract and retain highly qualified staff and how important it is that the new location for these agencies have good commuting options for employees, technology infrastructure, address community and quality of life issues, and workforce considerations. I find it ironic that this list of requirements mirrors those of the competitive site selection process recently completed by Amazon for its second corporate headquarters. A process that in the end selected two locations, one of which Crystal City in Arlington, Virginia is right across the river from the very city that Secretary Perdue has proposed relocating these agencies away from.
    a. Do you agree that Amazon has selected a site that has good commuting options, technology infrastructure, a high quality of life, and will allow them to attract and retain highly qualified staff?

Response: I am not aware of the criteria or other considerations used by Amazon and at this time, I am only familiar with what has been reported in the press regarding the relocation of ERS and NIFA so cannot speak to the various factors that could go into this type of decision. I do believe that both the organizations' customers and the required workforce for each are vastly different.

Senator Sherrod Brown

1. Would you increase support for the evidence-based tools farmers need to build resilience to a more volatile climate? Do you believe this should be a research priority for USDA?

   Response: I believe that there are many priorities that research at USDA must address. I would support research efforts that allows farmers to adapt to changing conditions. If confirmed, I will work with the Administration and Congress to ensure that the priorities of each are weighed and addressed in evaluating future research priorities.

2. Earlier you mentioned that agriculture can play a role in reducing the effects of climate change. What specific policies would you recommend or promote to ensure that USDA is taking a leadership role in addressing this challenge?

   Response: To answer this question fully, I would need to consult with scientists within the REE Mission Area on their insights about best practices that are demonstrated via research to sequester carbon and any relevant models. Nonetheless, there are several presumptive themes that seem appropriate:
   - Winter cover crops between seasons for broadacre (e.g., corn, soy) cropping systems. Planting grasses, legumes, etc. between annual cropping cycles can add organic nitrogen to the soil for the farmer and also sequester carbon during a period that ordinarily would be fallow.
   - Production intensification whereby productivity per unit of land increases to meet food security demands while keeping forests and green space intact or even expanded will support carbon sequestration. This could be through genetic gain, digital prescriptive ag, or other means.

   This is an important area of research, education, and economics – so if confirmed, establishing a focus and strategic theme on best practices that are both a "win" for the individual farmer and a "win" for the broader environment would be a priority.

3. The Extension Service is a key reason for the strength and resiliency of our domestic agriculture sector. Yet with the changing nature of the farm sector—fewer farms and farmers, a growing interest in local food production—Extension must continue to evolve. How do you think we should prepare Extension for the next 100 years?

   Response: I believe that Extension must further embrace evolving technology and continue to look for digital means of distributing the vital information that our producers rely on. I believe this is the first step in ensuring that extension is as timeless as its mission.

4. What role do you believe that federal public research—both performed and funded by USDA—should play in our nation's agricultural sector?

   Response: USDA research provides the opportunity to focus on national and crop specific projects and issues that require a large coordinated effort. It also allows for investments to be made across multiple time horizons. While not all research priorities would fall in these categories, these are the functions unique to public research which need to be carried out.

Senator Michael Bennet

1. Last week, the Fourth National Climate Assessment found that "rising temperatures, extreme heat, drought, wildfire on rangelands and heavy downpours are expected to increasingly challenge the quality and quantity of U.S. crop yields, livestock health, price stability and rural livelihoods." The Assessment also states that "risks associated with climate change depend on the ability of producers to adapt to changes." I've heard directly from Colorado farmers and ranchers about how climate change is making it harder to do business. I take their word very seriously. President Trump and the White House have questioned the findings of the report and suggested that it is not based on facts.
   a. Do you accept the findings of the National Climate Assessment and believe it is based on facts?

      Response: I have no reason to doubt the findings of this report.

   b. If confirmed, what steps will you take to ensure farmers and ranchers have the tools they need to adapt to extreme weather and drought?

      Response: USDA plays a critical role in the development of these tools. The scientific innovation fostered by ARS and NIFA and delivered to our farmers and ranchers through Extension all play a part in helping agriculture adapt to changing weather. If confirmed, I look forward to continuing these efforts at USDA.

2. The USDA's Central Great Plains Research Station in Akron Colorado performs applied research that is extremely valuable to wheat farmers and producers across the High Plains. The station is helping develop crop rotations and precision farming techniques that mitigate the effects of drought and extreme weather. Each of the past two years, the Administration has slated this station for closure.
   a. If confirmed, will you work with my office – and Colorado producers – to find a long term solution that maintains the ongoing research at the Central Great Plains Research Station?

Response: I have not been briefed on this research station nor on why it was included in the closure list. If confirmed, I look forward to learning more about this issue and working with your office on this issue in the future.

3. Over the summer the National Academies released a study titled "Science Breakthroughs 2030: A Strategy for Food and Agricultural Research", which identified ambitious research directions to open new frontiers for food and agriculture. The NAS recommended that research focus on three goals: improving efficiency, resiliency, and sustainability. It also concluded that current funding for food and agriculture R&D is inadequate. I'm working on legislation - based on proven models such as the Advanced Research Projects Agency-Energy (ARPA-E) – to create ARPA-Terra at the USDA to encourage high risk-high reward agricultural research that could lead to breakthrough advances described in the NAS study.
    a. If confirmed, how will you incorporate the National Academies' recommendations into your work?

       Response: I am not familiar with the study you referenced. However, the goals mentioned align with the overall REE mission and my own personal belief that USDA needs to be a world leader in transformation research and technology. I look forward to learning more about this study and the research priorities of the mission area. In addition, I will work with the Administration and Congress to ensure that the priorities of each are aligned with the activities in the mission area.

    b. Will you work with my staff to make the ARPA-Terra legislation a reality and increase investment in breakthrough agricultural research?

       Response: While I am not familiar with this specific legislation, I will commit to working with you and your staff on any legislation that helps increase the innovation needed to ensure that U.S. agricultural research is on the cutting edge.

Senator Kirsten Gillibrand

Pesticides

Chlopryifos is a pesticide known to harm brain development in children.
You recently retired from Corteva – a division of Dow-DuPont – that manufactures Chlorpyrifos.
After the EPA refused to ban this pesticide - against the recommendations of its own scientists - the Ninth Circuit Court ruled that Chlorpyrifos must be removed from the market.
Earlier this month, independent researchers found that the data submitted by Dow-DuPont to get Chlorpyrifos approved in the US and EU contained significant methodological errors and omissions.

Questions

(1) Do you support the permanent withdraw of Chlorpyrifos?

Response: EPA is the regulatory agency over pesticides. This is a question for EPA, not USDA REE to decide. Having never worked directly within the regulatory sciences

function with my previous employer, I am not qualified to provide a science-based opinion on the body of work related to chlorpyrifos.

(2) If you are confirmed as Chief Scientist, how will you ensure that data provided by industry is accurate when they seek approval for products like seed treatments or biotechnology?

Response: Integrity of data is a crucial element in the success any research program. This is a belief that I have held throughout my career as a scientist, and will be a belief I will bring with me to this position, if confirmed. To the extent that this data would be subject to the Department's research misconduct policy and appropriate for the Chief Scientist to do so, yes.

(3) What is the role of USDA scientists in verification of data submissions for USDA regulated products?

Response: I fully support the need for data integrity at USDA, however, as I presently understand it this question is not within the scope of the Under Secretary for Research, Education and Economics and should be addressed by USDA's Animal and Plant Health Inspection Service. If confirmed, I would be happy to pass along any concerns you may have to that agency.

(4) Will you commit to sharing safety study data submissions from regulated industry applicants with independent academic researchers?

Response: I fully support the need for data integrity at USDA, however, this question is not within the scope of the Under Secretary for Research, Education and Economics and should be address by USDA's Animal and Plant Health Inspection Service. If confirmed, would be happy to pass along any concerns you may have to that agency.

Departmental Reorganization

Secretary Perdue has taken steps to reorganize USDA significantly.
Given the Administration's poor track record on listening to scientists whose research they don't agree with, a number of us are skeptical about his proposal to move the Economic Research Service (ERS) and the National Institute for Food and Agriculture (NIFA) out of Washington DC.
Both of these divisions are part of the REE mission area.
You have private sector experience managing major staffing shifts.

Questions

(1) What kind of information would you require before you would undertake a significant reorganization like the one the Secretary has proposed for ERS and NIFA?

Response: The information I would be looking for would depend on various factors, relating both to mission activities, benefits and costs. If confirmed, I look forward to being briefed on the intricacies of this decision making process.

(2) USDA's own data shows that permanent staff attrition rates at ERS and NIFA are in line with other divisions of USDA. Are you aware of any analysis – economic and employee sentiment – that has been conducted by USDA that supports the Secretary's efforts to relocate ERS and NIFA?

Response: I have not been briefed on any of the inner workings of this process and only know what has been reported in the media. Therefore, I am unaware of any analysis one way or the other.

(3) Can you support the Secretary's proposal in the absence of such data?

Response: I have not been briefed on any of the inner workings of this process and only know what has been reported in the media. Therefore, I am unaware of any analysis one way or the other. I support the goals that the Secretary has outlined for this relocation: being more effective, more efficient and improving customer service. I am certain that these goals will be met as a result of this move, and I am eager, if confirmed, to bring my experience in these endeavors to the discussion to ensure those goals are met.

(4) If confirmed, would you immediately share any analysis that has been conducted in support of Secretary's proposed changes to REE?

Response: This decision would be that of the Secretary.

Senator Tina Smith

1. I hear often from farmers about the importance of agriculture research. Our country's investment in research helps productivity and contributes to American farmers' competitiveness in overseas markets. The University of Minnesota is a national leader in agriculture research. It is extremely important for the USDA to engage with academic institutions in order to provide the best possible research outcome for our farmers.
   a. What are your plans to work with the broader academic community regarding agriculture research, including smaller minority serving institutions?

      Response: While I am not as familiar with the role of 1994 and 1890 institutions as I am with the 1862s in the Land Grant system, I recognize their importance in fulfilling the mission of and need for research and extension services. I look forward to being fully briefed on these institutions and will commit to searching for ways to continue to build capacity at these institutions.

   b. Do you have plans to work with the academic community to grow the agricultural research workforce as well?

Response: Yes. My dedications to growing the agricultural research workforce is one of the reasons I chose to become an Adjunct Professor at the University of Nebraska. Education and training the next generation of agricultural researchers is one of the key aspects of the REE mission area. Whether through 4-H and extension services, NIFA grants to encourage STEM education, or through REE's intern and post-doc training programs I look forward to continuing that dedication, if confirmed, in this new role.

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