

110TH CONGRESS
1ST SESSION

S. 1804

To enhance the ability of the United States to prevent, prepare for, detect,
and respond to agriculture and food emergencies.

IN THE SENATE OF THE UNITED STATES

JULY 17, 2007

Mr. BURR (for himself and Ms. COLLINS) introduced the following bill; which
was read twice and referred to the Committee on Homeland Security and
Governmental Affairs

A BILL

To enhance the ability of the United States to prevent,
prepare for, detect, and respond to agriculture and food
emergencies.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “National Agriculture and Food Defense Act of 2007”.

6 (b) TABLE OF CONTENTS.—The table of contents of
7 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Senses of Congress.

Sec. 3. Definitions.

TITLE I—NATIONAL AGRICULTURE AND FOOD DEFENSE
LEADERSHIP, ORGANIZATION, AND PLANNING

- Sec. 101. Agriculture and food defense leadership, organization, and functions.
 Sec. 102. Leadership of the Department of Homeland Security.
 Sec. 103. Leadership in the Department of Agriculture.
 Sec. 104. Leadership in the Department of Health and Human Services.
 Sec. 105. National Agriculture and Food Defense Strategy.
 Sec. 106. National Veterinary Stockpile Advisory Committee.
 Sec. 107. Submission of integrated food defense budget.

TITLE II—STATE AGRICULTURE AND FOOD DEFENSE ACTIVITIES

- Sec. 201. State agriculture and food defense activities.
 Sec. 202. Agricultural Biosecurity Corps.

TITLE III—PARTNERSHIPS WITH PRIVATE SECTOR

- Sec. 301. Coordinating councils.

TITLE IV—NATIONAL DETECTION, RESPONSE, AND RECOVERY
LABORATORY NETWORKS

- Sec. 401. National detection, response, and recovery laboratory networks.
 Sec. 402. Integration of networks.
 Sec. 403. On-site rapid diagnostic tools.

TITLE V—DECONTAMINATION AND DISPOSAL

- Sec. 501. Sense of Congress.
 Sec. 502. Decontamination and disposal standards and plans.
 Sec. 503. Rural rendering capacity building.
 Sec. 504. Study relating to food irradiation.

1 **SEC. 2. SENSES OF CONGRESS.**

2 (a) SENSE OF CONGRESS REGARDING NATIONAL SE-
 3 CURITY.—It is the sense of Congress that—

4 (1) the agriculture and food system in the
 5 United States is a fundamental element—

6 (A) of the national security of the United
 7 States;

8 (B) of the stability of the national econ-
 9 omy; and

10 (C) in the production of raw materials and
 11 energy in the United States; and

1 (2) to protect the national security of the
2 United States, the United States should protect and
3 defend the agriculture and food system in the
4 United States.

5 (b) SENSE OF CONGRESS REGARDING ONE MEDI-
6 CINE.—It is the sense of Congress that—

7 (1) many infectious diseases affect both humans
8 and animals, and a significant number of those dis-
9 eases cross over between the 2 different populations;
10 and

11 (2) to protect the human and animal health of
12 the United States, the United States should develop
13 a unified human and veterinary approach against in-
14 fectious diseases that—

15 (A) anticipates disease evolution; and

16 (B) acts progressively.

17 (c) SENSE OF CONGRESS REGARDING VULNER-
18 ABILITY.—It is the sense of Congress that the agriculture
19 and food system in the United States is vulnerable to dis-
20 eases, pests, and poisonous agents that—

21 (1) occur naturally;

22 (2) are unintentionally introduced; or

23 (3) are intentionally introduced by acts of ter-
24 rorism.

1 (d) SENSE OF CONGRESS REGARDING IMPACT.—It is
2 the sense of Congress that the agriculture and food system
3 in the United States is an extensive, open, interconnected,
4 diverse, and complex structure that provides potential tar-
5 gets for acts of terrorism that could have catastrophic
6 human health and economic impacts.

7 (e) SENSE OF CONGRESS REGARDING HUMAN
8 HEALTH.—It is the sense of Congress that the health of
9 the citizens of the United States is vulnerable to an attack
10 on the agriculture and food system because—

11 (1) certain animal diseases can affect humans;

12 (2) animal populations can—

13 (A) become reservoirs of disease; and

14 (B) be used as amplifiers for the pro-
15 motion of human disease;

16 (3) food systems can become delivery mecha-
17 nisms for diseases and poisonous agents; and

18 (4) a highly contagious animal disease could se-
19 riously disrupt the food supply of the United States.

20 (f) SENSE OF CONGRESS REGARDING LAYERED DE-
21 FENSES.—It is the sense of Congress that Federal, State,
22 local, and tribal governments and the private sector have
23 a joint responsibility to collaboratively defend and protect
24 the agriculture and food system in the United States

1 through layered defenses established at the Federal, State,
2 and local levels.

3 (g) SENSE OF CONGRESS REGARDING POLICY.—It is
4 the sense of Congress that the United States should pro-
5 tect the agriculture and food system from terrorist at-
6 tacks, major disasters, and other emergencies by—

7 (1) identifying and prioritizing critical infra-
8 structure and key resources to establish protection
9 requirements;

10 (2) developing awareness and early warning ca-
11 pabilities to recognize threats to the infrastructure
12 and resources;

13 (3) mitigating vulnerabilities of the infrastruc-
14 ture and resources at critical production and proc-
15 essing nodes;

16 (4) enhancing screening procedures for domes-
17 tic and imported products;

18 (5) enhancing capabilities to track and trace
19 domestic and imported products; and

20 (6) enhancing response and recovery proce-
21 dures.

22 **SEC. 3. DEFINITIONS.**

23 In this Act:

1 (1) ABCORPS.—The term “ABCORPS” means
2 the Agricultural Biosecurity Corps carried out by
3 the Secretary of Agriculture under section 202(a).

4 (2) ADMINISTRATOR.—The term “Adminis-
5 trator” means the Administrator of the Environ-
6 mental Protection Agency.

7 (3) ADVISORY COMMITTEE.—The term “Advi-
8 sory Committee” means the National Veterinary
9 Stockpile Advisory Committee established under sec-
10 tion 106(a).

11 (4) AGRICULTURE AND FOOD DEFENSE.—The
12 term “agriculture and food defense” means the pro-
13 tection against, preparation for, and response to an
14 intentional attack, adulteration, or contamination of,
15 an agriculture or food product by a chemical, bio-
16 logical, or radiological agent, or other manmade inci-
17 dent or intentional act that affects marketing, proc-
18 essing, or transportation within the agriculture and
19 food system.

20 (5) ASSISTANT SECRETARY.—The term “Assist-
21 ant Secretary” means the Assistant Secretary for
22 Health Affairs of the Department.

23 (6) COUNCIL.—The term “council” means a
24 Regional Agriculture and Food Defense Continuity

1 of Business Council established by an appropriate
2 State authority under section 201(d)(3)(A).

3 (7) CRITICAL INFRASTRUCTURE.—The term
4 “critical infrastructure” has the meaning given the
5 term in section 1016(e) of the USA PATRIOT Act
6 of 2001 (42 U.S.C. 5195c(e)).

7 (8) DEPARTMENT.—The term “Department”
8 means the Department of Homeland Security.

9 (9) DIRECTOR.—The term “Director” means
10 the Director of the Office of Management and Budg-
11 et.

12 (10) EMERGENCY RESPONSE PROVIDERS.—The
13 term “emergency response providers” has the mean-
14 ing given the term in section 2 of the Homeland Se-
15 curity Act of 2002 (6 U.S.C. 101).

16 (11) FOREIGN ANIMAL DISEASE.—The term
17 “foreign animal disease” means a transmissible live-
18 stock, poultry, or emerging animal disease that, as
19 determined by the Secretary of Agriculture—

20 (A) is not naturally occurring in the
21 United States (including any territory of the
22 United States); and

23 (B) has the potential to significantly im-
24 pact—

1 (i) the health of the citizens of the
2 United States; or

3 (ii) the economy of the United States.

4 (12) HSPD-9.—The term “HSPD-9” means
5 the Homeland Security Presidential Directive 9,
6 dated January 30, 2004 (relating to the establish-
7 ment of a national policy to defend the agriculture
8 and food system against terrorist attacks, major dis-
9 asters, and other emergencies) or any successor pol-
10 icy.

11 (13) KEY RESOURCES.—The term “key re-
12 sources” has the meaning given the term in section
13 2 of the Homeland Security Act of 2002 (6 U.S.C.
14 101).

15 (14) NATIONAL INCIDENT MANAGEMENT SYS-
16 TEM.—The term “National Incident Management
17 System” means the system developed pursuant to
18 section 504(a)(5) the Homeland Security Act of
19 2002 (6 U.S.C. 314(a)(5)).

20 (15) NATIONAL RESPONSE PLAN.—The term
21 “National Response Plan” means the plan developed
22 pursuant to section 504(a)(6) of the Homeland Se-
23 curity Act of 2002 (6 U.S.C. 314(a)(6)).

24 (16) PROGRAM.—The term “program” means
25 the Department of Homeland Security Agriculture

1 and Food Defense Rotational Expertise Program es-
2 tablished under section 102(b).

3 (17) SECRETARY.—The term “Secretary”
4 means the Secretary of Homeland Security.

5 (18) SECRETARY CONCERNED.—The term
6 “Secretary concerned” means a group comprised
7 of—

8 (A) the Secretary of Agriculture;

9 (B) the Secretary; and

10 (C) the Secretary of Health and Human
11 Services.

12 (19) STRATEGIC NATIONAL STOCKPILE.—The
13 term “Strategic National Stockpile” means the
14 stockpile maintained by the Secretary of Health and
15 Human Services under section 319F–2(a)(1) of the
16 Public Service Health Act (42 U.S.C. 247d–
17 6b(a)(1)).

18 (20) STRATEGY.—The term “strategy” means
19 the National Agriculture and Food Defense Strategy
20 developed under section 105(a)(1).

21 (21) UNDER SECRETARY.—The term “Under
22 Secretary” means the individual appointed to the po-
23 sition of Under Secretary for Protection, Prepared-
24 ness, and Response established by section 103(a).

1 **TITLE I—NATIONAL AGRICULTURE AND FOOD DEFENSE LEADERSHIP, ORGANIZATION, AND PLANNING**

2
3
4
5 **SEC. 101. AGRICULTURE AND FOOD DEFENSE LEADERSHIP,**
6 **ORGANIZATION, AND FUNCTIONS.**

7 (a) LEADERSHIP.—The Secretary of Homeland Security shall lead, coordinate, and integrate, to the maximum extent practicable, efforts by Federal departments and agencies, State, local, and tribal governments, and the private sector to enhance the protection of critical infrastructure and key resources of the United States, including the critical infrastructure and key resources of the agriculture and food system.

15 (b) SPECIFIC SECTORS.—In accordance with guidance provided by the Secretary under subsection (a)—

17 (1) the Secretary of Agriculture shall serve as the lead Federal official for efforts described in subsection (a) relating to agriculture and meat, poultry, and egg food products;

21 (2) the Secretary of Health and Human Services shall serve as the lead Federal official for efforts described in subsection (a) relating to food products other than meat, poultry, and egg products; and

1 (3) the Administrator of the Environmental
2 Protection Agency shall serve as the lead Federal of-
3 ficial for efforts described in subsection (a) relating
4 to drinking water and waste water treatment sys-
5 tems.

6 **SEC. 102. LEADERSHIP OF THE DEPARTMENT OF HOME-**
7 **LAND SECURITY.**

8 (a) ASSISTANT SECRETARY FOR HEALTH AF-
9 FAIRS.—Section 516 of the Homeland Security Act of
10 2002 (6 U.S.C. 321e) is amended—

11 (1) in the section heading, by adding at the end
12 **“AND ASSISTANT SECRETARY FOR HEALTH AF-**
13 **FAIRS”**;

14 (2) by striking subsection (a) and inserting the
15 following:

16 **“(a) APPOINTMENT.—**

17 **“(1) IN GENERAL.—**There shall serve in the
18 Department a Chief Medical Officer, who shall be
19 appointed by the President, by and with the advice
20 and consent of the Senate.

21 **“(2) STATUS.—**The Chief Medical Officer shall
22 have the rank of, and serve as, Assistant Secretary
23 for Health Affairs.”;

1 (3) in subsection (b), by striking “Chief Medical
2 Officer” and inserting “Assistant Secretary for
3 Health Affairs”;

4 (4) in subsection (c)—

5 (A) in the matter preceding paragraph

6 (1)—

7 (i) by striking “Chief Medical Officer”

8 and inserting “Assistant Secretary for
9 Health Affairs”; and

10 (ii) by inserting “, human, and animal
11 health” after “medical”;

12 (B) in paragraph (6), by striking “and” at
13 the end;

14 (C) by redesignating paragraph (7) as
15 paragraph (9); and

16 (D) by inserting after paragraph (6) the
17 following:

18 “(7) serving as—

19 “(A) the principal advisor to the Secretary
20 on issues relating to agriculture and food de-
21 fense;

22 “(B) the primary point of contact of the
23 Department on issues relating to agriculture
24 and food defense with—

25 “(i) the Department of Agriculture;

1 “(ii) the Department of Health and
2 Human Services;

3 “(iii) the Environmental Protection
4 Agency;

5 “(iv) other Federal departments and
6 agencies;

7 “(v) State, local, and tribal govern-
8 ments; and

9 “(vi) the private sector;

10 “(8) providing leadership and ensuring coordi-
11 nation of the activities of the Department relating to
12 agriculture and food defense; and”;

13 (5) by adding at the end the following:

14 “(d) CONTINUATION OF SERVICE OF CURRENT OFFI-
15 CIAL.—An individual serving as the Assistant Secretary
16 for Health Affairs as of the date of enactment of the Na-
17 tional Agriculture and Food Defense Act of 2007, or an
18 individual who is appointed to the position of acting As-
19 sistant Secretary for Health Affairs, may continue to serve
20 until the date on which an Assistant Secretary for Health
21 Affairs is appointed after the date of enactment of the
22 National Agriculture and Food Defense Act of 2007.”.

23 (b) DEPARTMENT OF HOMELAND SECURITY AGRI-
24 CULTURE AND FOOD DEFENSE ROTATIONAL EXPERTISE
25 PROGRAM.—

1 (1) ESTABLISHMENT.—Not later than 180 days
2 after the date of enactment of this Act, the Sec-
3 retary, acting through the Assistant Secretary, in
4 coordination with the Assistant Secretary for Infra-
5 structure Protection, shall establish and carry out
6 the Department of Homeland Security Agriculture
7 and Food Defense Rotational Expertise Program—

8 (A) to build partnerships with each entity
9 described in subparagraphs (A) through (C) of
10 paragraph (2); and

11 (B) to assist in carrying out the agri-
12 culture and food defense activities of the De-
13 partment.

14 (2) DETAILING OF EXPERTS.—In carrying out
15 the program, the Assistant Secretary, in coordina-
16 tion with the Assistant Secretary for Infrastructure
17 Protection, shall facilitate, on a rotating basis, the
18 detailing of experts on issues relating to agriculture
19 and food defense to the Department, including ex-
20 perts from—

21 (A) other Federal agencies, including—

22 (i) the Department of Health and
23 Human Services; and

24 (ii) the Department of Agriculture;

1 (B) State and local agriculture and food
2 agencies; and

3 (C) the private sector.

4 (3) ENCOURAGEMENT OF CERTAIN EXPERTS.—

5 In carrying out the program, the Assistant Secretary
6 shall encourage experts from each entity described in
7 subparagraphs (A) through (C) of paragraph (2) to
8 participate in the program.

9 **SEC. 103. LEADERSHIP IN THE DEPARTMENT OF AGRI-**
10 **CULTURE.**

11 (a) ESTABLISHMENT.—There is established in the
12 Department of Agriculture the position of Under Sec-
13 retary for Protection, Preparedness, and Response to lead,
14 enhance, and coordinate the activities of the Department
15 of Agriculture relating to—

16 (1) homeland security; and

17 (2) agriculture and food defense.

18 (b) CONFIRMATION.—The Under Secretary shall be
19 appointed by the President, by and with the advice and
20 consent of the Senate.

21 (c) DUTIES.—The Under Secretary shall—

22 (1) serve as—

23 (A) the principal advisor to the Secretary
24 of Agriculture on any issue relating to Federal,

1 State, or local agriculture or food defense ac-
2 tivities; and

3 (B) the primary point of contact of the De-
4 partment of Agriculture for any issue relating
5 to homeland security and agriculture and food
6 defense;

7 (2) on behalf of the Secretary of Agriculture—

8 (A) develop and manage the portions of
9 the budget of the Department of Agriculture re-
10 lating to—

11 (i) homeland security; and

12 (ii) agriculture and food defense;

13 (B) provide guidance to, and coordinate
14 the activities of, the Department of Agriculture
15 on any issue relating to homeland security and
16 agriculture and food defense;

17 (C) coordinate integrated Federal, State,
18 local, and tribal governmental responses to out-
19 breaks of—

20 (i) highly contagious or economically
21 devastating animal diseases;

22 (ii) highly infective exotic plant dis-
23 eases; and

24 (iii) economically devastating plant
25 pest infestations; and

1 (D) coordinate activities of the Department
2 of Agriculture to ensure the safety and security
3 of meat, poultry, and egg food products fol-
4 lowing a potential or actual incident covered by
5 the National Response Plan (or a successor
6 plan);

7 (3) integrate the agriculture and food defense
8 activities of the Department of Agriculture (includ-
9 ing surveillance of animal and zoonotic diseases)
10 with—

11 (A) the Department;

12 (B) the Department of Health and Human
13 Services;

14 (C) other Federal agencies;

15 (D) State and local agriculture and food
16 agencies; and

17 (E) members of the private sector; and

18 (4) perform any other duty assigned to the
19 Under Secretary by the Secretary of Agriculture.

20 (d) REPORTS.—

21 (1) IN GENERAL.—Not later than 180 days
22 after the date of enactment of this Act, the Sec-
23 retary of Agriculture shall submit to the relevant
24 committees of Congress a report that provides—

1 (A) a concept of operations plan that de-
2 tails the manner by which the Secretary of Ag-
3 riculture, acting through the Under Secretary,
4 shall operationally coordinate and manage the
5 activities of the Department of Agriculture re-
6 lating to—

7 (i) homeland security; and

8 (ii) agriculture and food defense; and

9 (B) a description of each management
10 goal, proposed modification of the structure of
11 the Department of Agriculture, and proposed
12 action to be taken by the Secretary of Agri-
13 culture to complete a transition of the Depart-
14 ment of Agriculture from the traditional focus
15 of the Department of Agriculture relating to
16 safety and the safeguarding of agriculture and
17 food to a focus that enhances the traditional
18 focus with a new emphasis on—

19 (i) homeland security; and

20 (ii) agriculture and food defense.

21 (2) ONE MEDICINE REPORT.—Not later than 1
22 year after the date of enactment of this Act, and an-
23 nually thereafter, the Secretary of Agriculture shall
24 submit to the relevant committees of Congress a re-
25 port that describes the status of efforts to integrate

1 activities of the Department of Agriculture relating
2 to animal health, agriculture, and human health
3 with similar activities of—

4 (A) the Department;

5 (B) the Department of Health and Human
6 Services; and

7 (C) the Environmental Protection Agency.

8 (e) EXECUTIVE SCHEDULE.—Section 5314 of title 5,
9 United States Code, is amended by adding at the end the
10 following:

11 “Under Secretary for Protection, Preparedness,
12 and Response.”.

13 **SEC. 104. LEADERSHIP IN THE DEPARTMENT OF HEALTH**
14 **AND HUMAN SERVICES.**

15 Section 313 of the Public Health Security and Bioterrorism
16 Preparedness and Response Act of 2002 (7 U.S.C.
17 8319) is amended to read as follows:

18 **“SEC. 313. SURVEILLANCE OF ZOOONOTIC DISEASES.**

19 “(a) IN GENERAL.—The Secretary of Health and
20 Human Services (acting through the Assistant Secretary
21 for Preparedness and Response, the Director of the Centers
22 for Disease Control and Prevention, and the Director
23 of the National Institutes of Health), in collaboration with
24 the Secretary of Agriculture (acting through the Under
25 Secretary for Protection, Preparedness, and Response and

1 the Administrator of the Animal and Plant Health Inspec-
2 tion Service) shall coordinate the surveillance of zoonotic
3 diseases that could potentially cause a significant impact
4 on public health.

5 “(b) INTEGRATION.—The Secretary of Health and
6 Human Services shall integrate, to the maximum extent
7 practicable, activities of the Department of Health and
8 Human services relating to animal health, agriculture, and
9 human health with similar activities of—

10 “(1) the Department; and

11 “(2) the Department of Agriculture.”.

12 **SEC. 105. NATIONAL AGRICULTURE AND FOOD DEFENSE**
13 **STRATEGY.**

14 (a) DEVELOPMENT AND SUBMISSION OF STRAT-
15 EGY.—

16 (1) IN GENERAL.—Not later than 180 days
17 after the date of enactment of this Act, the Sec-
18 retary, in coordination with the Secretary of Agri-
19 culture and the Secretary of Health and Human
20 Services, shall prepare and submit to the relevant
21 committees of Congress the National Agriculture
22 and Food Defense Strategy.

23 (2) IMPLEMENTATION PLAN.—The strategy
24 shall include an implementation plan for use by the
25 Secretaries concerned in carrying out the strategy.

1 (3) RESEARCH.—The strategy shall include a
2 coordinated research agenda for use by the Secre-
3 taries concerned in conducting research to support
4 the goals and activities described in paragraphs (1)
5 and (2) of subsection (b).

6 (4) REVISIONS.—Not later than 4 years after
7 the date on which the strategy is submitted to the
8 relevant committees of Congress under paragraph
9 (1), and not less frequently than every 4 years there-
10 after, the Secretary, in coordination with the Sec-
11 retary of Agriculture and the Secretary of Health
12 and Human Services, shall revise and submit to the
13 relevant committees of Congress the strategy.

14 (5) CONSISTENCY WITH EXISTING PLANS.—The
15 strategy described in paragraph (1) shall be con-
16 sistent with—

17 (A) HSPD–9;

18 (B) the National Incident Management
19 System;

20 (C) the National Response Plan;

21 (D) the National Infrastructure Protection
22 Plan;

23 (E) the National Preparedness Goals; and

24 (F) other relevant national strategies.

25 (b) COMPONENTS.—

1 (1) GOALS.—

2 (A) IN GENERAL.—The strategy shall in-
3 clude a description of the process to be used by
4 the Department, the Department of Agri-
5 culture, and the Department of Health and
6 Human Services—

7 (i) to achieve each goal described in
8 subparagraphs (B) through (E); and

9 (ii) to evaluate the progress made by
10 Federal, State, local, and tribal govern-
11 ments towards the achievement of each
12 goal described in subparagraphs (B)
13 through (E).

14 (B) PREPAREDNESS GOAL.—Enhance the
15 preparedness of the agriculture and food system
16 by—

17 (i) conducting vulnerability assess-
18 ments of the agriculture and food system;

19 (ii) identifying any unmet agricultural
20 security need;

21 (iii) mitigating vulnerabilities of the
22 system;

23 (iv) improving communication and
24 training relating to the system;

1 (v) increasing the awareness of, and
2 the ability to identify, foreign animal dis-
3 eases;

4 (vi) developing and conducting exer-
5 cises to test decontamination and disposal
6 plans;

7 (vii) developing modeling tools to im-
8 prove event consequence assessment and
9 decision support; and

10 (viii) preparing risk communication
11 tools and enhancing public awareness
12 through outreach.

13 (C) DETECTION GOAL.—Improve agri-
14 culture and food system detection capabilities
15 by—

16 (i) identifying contamination in food
17 products;

18 (ii) conducting surveillance for foreign
19 animal diseases in livestock, other animal
20 populations, and foreign plant pathogens
21 in major crops; and

22 (iii) working with the private sector to
23 implement on-farm biosecurity measures to
24 prevent the spread of diseases.

- 1 (D) EMERGENCY RESPONSE GOAL.—En-
2 sure an efficient response to agriculture and
3 food emergencies by—
- 4 (i) immediately investigating animal
5 disease outbreaks and suspected food con-
6 tamination;
 - 7 (ii) preventing additional human ill-
8 nesses;
 - 9 (iii) organizing, training, and equip-
10 ping animal, plant, and food emergency re-
11 sponse teams of—
 - 12 (I) the Federal Government; and
 - 13 (II) State, local, and tribal gov-
14 ernments;
 - 15 (iv) designing, developing, and evalu-
16 ating training and exercises carried out
17 under agriculture and food defense plans;
18 and
 - 19 (v) ensuring consistent and organized
20 risk communication to the public by—
 - 21 (I) the Federal Government;
 - 22 (II) State, local, and tribal gov-
23 ernments; and
 - 24 (III) the private sector.

1 (E) RECOVERY GOAL.—Secure agriculture
2 and food production after an agriculture or food
3 emergency by—

4 (i) working with the private sector to
5 develop business recovery plans to rapidly
6 resume agriculture and food production;

7 (ii) conducting exercises of the plans
8 described in subparagraph (D) with the
9 goal of long-term recovery results;

10 (iii) rapidly removing, and effectively
11 disposing of—

12 (I) contaminated agriculture and
13 food products; and

14 (II) infected plants and animals;

15 and

16 (iv) decontaminating and restoring
17 areas affected by an agriculture or food
18 emergency.

19 (2) HSPD-9 ACTIVITIES.—

20 (A) IN GENERAL.—In preparing and im-
21 plementing the strategy, the Secretaries con-
22 cerned shall carry out each of the activities de-
23 scribed subparagraphs (B) through (D).

24 (B) NATIONAL PREPAREDNESS, MITIGA-
25 TION, AND RESPONSE.—

1 (i) VULNERABILITY ASSESSMENTS.—

2 (I) IN GENERAL.—The Secretary,
3 in coordination with the Secretary of
4 Agriculture and the Secretary of
5 Health and Human Services, shall ex-
6 pand and continue to carry out vul-
7 nerability assessments of the agri-
8 culture and food system.

9 (II) UPDATES.—An assessment
10 under subclause (I) shall be updated
11 not less frequently than once every 2
12 years.

13 (ii) MITIGATION STRATEGIES.—

14 (I) IN GENERAL.—The Secretary
15 and the Attorney General of the
16 United States, in consultation with
17 the Secretary of Agriculture, the Sec-
18 retary of Health and Human Services,
19 the Administrator, the Director of Na-
20 tional Intelligence, and the heads of
21 other appropriate Federal depart-
22 ments and agencies, shall prioritize,
23 develop, and implement, as appro-
24 priate, mitigation strategies to protect
25 vulnerable critical nodes of production

1 and processing from the introduction
2 of diseases, pests, and poisonous
3 agents.

4 (II) SCREENING.—To maximize
5 the effectiveness of domestic inspec-
6 tion activities of food items in the
7 United States, the Secretary, in col-
8 laboration with the Secretary of Agri-
9 culture and the Secretary of Health
10 and Human Services, shall—

11 (aa) continue to expand the
12 development and use of common
13 screening and inspection proce-
14 dures for agriculture and food
15 items entering the United States;
16 and

17 (bb) maximize effective do-
18 mestic inspection activities relat-
19 ing to food items located in the
20 United States.

21 (iii) RESPONSE PLANNING.—

22 (I) IN GENERAL.—The Secretary,
23 in coordination with the Secretary of
24 Agriculture, the Secretary of Health
25 and Human Services, the Attorney

1 General of the United States, and the
2 Administrator, shall ensure that com-
3 bined Federal, State, and local re-
4 sponse capabilities are adequate to re-
5 spond quickly and effectively to—

6 (aa) a terrorist attack af-
7 fecting the agriculture and food
8 system in the United States;

9 (bb) a major disease out-
10 break affecting the national agri-
11 culture and food system in the
12 United States; and

13 (cc) any other disaster af-
14 fecting the national agriculture
15 and food system in the United
16 States.

17 (II) STANDARDIZED RESPONSE
18 PLAN.—The Secretary, in coordina-
19 tion with the Secretary of Agriculture,
20 the Secretary of Health and Human
21 Services, the Attorney General of the
22 United States, and the Administrator,
23 shall develop a coordinated agriculture
24 and food-specific standardized re-

1 sponse plan to be integrated into the
2 National Response Plan.

3 (iv) RECOVERY SYSTEMS.—The Sec-
4 retary, in cooperation with the Secretary of
5 Agriculture, the Secretary of Health and
6 Human Services, and the Administrator,
7 shall enhance recovery systems in the
8 United States that, as determined by the
9 Secretary, are able to—

10 (I) stabilize agricultural produc-
11 tion, food supply, and the United
12 States economy;

13 (II) rapidly remove, and effec-
14 tively dispose of, contaminated agri-
15 culture or food products or infected
16 plants or animals; and

17 (III) decontaminate affected
18 premises.

19 (C) NATIONAL VETERINARY STOCKPILE.—

20 (i) IN GENERAL.—The Secretary of
21 Agriculture, in coordination with the Sec-
22 retary, and in consultation with the Sec-
23 retary of Health and Human Services,
24 State, local, and tribal governments, and
25 the private sector, shall develop a national

1 veterinary stockpile that, to the maximum
2 extent practicable—

3 (I) is capable of deployment with-
4 in 24 hours of an outbreak of animal
5 disease;

6 (II) is carried out in coordination
7 with the Strategic National Stockpile,
8 including by using mechanisms, capa-
9 bilities, and infrastructure that have
10 been developed for the management,
11 storage, and distribution of the Stra-
12 tegic National Stockpile; and

13 (III) contains sufficient quan-
14 tities of animal vaccine, antiviral
15 treatments, and therapeutic products
16 to appropriately respond to the most
17 damaging animal diseases affecting
18 human health or the economy.

19 (ii) AUTHORIZATION OF APPROPRIA-
20 TIONS.—There are authorized to be appro-
21 priated to carry out this subparagraph—

22 (I) \$8,000,000 for fiscal year
23 2008; and

1 (II) such sums as are necessary
2 for each of fiscal years 2009 through
3 2012.

4 (D) NATIONAL PLANT DISEASE RECOVERY
5 SYSTEM.—

6 (i) IN GENERAL.—The Secretary of
7 Agriculture, in coordination with the Sec-
8 retary, and in consultation with the Sec-
9 retary of Health and Human Services, the
10 Administrator, State, local, and tribal gov-
11 ernments, and the private sector, shall de-
12 velop a national plant disease recovery sys-
13 tem that, to the maximum extent prac-
14 ticable—

15 (I) is capable of responding to a
16 high-consequence plant disease
17 through—

18 (aa) pest control measures;

19 and

20 (bb) the use of resistant
21 seed varieties within a single
22 growing season to sustain at
23 least a reasonable level of produc-
24 tion for economically important
25 crops;

1 (II) uses—

2 (aa) the genetic resources
3 contained in the national plant
4 germplasm system; and

5 (bb) the scientific capabili-
6 ties of the Federal-State-industry
7 agricultural research and exten-
8 sion system; and

9 (III) includes emergency plan-
10 ning for the use of resistant seed vari-
11 eties and other methods and measures
12 (including pesticide control measures)
13 to prevent, slow, or stop the spread of
14 a high-consequence plant disease.

15 (ii) AUTHORIZATION OF APPROPRIA-
16 TIONS.—There are authorized to be appro-
17 priated to carry out this subparagraph—

18 (I) \$6,000,000 for fiscal year
19 2008; and

20 (II) such sums as are necessary
21 for each of fiscal years 2009 through
22 2012.

23 (3) EVALUATION OF PROGRESS.—The strategy
24 prepared by the Secretary, in coordination with the
25 Secretary of Agriculture and the Secretary of Health

1 and Human Services, under subsection (a)(1) shall
2 include an evaluation of any progress relating to the
3 carrying out of the activities described in subpara-
4 graphs (B) through (D) of paragraph (2).

5 **SEC. 106. NATIONAL VETERINARY STOCKPILE ADVISORY**
6 **COMMITTEE.**

7 (a) ESTABLISHMENT.—Not later than 180 days after
8 the date of enactment of this Act, the Secretary of Agri-
9 culture, in coordination with the Secretary, and in con-
10 sultation with the Secretary of Health and Human Serv-
11 ices, State, local, and tribal governments, and the private
12 sector, shall establish the National Veterinary Stockpile
13 Advisory Committee.

14 (b) MEMBERSHIP.—The Advisory Committee shall be
15 composed of members from—

16 (1) the Department, including the Assistant
17 Secretary;

18 (2) the Department of Health and Human
19 Services, including—

20 (A) the Assistant Secretary for Prepared-
21 ness and Response;

22 (B) the Director of the Centers for Disease
23 Control and Prevention;

24 (C) the Commissioner of the Food and
25 Drug Administration; and

1 (D) the Director of the National Institutes
2 of Health;

3 (3) State and local governments; and

4 (4) the private sector.

5 (c) CLASSIFICATION.—The Secretary of Agriculture
6 shall ensure that each member of the Advisory Committee
7 obtains the necessary security clearance to provide for full
8 consideration of available threat and vulnerability infor-
9 mation.

10 (d) MEETINGS.—The Advisory Committee shall meet
11 at the call of the chairperson, but not less often than bian-
12 nually.

13 (e) CHAIRPERSON.—The Secretary of Agriculture (or
14 a designee) shall serve as the chairperson for the Advisory
15 Committee.

16 (f) DUTIES.—The Advisory Committee shall—

17 (1) review each current and proposed animal
18 vaccination policy and therapeutic policy of the De-
19 partment of Agriculture relating to the National
20 Veterinary Stockpile;

21 (2) evaluate threat assessment information with
22 respect to biological, chemical, and radiological
23 threats to the agriculture system;

24 (3) review the contents of the National Veteri-
25 nary Stockpile and, based on the evaluation of

1 threat assessment information conducted by the Ad-
2 visory Committee under paragraph (2), identify
3 high-priority gaps in the National Veterinary Stock-
4 pile;

5 (4) at least annually, submit to the Secretary of
6 Agriculture recommendations relating to—

7 (A) any proposed modification to—

8 (i) each current and proposed animal
9 vaccination policy and therapeutic policy of
10 the Department of Agriculture under para-
11 graph (1); and

12 (ii) the contents of the National Vet-
13 erinary Stockpile;

14 (B) the development of a coordinated re-
15 search agenda to address each high-priority gap
16 identified under paragraph (3); and

17 (C) the manner by which to strengthen
18 through partnership, and improve coordination
19 and minimize duplication of—

20 (i) the National Veterinary Stockpile;

21 and

22 (ii) the Strategic National Stockpile;

23 and

24 (5) examine any other relevant issue, as deter-
25 mined by—

- 1 (A) the Secretary of Agriculture;
2 (B) the Secretary; or
3 (C) the Secretary of Health and Human
4 Services.

5 (g) AUTHORIZATION OF APPROPRIATIONS.—There is
6 authorized to be appropriated to carry out this section
7 \$1,000,000 for each of fiscal years 2008 through 2013.

8 **SEC. 107. SUBMISSION OF INTEGRATED FOOD DEFENSE**
9 **BUDGET.**

10 (a) IN GENERAL.—Consistent with HSPD–9, the
11 Secretaries concerned shall submit to the Director with
12 the annual budget submissions of the Secretaries con-
13 cerned an integrated budget plan for the defense of the
14 food system of the United States.

15 (b) INCLUSION OF BUDGET PLAN.—Subject to the
16 approval of the President, the Director shall include in the
17 budget of the President the budget plan submitted by the
18 Secretaries concerned under subsection (a).

19 **TITLE II—STATE AGRICULTURE**
20 **AND FOOD DEFENSE ACTIVITIES**

21 **SEC. 201. STATE AGRICULTURE AND FOOD DEFENSE AC-**
22 **TIVITIES.**

23 (a) IN GENERAL.—To enhance the agriculture and
24 food defense capabilities of the States, the Secretary, in
25 collaboration with the Secretary of Agriculture and the

1 Secretary of Health and Human Services, shall provide
2 guidance, technical assistance, and support to the States
3 in—

4 (1) achieving the goals described in subpara-
5 graphs (B) through (E) of section 105(b)(1);

6 (2) developing and implementing demonstration
7 projects for regional agriculture and food defense-re-
8 lated continuity of business plans;

9 (3) training State, local, and tribal agriculture,
10 public health, and emergency management personnel
11 in food defense; and

12 (4) improving communication and coordination
13 among State departments of agriculture and the
14 Federal Government through workforce development.

15 (b) ASSISTANCE TO STATES.—In carrying out sub-
16 section (a)(1), the Secretary shall provide guidance and
17 technical assistance to States in planning, training, and
18 conducting exercises to test State agriculture and food de-
19 fense capabilities to achieve the goals described in sub-
20 paragraphs (B) through (E) of section 105(b)(1).

21 (c) FUNDING.—Section 1014(b) of the USA PA-
22 TRIOT Act (42 U.S.C. 3714(b)) is amended by adding
23 at the end the following:

1 “Grants made under subsection (a) may also be used
2 by a State to carry out an activity under section 201 of
3 the National Agriculture and Food Defense Act of 2007.”.

4 (d) REGIONAL AGRICULTURE AND FOOD DEFENSE
5 CONTINUITY OF BUSINESS DEMONSTRATION PROJECT.—

6 (1) IN GENERAL.—In carrying out subsection
7 (a)(2), the Secretary of Agriculture, acting through
8 the Under Secretary, in coordination with the Sec-
9 retary, State departments of agriculture, State
10 emergency programs, and State departments of
11 health, shall enter into cooperative agreements with
12 appropriate State authorities to assist States in
13 achieving the goals described in subparagraphs (B)
14 through (E) of section 105(b)(1).

15 (2) REQUIREMENTS RELATING TO COOPERA-
16 TIVE AGREEMENTS.—The cooperative agreements
17 described in paragraph (1) shall—

18 (A) represent regions, as determined by
19 the Secretary of Agriculture, in consultation
20 with the Secretary; and

21 (B) collectively cover each State in the
22 United States.

23 (3) DUTIES OF STATE AUTHORITIES.—A State
24 authority that enters into a cooperative agreement

1 with the Secretary of Agriculture under paragraph
2 (1) shall—

3 (A) establish and coordinate a Regional
4 Agriculture and Food Defense Continuity of
5 Business Council;

6 (B) develop and implement a regional agri-
7 culture and food defense continuity of business
8 plan;

9 (C) develop and implement a geographic
10 information system for documenting the entire
11 agriculture and food infrastructure within the
12 region and the identification of the most critical
13 components of such infrastructure; and

14 (D) not less frequently than once each
15 year—

16 (i) submit to the Food and Agri-
17 culture Government Coordinating Council
18 and the Food and Agriculture Sector Co-
19 ordinating Council established under sub-
20 sections (a)(1) and (b)(1) of section 301 a
21 report describing the activities carried out
22 under the plan under subparagraph (B);

23 (ii) conduct a regional exercise or drill
24 to test the plan under subparagraph (B);
25 and

1 (iii) make such modifications to the
2 plan as the State authority determines to
3 be necessary, taking into consideration the
4 results of the exercise.

5 (4) COMPOSITION OF COUNCIL.—A council de-
6 scribed in paragraph (3)(A) shall be composed of
7 representatives from—

8 (A) State and local departments of agri-
9 culture from each State located in the region,
10 as determined by the Secretary of Agriculture,
11 in which the State of the State authority is lo-
12 cated;

13 (B) homeland security and emergency
14 management programs from any State de-
15 scribed in subparagraph (A);

16 (C) State and local departments of health
17 from any State described in subparagraph (A);
18 and

19 (D) the private sector from any State de-
20 scribed in subparagraph (A).

21 (5) AGRICULTURE AND FOOD DEFENSE CON-
22 TINUITY OF BUSINESS PLAN.—Each council de-
23 scribed in paragraph (3)(A) shall develop a model
24 plan that—

25 (A) is consistent with—

- 1 (i) the National Infrastructure Protec-
2 tion Plan;
- 3 (ii) the National Response Plan;
- 4 (iii) the National Incident Manage-
5 ment System;
- 6 (iv) the National Preparedness Goals;
- 7 and
- 8 (v) other relevant national strategies;
- 9 (B) identifies—
- 10 (i) methods to prevent, or minimize
11 the spread of, public health consequences
12 or economic losses associated with—
- 13 (I) animal disease outbreaks;
- 14 (II) plant disease outbreaks or
15 pest infestations; and
- 16 (III) incidents of food contamina-
17 tion;
- 18 (ii) the specific roles and responsibil-
19 ities of public and private stakeholders in
20 planning and preparing for, responding to,
21 and recovering from, an agriculture or food
22 emergency; and
- 23 (iii) vulnerabilities in the applicable
24 regional agriculture and food system;

1 (C) improves the preparedness of the re-
2 gion (including the private sector) to address
3 identified agriculture and food system-related
4 threats and vulnerabilities; and

5 (D) ensures effective preparedness, mitiga-
6 tion, response, and recovery capabilities for any
7 threat that could have a significant adverse im-
8 pact on the agriculture and food system.

9 (6) USE OF FUNDS.—To carry out any activity
10 described in this subsection, a State may use
11 amounts made available to the State under a cooper-
12 ative agreement under paragraph (1) to hire 1 or
13 more State employees.

14 (7) AUTHORIZATION OF APPROPRIATIONS.—
15 There is authorized to be appropriated to carry out
16 this subsection \$60,000,000 for the period fiscal
17 years 2008 through 2013.

18 (e) STATE TRAINING FOR FOOD DEFENSE.—

19 (1) IN GENERAL.—In carrying out the training
20 of State, local, and tribal agriculture, public health,
21 emergency response providers, and emergency man-
22 agement personnel under subsection (a)(3), the Sec-
23 retary, acting through the Assistant Secretary, in
24 coordination with the Secretary of Agriculture, act-
25 ing through the Under Secretary, shall enter into a

1 cooperative agreement with a national organization
2 representing State departments of agriculture—

3 (A) to educate State agriculture, public
4 health, and emergency management personnel
5 on issues relating to food defense; and

6 (B) to ensure consistent planning and co-
7 ordination among the Federal Government,
8 States, and the private sector relating to food
9 defense.

10 (2) AUTHORIZATION OF APPROPRIATIONS.—

11 There is authorized to be appropriated to carry out
12 this subsection \$1,000,000 for each of fiscal years
13 2008 and 2009.

14 (f) STATE AGRICULTURE AND FOOD DEFENSE LIAI-
15 SON OFFICERS.—

16 (1) IN GENERAL.—To improve communication
17 and coordination among State departments of agri-
18 culture and the Federal Government under sub-
19 section (a)(4), the Secretary of Agriculture, acting
20 through the Under Secretary, shall establish a pilot
21 program to hire and assign State liaison officers to
22 work in eligible State departments of agriculture, as
23 determined by the Secretary of Agriculture, to serve
24 as liaisons (with respect to issues relating to delib-

1 erate, accidental, or natural catastrophic agriculture
2 and food emergencies) between—

3 (A) the Department of Agriculture; and

4 (B) the State department of agriculture to
5 which a State liaison officer is assigned.

6 (2) COORDINATION.—The Secretary of Agri-
7 culture, acting through the Under Secretary, shall,
8 to the maximum extent practicable, coordinate the
9 placement of each epidemiological fellow assigned to
10 an eligible State department of agriculture under
11 section 202(b)(1)(C) with a State liaison officer
12 hired under paragraph (1).

13 (3) AUTHORIZATION OF APPROPRIATIONS.—
14 There are authorized to be appropriated to carry out
15 this subsection—

16 (A) \$5,000,000 for fiscal year 2008; and

17 (B) such sums as are necessary for each of
18 fiscal years 2009 through 2013.

19 **SEC. 202. AGRICULTURAL BIOSECURITY CORPS.**

20 (a) ESTABLISHMENT.—

21 (1) IN GENERAL.—The Secretary of Agri-
22 culture, acting through the Under Secretary for Pro-
23 tection, Preparedness, and Response, in cooperation
24 with State departments of agriculture and State
25 chief veterinary medical officers, shall carry out a

1 program, to be known as the “Agricultural Biosecu-
2 rity Corps”, to develop veterinary leaders at the
3 Federal, State, and local levels with epidemiological
4 expertise who can recognize and respond to agents
5 and events that pose significant threats to animal
6 agriculture.

7 (2) MODEL.—In establishing the ABCorps
8 under paragraph (1), the Secretary of Agriculture
9 shall use as a model the Epidemic Intelligence Serv-
10 ice of the Centers for Disease Control and Preven-
11 tion.

12 (b) EPIDEMIOLOGY FELLOWS.—

13 (1) IN GENERAL.—In carrying out the ABCorps
14 program under subsection (a), the Secretary of Agri-
15 culture, in cooperation with State departments of
16 agriculture and State chief veterinary medical offi-
17 cers, may enter into agreements with graduate vet-
18 erinarians—

19 (A) to be epidemiology fellows within the
20 ABCorps;

21 (B) to be initially trained in veterinary epi-
22 demiology, animal agriculture disease surveil-
23 lance, and emergency program management at
24 a college of veterinary medicine, in coordination
25 with an Animal and Plant Health Inspection

1 Service Regional Office of Veterinary Services;
2 and

3 (C) to be assigned to train and work on a
4 temporary basis at an eligible State department
5 of agriculture, as determined by the Secretary
6 of Agriculture.

7 (2) APPLICATION.—To be eligible to enter into
8 an agreement with the Secretary of Agriculture
9 under paragraph (1), a graduate veterinarian shall
10 submit to the Secretary of Agriculture an applica-
11 tion at such time, and in such manner, as the Sec-
12 retary may require.

13 (c) TRAINING OF EPIDEMIOLOGY FELLOWS.—To
14 provide for the training of eligible epidemiology fellows
15 under subsection (b)(1), the Secretary of Agriculture shall
16 enter into a contract with a college of veterinary medicine
17 that—

18 (1) is comprised of faculty members who have
19 expertise relating to veterinary epidemiology in each
20 major livestock commodity;

21 (2) is located in a State with diverse livestock
22 from each commodity; and

23 (3) will conduct such training in collaboration
24 with a State department of agriculture that has ex-
25 pertise relating to—

- 1 (A) emergency program management; and
2 (B) the use of geographic information sys-
3 tems for emergency preparedness and response.

4 (d) ASSIGNMENT OF EPIDEMIOLOGY FELLOWS.—

5 (1) IN GENERAL.—Epidemiology fellows shall
6 be assigned to eligible State departments of agri-
7 culture, as determined by the Secretary of Agri-
8 culture, in coordination with—

- 9 (A) State departments of agriculture; and
10 (B) State chief veterinary medical officers.

11 (2) ELIGIBILITY OF STATE DEPARTMENTS.—An
12 epidemiology fellow may be assigned by the Sec-
13 retary of Agriculture to a State department of agri-
14 culture if the State department of agriculture sub-
15 mits to the Secretary of Agriculture a written com-
16 mitment to mentor and train the epidemiology fellow
17 to meet each training benchmark of the ABCorps.

18 (3) DUTIES OF ASSIGNMENT.—An epidemiology
19 fellow assigned to a State department of agriculture
20 under paragraph (1) shall—

21 (A) in cooperation with State and local vet-
22 erinarians, assist in the diagnosis and epidemio-
23 logical investigation of animal diseases;

24 (B) in cooperation with relevant State and
25 local animal and agriculture response teams, as-

1 sist in the preparation for, response to, and re-
2 covery from, deliberate, accidental, or natural
3 catastrophic animal disease outbreaks or other
4 events that threaten the health and economic
5 viability of animal agriculture; and

6 (C) contribute to State efforts to improve
7 animal agriculture biosecurity.

8 (4) ENCOURAGEMENT OF PARTICIPATION.—On
9 the date on which any epidemiological fellow com-
10 pletes the assignment of the epidemiological fellow to
11 a State department of agriculture under paragraph
12 (1), the Secretary of Agriculture, in collaboration
13 with the Secretary of Health and Human Services,
14 shall encourage the epidemiological fellow—

15 (A) to serve as a State Agriculture and
16 Food Defense Liaison Officer under section
17 201(f); and

18 (B) to participate in the National Disaster
19 Medical System, as operated under section
20 2812(a)(1) of the Public Health Service Act (42
21 U.S.C. 300hh–11(a)(1)).

22 (e) REPORT.—Not later than 4 years after the date
23 of enactment of this Act, the Secretary of Agriculture shall
24 submit to Congress a report that contains, at a minimum,
25 an evaluation of the ABCorps.

1 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
 2 authorized to be appropriated to carry out this section
 3 \$20,000,000 for the period of fiscal years 2008 through
 4 2012.

5 (g) TERMINATION OF AUTHORITY.—

6 (1) IN GENERAL.—Subject to paragraph (2),
 7 the program under this section shall terminate on a
 8 date that occurs not later than 5 years after the
 9 date on which the Secretary of Agriculture first en-
 10 ters into a contract with the college of veterinary
 11 medicine under subsection (c).

12 (2) EXCEPTION.—The Secretary of Agriculture
 13 may continue the ABCorps if the Secretary of Agri-
 14 culture concludes in the report submitted by the
 15 Secretary of Agriculture under subsection (e) that
 16 the ABCorps was successful in training epidemiology
 17 fellows to become veterinary leaders who have the
 18 capacity to recognize and respond to agents and
 19 events that pose significant threats to animal agri-
 20 culture.

21 **TITLE III—PARTNERSHIPS WITH** 22 **PRIVATE SECTOR**

23 **SEC. 301. COORDINATING COUNCILS.**

24 (a) FOOD AND AGRICULTURE GOVERNMENT COORDI-
 25 NATING COUNCIL.—

1 (1) ESTABLISHMENT.—The Secretary shall es-
2 tablish a council to be known as the “Food and Ag-
3 riculture Government Coordinating Council”.

4 (2) COMPOSITION.—The Food and Agriculture
5 Government Coordinating Council shall be composed
6 of appropriate representatives from Federal, State,
7 local, and tribal governments appointed by the Sec-
8 retary.

9 (b) FOOD AND AGRICULTURE SECTOR COORDI-
10 NATING COUNCIL.—

11 (1) ESTABLISHMENT.—The Secretary shall es-
12 tablish a council to be known as the “Food and Ag-
13 riculture Sector Coordinating Council”.

14 (2) COMPOSITION.—The Food and Agriculture
15 Sector Coordinating Council shall be composed of
16 representatives from the private sector of the agri-
17 culture and food system of the United States.

18 (c) MODEL FOR ESTABLISHMENT.—The Secretary
19 shall ensure communication and coordination between the
20 public and private sectors with respect to information and
21 activities of the council and shall use as a model the Over-
22 seas Security Advisory Council of the Department of
23 State.

24 (d) DUTIES.—Each council established under this
25 section shall—

1 (1) through the facilitation of partnerships be-
2 tween public and private entities, help unify and en-
3 hance the protection of the agriculture and food sys-
4 tem of the United States;

5 (2) provide for the regular and timely inter-
6 change of information between each council relating
7 to the security of the agriculture and food system
8 (including intelligence information);

9 (3) evaluate Federal, State, local, tribal, and
10 private sector preparedness and response plans for
11 agriculture and food defense;

12 (4) identify best practices standards and meth-
13 ods for improving the coordination among the plans
14 described in paragraph (3);

15 (5)(A) conduct an annual review of each re-
16 gional demonstration project described in section
17 201(d); and

18 (B) based on the results of the review, provide
19 to the Secretaries concerned recommendations to im-
20 prove the coordination and integration of Federal as-
21 sistance to States for agriculture and food defense;
22 and

23 (6) recommend methods by which to protect the
24 economy and the public health of the United States
25 from the effects of—

- 1 (A) animal or plant disease outbreaks;
2 (B) food contamination; and
3 (C) natural disasters affecting agriculture
4 and food.

5 **TITLE IV—NATIONAL DETEC-**
6 **TION, RESPONSE, AND RE-**
7 **COVERY LABORATORY NET-**
8 **WORKS**

9 **SEC. 401. NATIONAL DETECTION, RESPONSE, AND RECOV-**
10 **ERY LABORATORY NETWORKS.**

11 (a) ESTABLISHMENT.—

12 (1) IN GENERAL.—The Secretaries concerned
13 shall establish the networks described in subsections
14 (b) through (d) to provide for the sharing of infor-
15 mation to support early detection of, rapid response
16 to, and management of potentially catastrophic plant
17 and animal disease outbreaks and food-related emer-
18 gencies.

19 (2) REQUIREMENTS.—The networks described
20 in subsections (b) through (d) shall, to the maximum
21 extent practicable—

22 (A) identify—

23 (i) a process for decisionmaking and
24 management;

1 (ii) standardized terminology, and
2 methods for testing communication and se-
3 cure electronic reporting;

4 (iii) a system of standardized labora-
5 tory methods;

6 (iv) specific criteria for approval as a
7 member of the laboratory network;

8 (v) a process for ongoing laboratory
9 accreditation, performance measurement,
10 and accountability; and

11 (vi) the quantity of laboratory surge
12 capacity needed to respond to—

13 (I) a catastrophic plant or animal
14 disease outbreak; or

15 (II) a food-related emergency;
16 and

17 (B) ensure appropriate geographic dis-
18 tribution of laboratory network members—

19 (i) to minimize the time required to
20 travel to participating laboratories; and

21 (ii) to enable the rapid reporting of
22 laboratory results.

23 (b) NATIONAL PLANT DIAGNOSTIC NETWORK.—

24 (1) IN GENERAL.—The Secretary of Agri-
25 culture, in consultation with the Secretary of Health

1 and Human Services and the Administrator, and in
2 coordination with the Secretary, State, local, and
3 tribal governments, and the private sector, shall de-
4 velop a national plant diagnostic network that, to
5 the maximum extent practicable—

6 (A) provides ongoing surveillance, detec-
7 tion, and surge capacity for high-consequence
8 plant diseases and pest infestations;

9 (B) coordinates the plant diagnostic lab-
10 oratory capacities of State plant laboratories;

11 (C) provides accessible, timely, accurate,
12 and consistent plant disease and pest laboratory
13 services nationwide; and

14 (D) responds to high-consequence plant
15 diseases and pest infestations.

16 (2) AUTHORIZATION OF APPROPRIATIONS.—

17 There are authorized to be appropriated to carry out
18 this subsection—

19 (A) \$5,300,000 for fiscal year 2008; and

20 (B) such sums as are necessary for each of
21 fiscal years 2009 through 2012.

22 (c) FOOD EMERGENCY RESPONSE NETWORK.—

23 (1) IN GENERAL.—The Secretary of Agri-
24 culture, in coordination with the Secretary, the Sec-
25 retary of Health and Human Services, State, local,

1 and tribal governments, and the private sector, shall
 2 develop a national food emergency response network
 3 that, to the maximum extent practicable—

4 (A) provides ongoing surveillance, detec-
 5 tion, and surge capacity for large-scale food-re-
 6 lated emergencies, including an intentional at-
 7 tack on the food supply;

8 (B) coordinates the food laboratory capac-
 9 ities of State food laboratories;

10 (C) provides accessible, timely, accurate,
 11 and consistent food laboratory services through-
 12 out the United States; and

13 (D) responds to food-related emergencies.

14 (2) AUTHORIZATION OF APPROPRIATIONS.—

15 There are authorized to be appropriated to carry out
 16 this subsection—

17 (A) \$19,000,000 for fiscal year 2008; and

18 (B) such sums as are necessary for each of
 19 fiscal years 2009 through 2012.

20 (d) NATIONAL ANIMAL HEALTH LABORATORY NET-
 21 WORK.—

22 (1) IN GENERAL.—The Secretary of Agri-
 23 culture, in consultation with the Secretary of Health
 24 and Human Services and in coordination with the
 25 Secretary, State, local, and tribal governments, and

1 the private sector, shall develop a national animal
2 health laboratory network that, to the maximum ex-
3 tent practicable—

4 (A) provides ongoing surveillance, detec-
5 tion, and surge capacity for catastrophic animal
6 disease outbreaks and other adverse animal
7 health events, including deliberate attacks;

8 (B) coordinates the veterinary diagnostic
9 laboratory capacities of State animal health lab-
10 oratories;

11 (C) provides accessible, timely, accurate,
12 and consistent animal disease laboratory serv-
13 ices nationwide; and

14 (D) responds to foreign animal disease
15 outbreaks, zoonotic diseases, and other adverse
16 animal health events, including deliberate at-
17 tacks.

18 (2) AUTHORIZATION OF APPROPRIATIONS.—

19 There are authorized to be appropriated to carry out
20 this subsection—

21 (A) \$17,500,000 for fiscal year 2008; and

22 (B) such sums as are necessary for each of
23 fiscal years 2009 through 2012.

1 **SEC. 402. INTEGRATION OF NETWORKS.**

2 (a) IN GENERAL.—The Secretary, in coordination
3 with the Secretary of Agriculture, the Secretary of Health
4 and Human Services, and the Administrator, shall estab-
5 lish an agreement through which the laboratory network
6 members described in subsections (b) through (d) of sec-
7 tion 401 and any other appropriate network, as deter-
8 mined by the Secretary, could—

9 (1) agree on common laboratory methods for
10 the sharing of knowledge and information relating to
11 animal health, agriculture, and human health;

12 (2) identify the means by which each laboratory
13 network member could work cooperatively—

14 (A) to optimize national laboratory pre-
15 paredness; and

16 (B) to provide surge capacity during emer-
17 gencies; and

18 (3) engage in ongoing dialogue and build rela-
19 tionships that will support a more effective and inte-
20 grated response during emergencies.

21 (b) AUTHORIZATION OF APPROPRIATIONS.—There
22 are authorized to be appropriated such sums as are nec-
23 essary to carry out this section for each of fiscal years
24 2008 through 2012.

1 **SEC. 403. ON-SITE RAPID DIAGNOSTIC TOOLS.**

2 (a) DEVELOPMENT.—The Secretary of Agriculture,
3 in collaboration with the Secretary and the Secretary of
4 Health and Human Services, shall develop on-site rapid
5 diagnostic tools to enable rapid diagnosis of an animal or
6 plant disease outbreak at the site of such an outbreak.

7 (b) VALIDATION TESTING OF TOOLS.—In developing
8 on-site rapid diagnostic tools under subsection (a), the
9 Secretary of Agriculture, in collaboration with the Sec-
10 retary and the Secretary of Health and Human Services,
11 shall conduct rigorous validation testing to ensure that
12 each tool—

13 (1) properly responds to each disease for which
14 the tool was developed; and

15 (2) will work properly when administered in the
16 field by individuals who possess varying degrees of
17 expertise.

18 **TITLE V—DECONTAMINATION**
19 **AND DISPOSAL**

20 **SEC. 501. SENSE OF CONGRESS.**

21 It is the sense of Congress that—

22 (1) an effective response to and recovery from
23 an agriculture or food emergency may include—

24 (A) the disposal of a large quantity of ani-
25 mals, plants, or contaminated food products; or

1 (B) the decontamination of areas impacted
2 by the emergency;

3 (2) most decontamination and disposal actions
4 are handled by State and local governments, rather
5 than by the Federal Government;

6 (3) the Federal Government, in collaboration
7 with State, local, and tribal governments and the
8 private sector, should conduct detailed decontamina-
9 tion and disposal planning for specific agriculture
10 and food emergency scenarios; and

11 (4) increasing rendering capacity may—

12 (A) provide needed animal disposal surge
13 capacity following an outbreak of catastrophic
14 animal disease; and

15 (B) be used for the production of energy,
16 including the production of biofuels.

17 **SEC. 502. DECONTAMINATION AND DISPOSAL STANDARDS**
18 **AND PLANS.**

19 (a) IN GENERAL.—The Administrator, in coordina-
20 tion with the Secretaries concerned, shall provide support
21 for, and technical assistance to, State, local, and tribal
22 governments in rapidly assessing, decontaminating, and
23 recovering from an agriculture or food emergency.

24 (b) DEVELOPMENT OF STANDARDS.—The Adminis-
25 trator, in coordination with the Secretaries concerned, and

1 State, local, and tribal governments, shall develop and dis-
2 seminate specific standards and protocols—

3 (1) to address the risk of contamination fol-
4 lowing a deliberate attack using biological or chem-
5 ical weapons; and

6 (2) to undertake clean-up, clearance, and recov-
7 ery activities following the decontamination and dis-
8 posal of specific threat agents or foreign animal dis-
9 eases.

10 (c) DEVELOPMENT OF MODEL PLANS.—The Admin-
11 istrator, in coordination with the Secretaries concerned,
12 and State, local, and tribal governments, shall develop and
13 disseminate model plans for—

14 (1) the decontamination of individuals, equip-
15 ment, and facilities following a deliberate attack in-
16 volving the use of biological or chemical weapons;
17 and

18 (2) the disposal of large quantities of animals,
19 plants, or food products that have been infected or
20 contaminated by specific threat agents or foreign
21 animal diseases.

22 (d) REQUIREMENTS.—The model plans developed
23 under subsection (c) shall—

24 (1) be in accordance with the National Re-
25 sponse Plan;

1 (2) include consideration of variations relating
2 to the geography, personnel, and resources of States
3 and local governments;

4 (3) include a detailed concept of the operations
5 implementation plan;

6 (4) include consideration of the environmental
7 impacts of the plan; and

8 (5) include consideration of the cost of imple-
9 mentation of the plan.

10 (e) EXERCISES.—

11 (1) IN GENERAL.—The Administrator, in co-
12 ordination with the Secretaries concerned and State,
13 local, and tribal governments, shall conduct exercises
14 at least annually to evaluate and identify weaknesses
15 in the decontamination and disposal model plans de-
16 scribed in subsection (c).

17 (2) INTEGRATION WITH NATIONAL EXERCISE
18 PROGRAM.—Any exercise conducted by the Adminis-
19 trator, in coordination with the Secretaries con-
20 cerned and State, local, and tribal governments,
21 shall be carried out, to the maximum extent prac-
22 ticable, as part of the national exercise program
23 under section 648(b)(1) of the Post-Katrina Emer-
24 gency Management Reform Act of 2006 (6 U.S.C.
25 748(b)(1)).

1 (f) MODIFICATIONS.—Based on the exercises de-
2 scribed in subsection (e), the Administrator, in coordina-
3 tion with the Secretaries concerned and State, local, and
4 tribal governments, shall review and modify as necessary
5 the plans described in subsection (c) not less frequently
6 than biannually, including—

7 (1) by taking into consideration any new infor-
8 mation obtained during the preceding 2-year period;

9 (2) by identifying any area in which available
10 information is insufficient; and

11 (3) by identifying applicable research goals.

12 (g) PRIORITIZATION.—The Administrator, in coordi-
13 nation with the Secretaries concerned and State, local, and
14 tribal governments, shall develop plans and standards
15 under subsections (b) and (c) in an identified order of pri-
16 ority that takes into account—

17 (1) highest-risk biological and chemical threat
18 agents;

19 (2) agents that could cause the greatest eco-
20 nomic devastation to the agriculture and food sys-
21 tem; and

22 (3) agents that are most difficult to clean or re-
23 mediate.

24 (h) DISSEMINATION.—The Administrator shall, to
25 the maximum extent practicable, disseminate the model

1 plans and standards developed under subsections (b) and
2 (c) to State, local, and tribal governments and the private
3 sector through a single internet portal.

4 (i) AUTHORIZATION OF APPROPRIATIONS.—There is
5 authorized to be appropriated to carry out this section
6 \$5,000,000 for each of fiscal years 2008 through 2013.

7 **SEC. 503. RURAL RENDERING CAPACITY BUILDING.**

8 (a) OUTCOME GOAL.—The Secretary of Agriculture,
9 in collaboration with the Administrator, the Secretary, and
10 the private sector, shall identify an increased production
11 capacity outcome goal for the rendering industry to meet
12 national animal disposal surge capacity needs following a
13 catastrophic animal disease outbreak.

14 (b) LOANS.—The Secretary of Agriculture may pro-
15 vide to applicants low-interest loans—

16 (1) to develop and expand—

17 (A) the production capacity of the ren-
18 dering industry of the United States; and

19 (B) the ability of the rendering industry of
20 the United States to provide routine animal-tis-
21 sue disposal and emergency surge capacity dur-
22 ing a catastrophic animal disease outbreak;

23 (2) to achieve the increased production capacity
24 outcome goal described in subsection (a); and

1 (3) to be used for the production of energy, in-
2 cluding the production of biofuels.

3 (c) PREFERENCE FOR APPLICANTS LOCATED IN
4 RURAL AREAS.—In determining whether to provide to ap-
5 plicants low-interest loans under subsection (b), the Sec-
6 retary of Agriculture shall give preference to applicants
7 that are located in a rural area of the United States.

8 (d) REQUIREMENT.—In providing to an applicant a
9 low-interest loan under this section, the Secretary of Agri-
10 culture may require the applicant to enter into a memo-
11 randum of agreement to allow the Secretary of Agriculture
12 to utilize any portion of the rendering facility of the appli-
13 cant that may be needed by the Secretary of Agriculture
14 to respond to a catastrophic animal disease outbreak, as
15 determined by the Secretary of Agriculture.

16 **SEC. 504. STUDY RELATING TO FOOD IRRADIATION.**

17 (a) IN GENERAL.—Not later than 180 days after the
18 date of enactment of this Act, the Secretary of Agri-
19 culture, in collaboration with the Secretary of Health and
20 Human Services and the Director of National Intelligence,
21 shall enter into a contract with the National Academy of
22 Sciences under which the National Academy of Sciences
23 shall conduct a study relating to the use of irradiation
24 technologies to enhance food defense capabilities.

1 (b) SCOPE.—In conducting the study under sub-
2 section (a), the National Academy of Sciences shall—

3 (1) evaluate the use of irradiation technologies
4 to minimize food as a potential target of terrorism
5 by mitigating bioterrorism agents delivered through
6 the food supply;

7 (2) weigh the financial cost to the private sector
8 of implementing irradiation technologies against the
9 public health benefit of enhanced food defense capa-
10 bilities; and

11 (3) examine—

12 (A) the public health benefits and risks of
13 consuming irradiated food products; and

14 (B) methods by which to conduct public
15 education activities to increase consumer con-
16 fidence in irradiated food products.

17 (c) REPORT.—

18 (1) IN GENERAL.—The National Academy of
19 Sciences shall prepare and submit to the Secretary
20 of Agriculture and the Secretary of Health and
21 Human Services a report that includes—

22 (A) a summary of each issue included in
23 the study under subsection (b); and

24 (B) policy recommendations relating to
25 whether the benefits of developing and imple-

1 menting food irradiation technologies outweigh
2 the costs of developing and implementing the
3 technologies.

4 (2) PUBLIC AVAILABILITY.—The Secretary of
5 Agriculture shall make the report under paragraph
6 (1) publicly available.

7 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
8 authorized to be appropriated to carry out this section
9 \$1,000,000 for fiscal year 2008.

○