S. HRG. 109–713

NOMINATIONS FOR DR. GALE A. BUCHANAN, MARC L. KESSELMAN, BOYDE K. RUTHERFORD, AND LINDA A. STRACHAN

HEARING

BEFORE THE

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY UNITED STATES SENATE

ONE HUNDRED NINTH CONGRESS

SECOND SESSION

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NOMINATIONS FOR DR. GALE A. BUCHANAN, MARC L. KESSELMAN, BOYDE K. RUTHERFORD, AND LINDA STRACHAN

Tuesday, March 14, 2006

U.S. SENATE,
COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY,
Washington, DC.

The committee met, pursuant to notice, at 10:06 a.m., in room SR–332, Russell Senate Office Building, Hon. Saxby Chambliss, chairman of the committee, presiding.

Present or submitting a statement: Senators Chambliss, Lugar, and Harkin.

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

The CHAIRMAN. Good morning. We are here today to conduct a hearing on four nominations to important posts at the U.S. Department of Agriculture. The nominees are: Dr. Gale A. Buchanan, to be Under Secretary for Research, Education, and Economics; Marc L. Kesselman, to be General Counsel; Boyd K. Rutherford, to be Assistant Secretary for Administration; and Linda Strachan, to be Assistant Secretary for Congressional Relations.

I have had the opportunity to meet with all four nominees and review their backgrounds. We all appreciate their willingness to come forward and to engage in public service.

While we welcome all the nominees, I do want to make a special comment about my good friend and my fellow Georgian, Dr. Gale Buchanan. Dr. Buchanan has been a dedicated public servant for his entire life. He has been the dean and director of the University of Georgia College of Agriculture and Environmental Sciences, the interim director of Georgia Agricultural Experiment Stations, and the dean and director of Alabama Agricultural Experiment Stations, and a professor at the University of Georgia and Auburn. He spent some time at Auburn, then decided to come to Georgia to get an education, Dick.

[Laughter.]

The CHAIRMAN. We are glad he made that step in the right direction. He is also a retired colonel in the Army National Guard. Dr. Buchanan has a distinguished record of service to our country, and we are very pleased that he has agreed to come to Washington and continue that service at the Federal level. He has been a dear friend of mine for many years and Gale, we welcome you to this

committee today, as we do to all of you, and we welcome you to public service in Washington.

Once again, I do want to welcome all the nominees. Thank you for appearing before the committee today.

For the information of Senators and staff, I would ask that any questions of the nominees for the record be submitted by 5 p.m. today in order to expedite the confirmation process.

Senator Harkin is going to be here shortly, and when he does arrive, we will give him the opportunity to make any opening statement.

At this time we are going to take statements from the individual nominees, but before we do that, I will ask all four of you if you will please stand up and raise your right hand's. 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?

Mr. BUCHANAN. I do.

Mr. KESSELMAN. I do.

Mr. RUTHERFORD. I do.

Ms. STRACHAN. I do.

The CHAIRMAN. To each of you--and I will ask you to affirmatively respond to this--do you agree that, if confirmed, you will appear before any duly constituted committee of Congress if so asked?

Mr. BUCHANAN. I will.

Mr. KESSELMAN. I will.

Mr. RUTHERFORD. Yes.

Ms. STRACHAN. I will.

The CHAIRMAN. Let the record reflect that all responded affirmatively. Thank you very much.

Dr. Buchanan, we will start with you, and, Mr. Kesselman, Mr. Rutherford, Ms. Strachan, we will come this way. So, Dr. Buchanan, we welcome any comments you have this morning, and any introduction of your family members here.

STATEMENT OF GALE A. BUCHANAN, OF GEORGIA, TO BE UNDER SECRETARY OF AGRICULTURE FOR RESEARCH, EDUCATION, AND ECONOMICS, U.S. DEPARTMENT OF AGRICULTURE

Mr. BUCHANAN. Thank you, Mr. Chairman and distinguished members of the committee. I want to thank you for the opportunity of appearing before you today, and I would like to have my full report included for the record, but I want to speak from an abbreviated form.

The CHAIRMAN. Without objection.

Mr. BUCHANAN. I am honored and humbled to be nominated by our President to be considered for the position of Under Secretary of Agriculture for Research, Education, and Economics in the U.S. Department of Agriculture.

With me today is Carol, my wife and greatest supporter. Not with me are our children--Judy, Kim, and Brad--and grandson Stephen.

I have been associated with agriculture my entire life. I was born and raised on a general farm in Madison County, Florida, and growing up on a family farm, I learned early in life the fundamen-

tals of farming, acceptance of responsibility, and the nature of rural life.

After graduation from high school, I enrolled at the University of Florida where I received a degree in agronomy. After a tour with the U.S. Army 2nd Infantry Division, I returned to the University of Florida where I completed requirements for a degree in weed science. Rounding out my education, I enrolled at Iowa State University. In addition to completing the requirements for the Ph.D. degree in plant physiology, I learned something about Midwest agriculture. I have also completed postdoctoral research in biochemistry at the University of Georgia and in weed ecology/biology at the Weed Research Organization in Oxford, England.

My first job was at Auburn University where I served as a researcher and teacher in weed science and as an administrator of the Alabama Agricultural Experiment Station.

In 1986, I relocated to the University of Georgia where I served as resident director of the Coastal Plain Experiment Station in Tifton and later as dean and director of the College of Agriculture and Environmental Sciences in Athens. I retired from the university in April of 2005.

I have also been involved in other activities that have broadened my experience in agriculture. My brothers and I have been engaged in a general farming operation growing corn and soybeans.

I have been active in several scientific societies and professional organizations both as a participant and in various leadership roles. This includes leadership roles in the National Association of State Universities and Land Grant Colleges Board on Agriculture Assembly. I have served as president of the American Peanut Research and Education Society, the Southern Weed Science Society, and the Council for Agricultural Science and Technology.

If confirmed, I look forward to continuing to serve because I believe in American agriculture. It is among our most important endeavors and enables the success of our country and, indeed, our civilization. Successful agriculture makes all other of man's endeavors possible. I also might add that agriculture is an important part of our economy. A major contributor to the success of agriculture is information, knowledge, and technology gained through research and education programs. Few would argue that one of the prime factors in agriculture's success has been the effectiveness of these programs that tie local, State, and the Federal Governments, along with our universities, close together. Our system has been so successful through these joint efforts that these programs are the envy of much of the world.

I am confident that the continued strength and success in the future of American agriculture is contingent upon strong and effective research and education programs. Consequently, I believe these programs must be supported and carefully nurtured to ensure their future success. Agriculture will continue to provide food and fiber but, in addition, will be called to play a major role in addressing the Nation's energy needs in the future. Clearly, this is a challenge, but a fantastic opportunity. Research and education programs will make the difference in this success.

In the U.S. Department of Agriculture, we have strong in-house capabilities through ARS, ERS, and NASS, all supported by the

National Agriculture Library. Another of our great strengths in agriculture is the unique relationship that brings together the Federal Government and our States through CSREES. This program ties the Department closely to the Nation's land grant universities, including our 1862, our 1890, and our 1994 institutions as well as other universities that have agricultural programs.

The position of Under Secretary carries an important responsibility in working with each of these institutions as well as with a multitude of other groups in assuring the success of research and education programs.

If confirmed, I would look forward to being on the point in working with you, the Department, the Nation's land grant and other agricultural universities, American industry, and others in assuring the success of research and education programs. I pledge to you that, if confirmed, I will work as hard and as effectively as I can to support American agriculture through these programs in the U.S. Department of Agriculture.

Thank you for your consideration, and I would like to respond to your questions and hear your comments at the proper time. Thank you, sir.

[The prepared statement of Dr. Buchanan can be found in the appendix on page 24.]

[The biographical information of Dr. Buchanan can be found in the appendix on page 43.]

The CHAIRMAN. Thank you.

Mr. Kesselman, again, we are pleased to have you here, and I would state for the record that we have a statement from Senator Lamar Alexander of Tennessee by way of introduction of Mr. Kesselman and in support of Mr. Kesselman's nomination, and it will be entered in the record.

The CHAIRMAN. Mr. Kesselman, we are happy to hear from you.

STATEMENT OF MARC L. KESSELMAN, OF MARYLAND, TO BE GENERAL COUNSEL, U.S. DEPARTMENT OF AGRICULTURE

Mr. KESSELMAN. Thank you, Mr. Chairman, Senator Harkin, and other distinguished members of this committee. Thank you for providing me with the opportunity to appear before you today. I am deeply honored to be here as the President's nominee for General Counsel of the United States Department of Agriculture.

I would like to express my gratitude to President Bush for nominating me for this position. If confirmed, it would be a privilege to serve under the leadership of Secretary Johanns and Deputy Secretary Conner. I also want to thank Senator Alexander for his support.

With me here today is my wife, Risa Cherry Kesselman, along with our daughter, Ileana. Our 6–month-old son, Adam, is at home today. I want to thank Risa for her constant support and encouragement. She is a talented lawyer and a dedicated public servant in her own right.

My parents, Sally and Fred Kesselman of Memphis, Tennessee, are also here. I am forever indebted to them for sacrificing so much to give me the opportunities that led me here today. Also joining me today are several friends and colleagues, and several more people listening over the Web, including my sister, who could not be

here because she is abroad, and Risa's parents and my grandfather, who couldn't make it for health reasons.

Mr. Chairman, I appreciate the courtesies that this committee has extended in advance of the hearing. If confirmed I look forward to the opportunity to work with all of you and your staff. I am committed to developing a close and cooperative working relationship with this committee and with the Congress. In all of our dealings, I would start with one very simple premise: We all share the goal of a Department of Agriculture that works for America's farmers, ranchers, producers, consumers, and rural communities.

To achieve this goal, my primary role would be to provide the best possible legal advice and counsel to the Department's leadership team on the many challenging issues facing USDA. Whether the issue of a particular day involves our Nation's 192 million acres of national forest lands, the food assistance programs that serve one in five Americans every year, protecting plant and animal health, or fighting to open export markets for America's agricultural products, I will work tirelessly and to the best of my ability to faithfully discharge the duties of my office.

I am excited by the opportunity to contribute to the important mission of the Department and, if confirmed, stand ready to tackle the legal challenges confronting the Department. I have worked as a lawyer in the Federal Government and in the private sector. I began my legal career as a law clerk for Judge Julia Gibbons, who was then Chief Judge of the United States District Court for the Western District of Tennessee. She was a key influence in shaping my legal career and instilled in me a great respect for the law. I then spent several years as a litigator with a private law firm and in the Civil Division of the Department of Justice. In these jobs, I learned the nuts and bolts of trying cases. I left private practice for The Department of Justice for the opportunity to represent the United States in constitutional matters.

I currently serve as the Deputy General Counsel of the Office of Management and Budget (OMB) where I provide legal advice and analysis on a wide variety of statutory, legislative, regulatory, administrative, and policy issues. In this position, I have worked with USDA attorneys, and I know firsthand that the Office of General Counsel has an outstanding, highly experienced career legal staff. If confirmed, I look forward to working with them and learning from them.

I also look forward to contributing to the effective, citizen-centered, results-oriented management of the Department and its programs. It is, however, not sufficient that the Department be run efficiently. It must also ensure equal opportunity for all individuals. I share the vision expressed by Secretary Johanns in his Civil Rights Policy Statement when he said, "We must strive for a workplace that respects differences and embraces diversity. Our programs and services must be accessible and delivered to all of our customers fairly and with dignity. There can be no exceptions or excuses." If confirmed, I will work to implement this vision.

In closing, I would like to thank the committee for holding this hearing and for considering my nomination to be the Department's next General Counsel. It would be an honor and a privilege for me to serve our President and the American people in this position.

Should you see fit to recommend my confirmation to the Senate, and should I be confirmed, I will devote all of my energy and effort to doing the kind of job that merits your confidence.

I would be very pleased to answer any questions you have. Thank you again, Mr. Chairman.

[The prepared statement of Mr. Kesselman can be found in the appendix on page 30.]

[The biographical information of Mr. Kesselman can be found in the appedix on page 154.]

The CHAIRMAN. Thank you very much, Mr. Kesselman.

Mr. Rutherford, as we allow you to make a statement, I would note for the record and will introduce into the record without objection two letters of recommendation with respect to your nomination--one from Mr. David R. Craig, County Executive of Harford County, Bel Air, Maryland; also a letter from Mr. Robert S. Downs of the law firm of Miles and Stockbridge in support of your nomination. And these will be so entered.

[The letters of recommendation were not submitted for the record.]

The CHAIRMAN. Mr. Rutherford, welcome.

STATEMENT OF BOYD K. RUTHERFORD, OF MARYLAND, TO BE ASSISTANT SECRETARY FOR DEPARTMENTAL ADMINISTRATION, U.S. DEPARTMENT OF AGRICULTURE

Mr. RUTHERFORD. Thank you, and good morning, Mr. Chairman and Senator Lugar. I am honored to sit here before you today. I am humbled by the President's nomination and the confidence he and Secretary Johanns have in my ability to serve as Assistant Secretary for Administration.

I am joined today by my family: my wife, Monica; my daughter, Lauren; my mother, Dorothy Rutherford; and other family and friends. Our youngest daughter, Kristen, could not attend this morning as there is testing in Howard County, Maryland, today. Also, our adult, Marshall, who lives in Southern California, is unable to join us because of work obligations.

I appreciate this opportunity to highlight my administrative experience and qualifications for the position that we are here to discuss today.

On January 16, 2003, I was nominated by Governor Robert L. Ehrlich and later confirmed by the Maryland State Senate to the position of Secretary of the Maryland Department of General Services, or DGS. At DGS, we are responsible for security, maintenance, construction, and engineering services of State facilities, including the historic State House and legislative office buildings in Annapolis. We are also the primary procurement agency for the State, procuring over $1 billion in contracts per year.

Our mission at DGS is to serve Maryland and its citizens by ensuring State agencies are able to achieve their respective missions in a safe, efficient, and effective manner. Accordingly, we focus on customer service. Upon my arrival to the department, I found that many of our customer concerns were going unaddressed; in response, we initiated a concept that I saw implemented during my tenure at the United States General Services Administration that called for a single point of contact. In the past, customer agencies

would voice their concerns with regard to facilities or other items to whomever they came in contact with and often outside of the area of responsibility. To correct this problem, we vested responsibility for customer service within a newly created Office of External Affairs, within the Office of the Secretary. Now all divisional leaders know that customer concerns that are outside of their division or cross divisions are to be referred to External Affairs for follow-up and resolution.

My focus on customer service started in my early career as a sales representative for the old Control Data Corporation. I found success as a salesman by focusing on servicing existing customers. By being personally responsive to the customer needs, it engendered confidence on the part of our customers and loyalty in the most competitive environments.

In addition to emphasizing customer service, the department has been able to help Governor Ehrlich turn around the State's budget challenges through improved efficiencies and more effective resource utilization. With the support of an excellent staff, DGS has been able to save the State over $78 million in the 3 years that I have served as Secretary. Now, $78 million may seem small when compared to Federal budgets, but it does represent at least 1 year of our general fund budget in the department.

Before concluding, I would like to express my support and appreciation for agriculture and its impact on our lives. Being a city boy, as I was born and reared right here in Washington, D.C., one might ask how did I get considered for this opportunity. I asked that question myself.

First, the position of Assistant Secretary for Departmental Administration is a management position. The chief function is to ensure that the Secretary and the Department in general have the tools and support necessary to carry out the important mission of USDA. Unless USDA is able to operate efficiently and effectively, it cannot provide the essential services needed to ensure that American consumers continue to enjoy some of the lowest costs and safest foods in the world.

Second, during my tenure in State government, I have grown to understand the significant impact of agriculture on Maryland as well as the national economy. Maryland is often looked at as an urban/suburban small State. However, many people are surprised by the impact of agriculture on the State's economy, ranging from the fisheries on the Chesapeake Bay, the poultry industry on the Eastern Shore, the horse breeding and training facilities in the North/Central portions of the State, and all the industries that support them contribute billions of dollars to the State's economy.

Last, the area of bioenergy is a significant but small overlap with some of the work I have been doing over the past year at General Services. The Maryland Department of General Services has been in the lead of supporting legislation currently before the Maryland Legislature to require the use of biodiesel in the State's diesel fleet. In addition, our department is in the process of installing the first State-operated ethanol filling station at the Baltimore State Office Complex. Accordingly, I look forward to continuing this effort as well as supporting the mission of USDA in expanding the use of bio-based products.

In conclusion, if confirmed as Assistant Secretary of Administration, I will make sure that Departmental Administration is customer service oriented with a focus on providing the services needed to allow the USDA to carry out its mission.

I appreciate this opportunity to be before you today, and I await your questions. Thank you.

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

[The biographical information of Mr. Rutherford can be found in the appendix on page 175.]

The CHAIRMAN. Thank you.

Ms. Strachan, we look forward to hearing your comments.

STATEMENT OF LINDA A. STRACHAN, OF THE DISTRICT OF COLUMBIA, TO BE ASSISTANT SECRETARY FOR CONGRESSIONAL RELATIONS, U.S. DEPARTMENT OF AGRICULTURE

Ms. STRACHAN. Thank you, Mr. Chairman.

Mr. Chairman, Senator Lugar, thank you for considering my nomination as Assistant Secretary of Agriculture for Congressional Relations. I am honored to appear before you today, and thank you for the opportunity to introduce my family.

Behind me is my mother, Queet Strachan, and she is from South Carolina; my brother, Steve, and his wife, Martie, and they are from Wilmington, Delaware; my Uncle Bruce--and I could go on. I have got two nieces, a godson, lots of aunts and uncles--this whole section. So thank you for giving me the opportunity to introduce them.

I wish to thank President Bush for nominating me for this position and Secretary Johanns and Deputy Secretary Conner for their support of my appointment. I have tremendous respect for the Department of Agriculture and the community it represents. I recognize the importance of rural America and agriculture to our Nation. And, if confirmed, I look forward to having the opportunity to work with this committee to promote our common goals for U.S. agriculture.

At a very early age, my brother and I came to Capitol Hill. We sat in the Senate Gallery and on the Senate floor speaking was Senator Everett Dirksen. I will never forget his voice, and I will never forget his presence. Little did I know that many years later I would end up working in the Majority Leader's office for Senator Baker, his son-in-law. I would like to express my gratitude and respect to Senator Baker for teaching me the "ways of the Senate" and for guiding me toward public service.

Before coming to Washington, I was a 6th grade social studies teacher in Virginia Beach, Virginia. And as part of a lesson on the legislative process, my students and I drafted a proposed bill. We worked with our State legislators and actually got it introduced in the General Assembly in Virginia. We went to Richmond to lobby for its passage, and as luck would have it, we were successful in getting the bill passed and signed by the Governor that year. Because of our efforts, the Commonwealth of Virginia has an official State shell, and that is the oyster shell. After this experience, I left teaching and headed to Washington.

Mr. Chairman, I have spent 14 years in Federal service working at the Department of State and the Environmental Protection Agency. During this time, I learned the importance of working closely and cooperatively with Congress, State and local officials, as well as a broad range of constituent groups on various policy initiatives.

Most recently, I worked for an agribusiness company, Monsanto, which is headquartered, in St. Louis, Missouri. In this position, I spent a significant amount of time traveling throughout farm country. During my tenure, I gained tremendous respect and admiration for farmers who work to provide Americans with a safe and affordable food supply. I have had the pleasure of working with several members and staff on this committee and others on a variety of issues, including biotechnology acceptance and conservation programs.

If confirmed by the Senate, I will apply the skills, knowledge, and experiences I have gained over the years to represent the views of the administration and the Department of Agriculture on matters before this committee. If confirmed, I pledge that I will make sure your views are accurately conveyed and understood at the Department. I will keep the lines of communication open and will strive to see that your concerns--and those of your constituents--are answered in a timely manner.

Mr. Chairman, thank you for giving me the opportunity to testify today. It is a great honor for me and for my family. Thank you for your consideration, and if you have any questions, I will be more than happy to answer them.

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

[The biographical information of Ms. Strachan can be found in the appendix on page 191.]

The CHAIRMAN. Thank you, and each of you, for your comments, and we are pleased to see all your family here. They are deservedly proud of you, and it says a lot that you have got so many folks here in support of you. So welcome to all of you.

Mr. Rutherford, as I told you in my meeting with you previously, Governor Ehrlich is a very close personal friend. He and I were elected to Congress together, and knowing the great respect that he has for you, we are not going to worry about you not being able to drive a tractor down there.

[Laughter.]

The CHAIRMAN. We are going to let Dr. Buchanan drive that tractor.

Mr. RUTHERFORD. Thank you.

The CHAIRMAN. We are just going to let you make the good policy. That is what that is all about.

Before I begin the questioning, I will turn to my ranking member, my good friend Senator Harkin, for any comments he has to make.

STATEMENT OF HON. TOM HARKIN, A U.S. SENATOR FROM IOWA, RANKING MEMBER, COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Senator HARKIN. Well, thank you very much, Mr. Chairman. I welcome our four nominees to the committee today, obviously all well qualified to fill these positions.

First of all, Mr. Chairman, I know that Dr. Buchanan has been a Georgian for about 20 years, but in reading his resume, I see that he traveled to Iowa State University to get his Ph.D., my alma mater. So I guess we can both claim him--OK?--as one of our own from Iowa State.

[Laughter.]

Senator HARKIN. General Counsel office, again, the position must be filled by someone who appreciates the diversity of USDA programs. Farm programs, crop insurance, conservation, food stamps, school lunches--all those things have to be taken into account and require the best legal advice.

We rely on the Assistant Secretary for Administration to help keep the Department running and to make the most effective and efficient use of the resources that we devote, Mr. Rutherford. And again, we here in Congress really rely upon having a good, conscientious person filling the position of Assistant Secretary for Congressional Affairs. I have known and worked with Linda Strachan for a number of years, with Monsanto, and, again, I could not ask for a better working relationship and keeping open lines of communication which are just vital to us here in Congress. And I guess I did not know that your tutor had been Senator Baker, but you had a great tutor in Senator Howard Baker. And so I just have every confidence that Linda Strachan will fill this position admirably and well and will excel in these responsibilities.

So four good nominees, Mr. Chairman. I welcome them and look forward to supporting them and hope we can get them through as expeditiously as possible.

[The prepared statement of Senator Harkin can be found in the appendix on page 22.]

The CHAIRMAN. Great. Thank you very much.

Dr. Buchanan, you know that one of my pet projects is agricultural research or research in general, whether it is agriculture, defense, science, health, whatever. I think it certainly portends for the future of this country.

You have worked as an agricultural scientist and within the experiment station and university system for virtually your entire career, and we will take particular note that you did get your Ph.D. at Iowa State, and in spite of that, we know that you know an awful lot about agriculture.

[Laughter.]

The CHAIRMAN. Actually, those folks at Iowa State, Tom, are becoming even more and more important, and, you know, we have got a special issue that just came up in the last several days where the University of Georgia and Iowa State collaborated on our BSE issue. And Iowa State is such a great university, particularly from an agriculture perspective.

As Under Secretary for Research, Education, and Economics, you will have the opportunity and responsibility to lead the entire U.S.

agricultural research system. What issues or problems have you witnessed in your past positions that you would now like to address? What goals have you set for the research, education, and economics mission? What would you like to accomplish during your tenure in this position?

Mr. BUCHANAN. Thank you, Senator Chambliss. That certainly is a good and far-reaching question and one that I have thought about. And I guess if I had to sum up what I would really like to accomplish, it is to do everything I can to strengthen the research and education aspects throughout agriculture. And, of course, clearly one of the first things you always look at is how do you fund agricultural research and education, but I look at more how we can find ways to work together among all various entities. Having been involved in the land grant university system and watched over the past several decades efforts to develop more collaborative relationships among universities, I think that is something that I want to try to do, that is to strengthen cooperative relationships among all universities, including The Agricultural Research Service, but even more important is to find ways to get more agricultural research throughout the existing universities. I know at the University of Georgia anytime you can get scientists in other parts of the university to work on agriculture-related problems, it is to our advantage.

And so I think that if I had one single goal I want to do, it is to try to build more collaborative relationships among everybody that can contribute to the solving of problems in agriculture.

Senator T4Harkin. Mr. Chairman, if you would excuse me, I have an FDA hearing on Ag Appropriations at this very time, and because of this BSE issue and FDA is here, I have got to go and attend to that.

The CHAIRMAN. Sure.

Senator HARKIN. So I apologize, but I just wanted to be here, again, to welcome our nominees and say that on our side we hope that we can get them through as quickly as possible. They are all well qualified.

The CHAIRMAN. Thank you. Tell those appropriators we are talking about ag research. We want more money.

[Laughter.]

Senator HARKIN. I got my marching orders. Thanks.

The CHAIRMAN. Thanks, Tom.

Funding for agricultural research has not kept pace with the Federal investments in other areas of science and research. This is going to be one of your biggest challenges. Now, you somewhat alluded to that. Setting aside that challenge, what are the greatest scientific issues that you think are facing agricultural research in the United States?

Mr. BUCHANAN. That is another good question, and, clearly, they are the kinds of things that I have spent a lot of time on during my last decade as dean and director of agriculture at the University of Georgia. Certainly the whole area of food safety is one that I think is critically important. Another one is the emerging issue of energy, and that is one that we are seeing more discussion about. But, clearly, that is an area that we need to be working on.

I have personally been involved over the past few years in trying to stimulate more interest in looking at things that on the surface

you do not think are necessarily related to energy. For example, the cost of nitrogen. I think we have got to develop more effective ways of growing our nitrogen rather than depending upon nitrogen from petroleum products. So these are the kinds of issues that I see as important.

Another thing, too, is it seems like we have a never ending supply of new diseases and new problems. Just this past year or the last couple of years, we have seen the soybean rust come on like gangbusters. We still do not know what the potential for that disease will be.

We have also seen tomato spotted wilt virus emerge as a real problem, and I can remember, if we go back just a couple of decades, you had never heard of it. But, also, we have other diseases like citrus canker and citrus greening, in other parts of the country. So keeping up with just the problems is a major challenge, but when you add all those together, I think we have a full portfolio of challenges for agricultural research in the future.

The CHAIRMAN. Thank you. And for those of you who are not from the South "nitagen" is the same as "nitrogen."

[Laughter.]

The CHAIRMAN. Mr. Kesselman, could you please describe for the committee your qualifications to be General Counsel at USDA?

Mr. KESSELMAN. Thank you, Mr. Chairman. I appreciate the opportunity to address my qualifications. Not only am I excited by the opportunity to serve at USDA, but I feel that I am ready.

My background is in both the Government and private sectors. I have had the opportunity to litigate at the Department of Justice and to work at OMB. At OMB we have a chance to see issues across the Government—issues that will ultimately go to litigation, regulatory issues, and legal policy issues. I have also worked in the private sector where I have represented regulated parties, and so I understand the effects that Government regulations and actions and activities have on real people in the real world.

I would also say from my experience working with USDA staff that I appreciate and understand what a great and experienced crew there is in the Office of the General Counsel. I would look forward to working with the career attorneys, drawing upon their expertise and using the skills that I have built at OMB, The Department of Justice, and in private practice.

The CHAIRMAN. You mentioned that you have been at OMB and at Justice. What involvement have you had with agricultural issues in your career? And how familiar are you with the programs and the organization of USDA?

Mr. KESSELMAN. Thank you, Senator. At OMB I have had an opportunity to work with agencies across the Federal Government, including USDA. One of the things that I do on a daily basis is provide advice to people who are involved in the rulemaking process. Some very big USDA rulemakings have come through during the last couple of years, especially on the animal health side with BSE regulations. There have also been issues involving the COOL Program, animal identification, and other issues be of significant importance to USDA. In some form or another, we see many of USDA's issues at OMB. I would come to USDA with a good idea of the types of challenges that face the Department, and I am anx-

ious to participate in resolving those challenges because they affect every American's life.

The CHAIRMAN. Mr. Kesselman, I do not know whether Senator Salazar will be here or not, but he very well may be, and I thought he might ask questions related to this. But in all fairness, we received a letter from Mr. Lupe Garcia of the Hispanic Farmers and Ranchers of America regarding to your nomination. He is not critical or objecting to your nomination, but he has asked that we seriously subject you to examination relative to some issues pending at USDA, and let me just cite this. I think you are familiar with this.

He says, "Inasmuch as there are numerous outstanding class action lawsuits and legal actions currently pending against USDA, the nomination of Mr. Kesselman warrants careful scrutiny. Mr. Kesselman should be subjected to a full hearing debate about his qualifications to be the next General Counsel. Mr. Kesselman should be closely questioned concerning his plans, if any, to deal with the numerous discrimination lawsuits against USDA that are costing taxpayers millions of dollars each year in legal fees and contributing to USDA's reputation as the last plantation. That discrimination of the sort that is both well documented and admitted should exist in 2006 is appalling and is all the more reprehensible that such discrimination is perpetrated by a Federal Government agency funded by taxpayers who pay for the privilege of being victims of discrimination."

So I want to give you the opportunity to address that particular issue in response to the comments of Mr. Garcia.

Mr. KESSELMAN. Thank you, Mr. Chairman. I appreciate the opportunity to address the race relations issues that have been the subject of litigation involving USDA. I am aware Hispanic farmers, African American farmers, and other classes have filed lawsuits.

I think that any discussion of that issue has to begin with one very simple premise: discrimination on the basis of race, national origin, ethnicity, gender, or any of the other prohibited factors is wrong, both as a legal matter and as a matter of principle. I would come to the position with that fundamental belief.

I understand that there is litigation pending in the D.C. Circuit in which Hispanic farmers have filed a class action lawsuit for discrimination in the administration of credit programs. The topic of the motion before the court is whether or not the class should be certified. The court recently resolved the issue as it applies to female farmers, but has not yet resolved the issue as it applies to Hispanic farmers. I think that decision will probably come down any time now, and certainly, if confirmed, it would be my responsibility to deal with that decision. In terms of a specific plan, I would work with you, Mr. Chairman, with Senator Salazar with the citizen who wrote this letter, and with any other stakeholders to make sure that people feel they are being treated fairly. Decisions about USDA's litigation posture must be made with the full facts in mind.

The CHAIRMAN. Thank you for those comments. In my State we have a number of minority farmers who are outstanding farmers. Dr. Buchanan and I have had the opportunity to work with any number of them, and we want to make sure that USDA is once and for all rid of this tag that I think in a lot of instances is unfairly

given to them. So we look forward to working with you as we move through this, and all the other complex and controversial issues that might be forthcoming.

Mr. Rutherford, USDA has over 100,000 employees, 14,000 offices and field locations, $128 billion in assets, and provides approximately $100 billion in loans, loan guarantees and insurance. Obviously, it is a major job to administer such a large organization. While you have overseen large entities in your career, USDA is one of the largest organizations in the world. How does your background prepare you for this kind of responsibility?

Mr. RUTHERFORD. Thank you for that question, and you are absolutely right, it is going to be a challenge. It is a large organization, but I believe my history, and particularly in Maryland, with the administration of the Department of General Services, which essentially serves as a back office or backbone for the entire State Government has prepared me for the challenge. We touch every agency, every department throughout the State. We house and provide the equipment and services for the several hundred thousand employees that work for the State, as well as provide security. While we are not directly responsible for their programs, we are the support agency for other State governmental functions.

I would look at my role, if confirmed, in departmental administration, in a similar manner, as the support function for the mission of USDA. And as I said initially in my statement, we would need to make sure that we are operating in an effective and efficient manner to make sure that mission can be carried out.

The CHAIRMAN. Thank you. For years USDA has faced information technology challenges, including the inability of agencies within the Department to share information with each other. Given your experience in State and Federal Government, are there strategies that USDA should pursue to better manage its information technology infrastructure?

Mr. RUTHERFORD. Well, first of all, I would need to explore what the challenges have been in the past and currently. Not being on board, I don't know exactly what their challenges are.

However, what I found is that in most cases there's a communications challenge. There's also what can often happen--and I'm not saying that this is going on at USDA--is that you can have proprietary or people having silos, and they don't want to share their information or work together. And one of the things I think I have been able to do is to bring different philosophies together. I'm trying to be nice in terms of sometimes you have strong personalities that can head different agencies and different departments, and it can be a challenge to bring them together. But once you recognize those and cut through the silos, I think you can address most of those challenges, and we will look forward to work on that area.

The CHAIRMAN. This idea of spreading information technology to rural America is something Senator Lugar, I know, has a particular interest in. I have a very keen interest in it, and I have expressed to both Secretary Johanns, as well as Teresa Lassiter, the Director of FSA, that as we look at consolidating or eliminating FSA offices around the country, all of that is fine and good, but we cannot forget the fact that our farmers have got to have access to their Government and their U.S. Department of Agriculture. I hope

that we are going to give some serious thought, as we go through this process, to make sure that those farmers who are moving ahead in this new world of information technology, and as they do not have access to an FSA office that may be close by, that we can give them access to USDA through technologies, so that they can sit in their offices or in their homes, instead of having to go to an FSA Office that may be further away than what they are used to. I think it is going to be a critically important decision and process that you will be involved in, so we look forward to engaging in this with you down the road.

Ms. Strachan, you have been involved in congressional relations for a number of years. Are there lessons from your private sector experience that you think would be useful at USDA?

Ms. T4Strachan. T1Mr. Chairman, I think I had some wonderful experiences in the private sector that I can bring to Department of Agriculture. I was fortunate to be able to participate in educational opportunities, helping staffers learn about agriculture outside of the Washington area, to see new technologies, and meet with researchers who are working on interesting projects that are bringing value to the American farmer. Those are the type of activities that I would like to continue at the Department, if confirmed.

The CHAIRMAN. I believe it is important to have open lines of communication between Congress and USDA, and I think you have a unique ability to be able to do that based upon your previous employment and your contact with all of us up here on the Hill, who have known you for many years, and have had the opportunity to work with you for years. How do you plan to move forward and facilitate that communication, with USDA, and the Hill?

Ms. STRACHAN. I'm very fortunate, if confirmed, to work with Secretary Johanns and Deputy Secretary Conner, who also share the same view about keeping the lines of communication open and making sure that the Hill is briefed, as your constituents need to know. The fact that there are a lot of top drawer tickets coming up regarding agriculture, it is very important that we set up a process that you are regularly briefed on any upcoming issue. If confirmed, I would make sure a process was definitely in place.

The CHAIRMAN. Good. Let me just say I am in my 12th year on the Hill now, and this Secretary of Agriculture has been the most open and the one that has been in communication with the Hill more so than any other Secretary of Agriculture during my 12 years. We work very closely together because we do have that open dialog, and we look forward to working with you to continue that.

Senator Lugar?

Senator LUGAR. Thank you very much, Mr. Chairman. I join you in welcoming our nominees, and congratulating the President on the four excellent choices. I look forward to supporting each one of you, and encourage our colleagues to do that.

Let me just say, Ms. Strachan, I join Senator Harkin and Senator Chambliss in congratulating you in having Howard Baker as a mentor. He is a very good friend of all of ours, but even more importantly, the epitome of good relations between the Congress, the administration and the public, and, obviously, your career has manifested that in many ways.

Ms. STRACHAN. Thank you, Senator.

Senator LUGAR. I would like to have you here and look forward to working with you.

Ms. STRACHAN. Thank you, Senator.

Senator LUGAR. Mr. Rutherford, I was struck by the conclusion of your statement as one of the things that I think is especially important. When you point out, you say, last bio-energy is a small but significant overlap between one of the administration's priorities and what I have been working on for the past year. And you point out that in Maryland you have been working to get legislation to require the use of bio-diesel in the State's diesel fleet, and put up an ethanol filling station.

I do not know what the constraints on you will be in USDA, but I hope that they will not be severe as you perceive, think through in a much larger context. That is, all the vehicle in one form or another come under the purview of USDA, that they would have a bio-diesel capability or a flexible fuel capability, or that they might even be hybrid in terms of their capabilities energy-wise. It seems to me that at this point, as the President has stated, we are addicted to oil, that we have to, in the course of a fairly short period of time, diminish by 75 percent our dependence upon Middle Eastern oil for a variety of reasons. That really requires an extraordinary shift in the whole transportation system of our country, and the leadership that can be offered by departments such as USDA, which have, as Senator Chambliss has pointed out, a strong interest really in people that we are serving, farmers who are now growing for energy, as well as growing for food, and the symbiotic relationship between the administration of the Department and that emphasis is just absolutely critical.

I have no idea how far and how rapidly you can proceed. I would hope that it would be a very strong process, because usually testimony on these things points out that Rome was not built in a day, that these things take time, that in the fullness of time, maybe three administrations down the trail, certain things will happen, when really the Congress hopes that things will happen in 2006. The strength of our country will be manifested to others really in this timeframe, and without getting into the problems of foreign policy that should verge really upon this situation. The fact is that we are not as credible as we need to be as a Nation. In terms of moving toward non-energy independence, but simply an ability to hold our own against other powers that do not wish us well.

So I am most hopeful, and I will be eager to hear of your progress, and look forward, as I know others will on this Committee, as supporting that.

In the same framework, Dr. Buchanan, your research efforts have covered a myriad of fields. But I would hope that the specific emphasis USDA can place upon research and energy now would really come to the fore. The President, when he has visited with Senators, has pointed out that cellulosic ethanol is very, important to him, but then he qualifies this by saying within a 6–year period of time or some other context. As you may know, there is a potential plan that could be available in Idaho this year. It is a question of moving ahead to the Treasury guarantees and that type of thing, which you cannot handle in a research position in USDA. But with

your expertise, this certainly can be a strong voice as to what this means.

Now, the President is talking about cellulosic ethanol because various types of biomass occur in all of the States of the Union. Some critics of corn-based ethanol point out that the Midwest is not the entirety of U.S. agriculture, and as enthusiastic as many of us are about building ethanol plants using corn or bio-diesel plants that may use soybeans, the fact is, as the President pointed out in a meeting we had, in Arizona and New Mexico, and what-have-you, may be out of luck with regard to any of the above. But nevertheless, in every State there are biomass sources, and the question will be how to organize this material, how to transport and how to provide laboratories that convert it into something that is a renewable fuel every year in the same way that agriculture provides abundance in our food supply. Once again, people say, well, in the by-and-by, this may all work out. But we are in a critical point in this world, in which it has to happen very, quickly, and there has to be credibility.

And so, I am excited by your coming to the Department because you really bring an understanding of agriculture and the world and the ways we make money in agriculture. Your own farming experience manifests that. I saw your experience as a tree farmer, and I identify with that. Your harvest of trees and your pointing out how $28,000 was yours and so forth, that is very valid, taking a look at that. But I am really most hopeful that you can outline for the Committee, as you come back and forth to visit with us, or even when you don't visit with us, to send us reports, letters and what-have-you that offer encouragement as to what is happening in energy research.

Do you have any broad comment about that as you undertake these responsibilities?

Mr. BUCHANAN. Yes, sir, I certainly do, and I appreciate your comments, Senator Lugar, because I am one of those that is firmly convinced that we need to be looking at every possible aspect of energy, and certainly, I am convinced--and I think I am right--that one of our real opportunities for solution is what we can grow utilizing the energy from the sun. And by definition, that which we can get from energy from the sun is agriculture. And there are many, many different opportunities, and it is not just one part of the U.S. that is blessed, but the whole country has opportunities.

I took a group of farmers and Development Authority officials out to the National Renewable Energy Laboratory (NREL) out in Golden, Colorado this past summer to study and look at the energy research going on at NREL. Then we visited some facilities in Nebraska and Iowa and spent some time at Iowa State. Then we visited in southern Minnesota and on over into South Dakota, and clearly, they have fantastic opportunities for corn, as we know, but also wind. In much of the other parts of the country, we don't have much wind. Well, you don't have much opportunity for biomass in some parts of the Southwest, but you certainly have a lot of sunshine, and I think we must consider all of the opportunities we have, and get on with the business. Clearly, developing energy is one of the areas that, as I mentioned, in response to Senator Chambliss's question, I think is a real challenge.

And as I also pointed out, things like growing your own nitrogen is one of those you don't think of as being energy-related, but yet, most of our nitrogen comes from petroleum products, from natural gas. So if you can grow that and combine it into a production systems without having to make that purchase, then that is just as good as filling up your car with ethanol.

So, Senator, I think you're exactly right, and I really look forward to work in this area because I think it's one of the great opportunities we have.

Senator LUGAR. Let me just ask one more question. It is a settled aspect of this, but sometimes, as people in my home State of Indiana take a look at the fact that 14 percent of our corn now is going into ethanol, and that may be 20 percent by the end of this year, and that surprises most corn farmers that things have moved along that rapidly. It makes them happy because the price of corn is a little stronger, given the large surpluses in the world, and that will probably continue to be the case.

But let us take the opposite case that people who say, after all, God meant this corn to be used for feed for either human beings or for livestock, and not for energy, and we are going to run out of it. Or they will make an argument that we are going to run out of farmland if we continue to use that many acres for biomass or for soybeans, and for soy-diesel and what-have-you. One of the arguments, of course, and your lifetime has encompassed, as mine has--I have seen it on our own farm--the yield in corn go from 40 to 50 bushels to the acre, to 140, to 150, just in the course of that period of time. And therefore, Americans doing research have done remarkable things in tripling our yields, more than that on some occasion. And working through Dr. Borlog and others in the Green Revolution around the world.

So can you think of at least an agenda likewise in research, leaving aside these exciting new vistas in energy, likewise address the problem of yields, how we are going to in fact improve corn and soybeans, or wheat, you know, common objectives, but ones in which some people say, well, we have almost reached the limits of this. Can you assure us the best is still to come?

Mr. BUCHANAN. I am firmly convinced the best is still yet to come. And of course there's other things, and you know, in the President's address he mentioned switchgrass, which gets back to cellulosic ethanol. I think that this has clearly got to be one of the high priorities. I know that NREL is really working in this area, but a lot of other laboratories are working too because we really need the enzymes that really make cellulosic ethanol a reality.

While we're talking about agricultural opportunities, we need to be thinking about all of the other products that we could use, for example things from cities. A lot of people don't think about cities as having a lot of waste material, but there's literally thousands and thousands of tons of biomass that could be converted into useful energy if we had the technology to do it. So that's another area that I think we're going to see some research emphasis on in the future.

Senator LUGAR. We look for your leadership to keep us excited.

Mr. Kesselman, just one final question that I have. You have made an excellent and important statement about racial discrimi-

nation and your own convictions, with which this committee agrees, and it is important, because over the years we have had a number of hearings in our committee that have been disturbing in terms of testimony of those who felt discrimination had occurred in agricultural programs. It is not new, but it is not entirely resolved. Your ability to work constructively, this is very important.

I am just curious, as you survey that job, as you have taken a look at it, what kind of lawsuits occur in USDA? What is likely to be your portfolio of activity as you look at it presently?

Mr. KESSELMAN. Senator, thank you. USDA is an incredibly large and diverse organization. The types of conflicts that arise are as diverse as the mission areas of the Department itself. The Department has been litigating these program class actions involving allegations of discrimination in the administration of credit programs. At the same time, lawyers in the Office of the General Counsel are also busy enforcing trade practices laws with respect to agriculture. They are also representing the Forest Service to ensure compliance with environmental statutes. They are also helping to make sure that we have the legal authorities that this country is going to need in the event that the avian flu comes over here.

It is incumbent upon the next General Counsel to be able to work with the attorneys in the Office of the General Counsel on a wide variety of subject areas. I is also important to have a cooperative working relationship, not just with the various policy officials who work at the Department of Agriculture, but also with officials across the Federal Government. I think that my OMB experience will be a real strength if I am confirmed, because I have worked with the Chief Counsel of the Food and Drug Administration and the General Counsel of HHS. I've worked with the attorneys at the EPA, and at the State Department. I think that this breadth of experience could be of benefit to the Department of Agriculture if you see fit to place me in this important position.

Senator LUGAR. That experience will be important, and I appreciate your outlining that.

Mr. Rutherford, I am just intrigued. Are you going to be able to set up USDA ethanol gas stations in each State?

[Laughter.]

Mr. RUTHERFORD. Well, I don't know until and unless I'm confirmed. I'm not sure if we would be able to do that or not, but I would like to explore it and would be willing to sit down and talk to you about that.

Senator LUGAR. You have had the experience in Maryland.

Mr. RUTHERFORD. Yes.

Senator LUGAR. And so I emboldened to ask whether now that your purview may be national, 50 States, that might be replicated, and I hope that will be the case, because once again, the leadership of showing how to do it is tremendously encouraging and important.

Mr. RUTHERFORD. You are correct that the leadership from the President to Secretary Johanns have made bio-energy and bio-based products a priority, and if confirmed, I would look to assist in meeting that mission.

Senator LUGAR. Thank you.

Thank you, Mr. Chairman.

The CHAIRMAN. [Presiding] Thank you, Senator.

Let me just echo Senator Lugar's comments regarding to alternative fuels. He and I share a common interest relative to the development of this issue, and we talked just last week again about it, and we are going to explore some ideas. He mentioned something that, Mr. Rutherford, and I know some of this is light comment, but Senator Lugar and I have a very strong belief in the fact that we can produce all the alternative energy in the world, but if we cannot get it in the hands of the consumers, then it does us no good. We are going to be moving toward the writing of the farm bill next year, and there are a number of members of this Committee who have an interest in alternative fuels, and we are going to continue to develop that. I want to also see if we can have a mechanism for the delivery of those alternative fuels, because I firmly believe that Americans, being what they are, if they pull up to a service station and gasoline is $2.50 and ethanol is $1.10, I think we know what they are going to do, and particularly if that fuel that goes into their cars gives them the same power as gasoline will, and instead of going 10 miles per gallon of gasoline, all of a sudden we go 200 miles per gallon on gasoline, so it is a critically important issue.

Senator Lugar, Dr. Buchanan, is talking a little bit about research in this area. And we do not grow the abundance of corn that you do in the Midwest, but we are believers in alternative fuels, and we were doing something under his leadership at the University of Georgia, while he was Dean there from a research standpoint of taking a crop that we can grow a lot of, which is pine trees, and using it in the manufacture of energy. We are even now taking what used to be the waste, the tops and the limbs that the harvesters leave in the forest, and we are gathering those up now and finding ways of developing those products into energy. So there is a lot of research that needs to be done, but there are a lot of great things that we can do, and I look forward, obviously, to continuing to work with you in that respect.

Ms. Strachan, I cannot let you leave here, since you have mentioned Senator Dirksen and Senator Baker, who is a good friend of both Senator Lugar and mine. The Senate is such a great place from a historical standpoint. We are graced here today with portraits of former members of the Senate Ag Committee, including Senator Lugar up there, including one of my mentors and dear friend, Senator Herman Talmadge up here, but the one thing that we do is we keep a record of all the desks that we utilize on the floor of the Senate as well as in our personal offices. I get to sit behind a desk in my personal office every day that once was the desk of Senator Everett Dirksen, and it is pretty neat stuff. He was not just a great asset to the Senate, he was a great America.

With that, I will remind all members of the committee that they must get their questions in to each of you if they have any additional questions in writing by 5 o'clock today. I would ask that you please get those answers and responses to those questions back immediately, as we want to bring these nominations to the floor, hopefully, this week.

With that, we are going to stand adjourned.

[Whereupon, at 11:09 a.m., the committee was adjourned.]

APPENDIX

March 14, 2006

Opening Statement
Senator Tom Harkin
Nominations Hearing
March 14, 2006

I want to welcome all four nominees to the Committee today. You all appear to be well-qualified nominees to fill these positions at the Department of Agriculture. I congratulate you on your selection and offer my support and best wishes as you assume your new roles.

Mr. Chairman, I know that Dr. Buchanan has been a Georgian for almost 20 years, but I note that he obtained his Ph.D. at Iowa State University. I am proud to say that ISU is my alma mater, so perhaps we can both claim Dr. Buchanan as one of our own. Dr. Buchanan will take on a tremendously important set of responsibilities covering research, education and extension programs and policy at USDA. This area is just absolutely critical across the whole range of challenges in food, agriculture and rural economics both here and around the world – and not least to our own international competitiveness and standing.

The Office of the General Counsel provides legal advice to all mission areas within the Department. The position must be filled by someone who appreciates the diversity of USDA programs – from farm programs, crop insurance and conservation programs to food stamps and school lunches to meat inspection and regulatory programs. All of these areas require the best possible legal advice and when appropriate oversight to make sure that the Department and its employees are fulfilling their legal responsibilities.

We rely on the Assistant Secretary for Administration to help keep the Department running and to make the most effective and efficient use of the resources we devote to USDA and its programs.

We here on this Committee and in Congress generally rely on having a good, conscientious person filling the position of Assistant Secretary for Congressional Affairs. I have known and worked with Linda Strachan for a number of years. Of course, cooperation and keeping open the lines of communication are vital in the Congressional relations slot. I have every confidence Linda will excel in those responsibilities.

I look forward to hearing the nominees' statements, and I will have a question or two at the appropriate time.

Statement of Dr. Gale A. Buchanan,
Nominated by the President to be United States Department of Agriculture
Under Secretary of Agriculture for Research, Education and Economics
March 14, 2006

Mr. Chairman, Senator Harkin, and distinguished members of the Committee. I want to thank you for the opportunity of appearing before you today. I'm honored and humbled to be nominated by our President to be considered for the position of Under Secretary of Agriculture for Research, Education, and Economics in the U.S. Department of Agriculture. I appreciate the opportunity to share some of my background and my interest in agriculture.

With me today is Carol, my wife and greatest supporter. Not here are our three (3) children and one grandson. My daughter Judy, who is a banker, resides with her husband, Sammy, and their son, Stephen, in Birmingham, Alabama. Another daughter, Kimberleigh, is minister of a church in an Atlanta suburb. She and her husband, Allan, live in Woodstock, GA. Our son, Brad and his wife, Kym, live in Adel, GA. Brad is a Research Technician at the National Environmentally Sound Production Agriculture Laboratory in the College of Agricultural and Environmental Sciences at the University of Georgia, Tifton Campus.

I have been associated with agriculture my entire life. I was born and raised on a general farm in Madison County, Florida. Growing up on a family farm, I learned early in life the fundamentals of farming and the nature of rural life. Unfortunately, much of my early experience was low technology. We milked cows, shelled corn, hoed tobacco, chopped cotton, and sawed wood by hand. In fact, we did just about every thing by hand, except cultivating which we did with mules. We had to hoe or pull crabgrass by hand from peanuts in rows that seemed to never end.

If you had told this 10 year old boy that in his lifetime a farmer could take a pint jar of a chemical and kill all the crabgrass growing in an acre of peanuts, he would not have believed you. That would have seemed more far fetched than going to the moon! Well, now we've done both. I still remember clearly the day we got electricity and our most prized possession, an electric refrigerator! Now, everyone in rural areas take electricity for granted and want and expect high speed internet - yesterday!

After graduation from high school, I entered the University of Florida. After graduating with a degree in agronomy and a tour with the U.S. Army, 2nd Infantry Division, I returned to the University of Florida where I completed requirements for a master's degree in weed science. Rounding out my education, I enrolled at Iowa State University. In addition to learning something about midwest agriculture, I completed requirements for the PhD in plant physiology with specialization in weed science. I've also completed post doctoral research in biochemistry at the University of Georgia and in weed ecology at the Weed Research Organization in Oxford, England.

My first job was at Auburn University where I served as a researcher and teacher in weed science and as an administrator of the Alabama Agricultural Experiment Station. My research dealt with weed control in cotton, peanuts, corn, and soybeans along with vegetables and in forestry. Other aspects of my research focused on weed biology, ecology and crop-weed interaction. I also taught "Principles of Weed Science" and directed graduate students at both the MS and PhD levels.

In 1986, I relocated to Georgia as Associate Director of the Georgia Agricultural Experiment Stations and Resident Director of the Coastal Plain Experiment Station in Tifton. After 9 years in that job, I relocated to Athens as Interim Director of the Georgia Agricultural Experiment Stations. In the meantime, the position of Dean of the College came open. I applied and was selected in 1995 to be the Dean and Director of the College of Agricultural and Environmental Sciences at the University of Georgia. I held that job for ten years, stepping down on December 31, 2004. I then taught a course on "The Genesis and Future of the Land Grant University" for one semester and retired from the University on April 30, 2005. Since that date, I've been working *pro bono* for the University of Georgia, Tifton Campus, on special projects.

I have also been involved in other activities that have broadened my agricultural experience. After my dad's retirement, my brothers and I engaged in a general farming operation growing corn and soybeans. This has been an excellent learning experience, enhancing my appreciation for the need of answers to practical agriculture problems.

I have been active in several scientific societies and professional organizations both as a participant and in various leadership capacities. I've been actively involved and served a term as Chair of the Board on Agriculture Assembly (BAA) of the National Association of State Universities and Land Grant Colleges (NASULGC). I also served as Chair of the Board on Agriculture Assembly Budget and Advocacy Committee and the Policy Board of Directors. I have served as president of the American Peanut Research and Education Society and the Southern Weed Science Society. I also served for several years on the Board of Directors of the

Weed Science Society of America (WSSA), and the Council for Agricultural Science and Technology (CAST) where I served one term as president.

My background, educational training and experience provide me with a deep appreciation for agriculture. Having been reared on a farm, I learned early in life the meaning of hard work and responsibility. Experiencing both education and employment at four of our nation's Land Grant Universities further strengthened that appreciation. Finally, my experience in regional and national scientific societies, commodity and trade organizations have contributed to my overall recognition of the importance of agriculture which is among our most important endeavors and enables the success of our civilization. Successful agriculture makes all other of man's endeavors possible. Agriculture is also an important aspect of our nation's economy as well as that of many states. .

American agriculture is strong because of many factors. A major contributor to the success of agriculture is information, knowledge and technology gained through research and education. Few would argue that one of the prime factors in our success has been the success of our research and education programs that tie local, state and the Federal governments, along with our universities, closely together. Our system has been so successful through these joint efforts that it is the envy of much of the world.

I am quite confident that the continued strength and future success of American agriculture is contingent upon new information, knowledge and technology. Consequently, I believe that research and education programs must be supported and carefully nurtured to ensure their future success. We have many challenges and opportunities. In addition to providing food and fiber, agriculture will play a major role in addressing the nation's energy needs in the future. Clearly this is a challenge, but also a great opportunity.

In the U.S. Dept. of Agriculture, we have strong "in house" capabilities thru the Agricultural Research Service (ARS), Economic Research Science (ERS), National Agricultural Statistics Service (NASS) and supported by the National Agriculture Library. Another of our great strengths is the unique relationship we have that brings together the Federal Government and our states through the Cooperative States Research Education and Extension Service (CSREES). This program ties the U.S. Dept. of Agriculture closely to the nation's Land Grant universities. This includes the "1862", "1890" and "1994" Land Grant Institutions as well as some other universities that have agricultural programs.

The position of Under Secretary REE, carries an important responsibility in working with each of these agencies and institutions as well as a multitude of other groups and organizations in assuring the success of our research and education programs in support of American agriculture.

If confirmed, it would be an honor as well as a challenge to be "on the point" in working with you, the Department, the nation's land grant and other agricultural universities, industry, and

others in assuring the success of research and education programs in support of agriculture. I pledge to you that I will work as hard and effectively as I can to support agriculture thru research and education.

Thank you for your consideration and I'd like to respond to your questions and hear your comments.

STATEMENT OF MARC L. KESSELMAN
USDA NOMINEE FOR GENERAL COUNSEL

To The
U.S. Senate Committee on Agriculture, Nutrition and Forestry
March 14, 2006

Mr. Chairman, Senator Harkin, and other distinguished members of the committee: Thank you for providing me with the opportunity to appear before you today. I am deeply honored to be here as the President's nominee for General Counsel of the United States Department of Agriculture.

I would like to express my gratitude to President Bush for nominating me for this position. If confirmed, it would be a privilege to serve under the leadership of Secretary Johanns and Deputy Secretary Conner. I also want to thank Senator Alexander for his support.

With me here today is my wife Risa Cherry Kesselman, along with our daughter Ileana. Our six month old son Adam is at home today. I want to thank Risa for her constant support and encouragement. She is a talented lawyer and a dedicated public servant in her own right.

My parents, Sally and Fred Kesselman of Memphis, Tennessee are also here. I am forever indebted to them for sacrificing so much to give me the opportunities that led me here today. Also joining me today are several friends and colleagues.

Mr. Chairman, I appreciate the courtesies this Committee has extended in advance of this hearing. If confirmed, I look forward to the opportunity to work with all of you and your staff. I am committed to developing a close and cooperative working relationship with this Committee and with the Congress. In all of our dealings, I would start with a very simple premise: We all share the goal of a Department of Agriculture that works for America's farmers, ranchers, producers, consumers, and rural communities.

To achieve this goal, my primary role would be to provide the best possible legal advice and counsel to the Department's leadership team on the many challenging issues facing USDA. Whether the issue of a particular day involves our nation's 192 million acres of national forest lands, the food assistance programs that serve one in five Americans at some point during the year, protecting plant and animal health, or fighting to open export markets for America's agricultural products, I will work tirelessly and to the best of my ability to faithfully discharge the duties of my office.

I am excited by the opportunity to contribute to the important mission of the Department of Agriculture, and if confirmed, stand ready to tackle the legal challenges confronting the Department. I have worked as a lawyer in the federal government and in the private sector. I began my legal career as a law clerk for Judge Julia Gibbons, who was then Chief Judge of the United States District Court for the Western District of Tennessee. She was a key influence in shaping my legal career, and instilled in me a great respect for the law. I then spent several years

as a litigator with a private law firm and in the Civil Division of the Department of Justice. In these jobs, I learned the nuts and bolts of trying cases. I left private practice for DOJ for the opportunity to represent the United States in Constitutional matters.

I currently serve as Deputy General Counsel of the Office of Management and Budget where I provide legal advice and analysis on a wide variety of statutory, legislative, regulatory, administrative, and policy issues. In this position, I have worked with USDA attorneys and know first-hand that the Office of General Counsel has an outstanding, highly experienced career legal staff. If confirmed, I look forward to working with them and learning from them.

I also look forward to contributing to the effective, citizen-centered, results-oriented management of the Department and its programs. It is, however, not sufficient that the Department run efficiently; it must also ensure equal opportunity for all individuals. I share the vision expressed by Secretary Johanns in his Civil Rights Policy Statement when he said that: "We must strive for a workplace that respects differences and embraces diversity. Our programs and services must be accessible and delivered to all of our customers fairly and with dignity. There can be no exceptions or excuses." If confirmed, I will work to implement this vision.

In closing, I want to again thank the Committee for holding this hearing and for considering my nomination to be the Department of Agriculture's next General Counsel. It would be an honor and a privilege for me to serve our President and the American people in this position. Should you see fit to recommend my confirmation to the Senate, and should I be confirmed, I will devote all of my energy and effort to doing the kind of job that merits your confidence.

I would be very pleased to answer any questions you have.

Thank you again, Mr. Chairman.

Statement of Boyd K. Rutherford
Nominated by the President to be United States Department of Agriculture
Assistant Secretary for Departmental Administration
March 14, 2006

Mr. Chairman and distinguished members of this Committee, I am honored to be sitting here before you today. I am humbled by the President's nomination and the confidence he and Secretary Johanns have in my ability to serve as the Assistant Secretary for Administration.

I am joined today by my family: my wife Monica; my daughter, Lauren; my mother Dorothy Rutherford; and my nephew Clarence Stanback. Our youngest daughter, Kristen could not attend as this is the week of State testing in Howard County, Maryland. Also, our adult son, Marshall, who lives in Southern California, is not able to join us today because of work obligations.

I appreciate this opportunity to highlight my administrative experience and qualifications for the position we are discussing today.

On January 16, 2003, I was nominated by Governor Robert L. Ehrlich, Jr. and later confirmed by the Maryland State Senate to the position of Secretary of the Maryland Department of General Services ("DGS"). We are responsible for security, maintenance, construction, and engineering services of State facilities, including the historic State House and the Legislative office buildings in Annapolis. We are also the primary procurement agency for the State, handling over $1 billion in contracts annually.

Our mission at DGS is to serve "Maryland and its citizens by ensuring State agencies are able to achieve their respective missions in a safe, efficient, and effective manner." Accordingly, we focus on customer service. Upon my arrival at DGS, I found that many customer concerns were going unaddressed; in response, we initiated a concept implemented during my tenure at the United States General Services Administration ("GSA") that calls for a single point of contact. In the past, customer agencies who had DGS related concerns would raise their concerns with whomever they came into contact. If it was a facilities related challenge they would sometimes express it to our security personnel; a procurement related challenge may be expressed to the Construction Division or Facilities Operations. If there were issues that crossed several divisions, DGS often spent more time batting the issue between the divisions than addressing the concerns. To correct the problem, we vested the responsibility of customer service within the newly created Office of External Affairs, within the Office of the Secretary. Now all divisional leaders know that customer questions that cross divisions or are not within their areas of responsibility will be directed to External Affairs for resolution and follow-up with the customer agency.

My focus on customer service dates back to my early career as a sales representative for the old Control Data Corporation. I found success as a salesman by focusing on servicing the existing customer base. Being personally responsive to customer needs engendered confidence on the part of our customers and loyalty in the most competitive environments. I saw how this focus could be put to use in government while serving at GSA. At GSA

we looked at ourselves as an agency that had to compete for business and therefore had to be responsive to our customer agencies in order for them to utilize our contract vehicles and real estate services.

In addition to emphasizing customer service, DGS has been able to help Governor Ehrlich turn around the State's budget challenges through improved efficiencies and more effective resource utilization. With the support of an excellent staff and a Deputy Secretary, who I believe to be the best in Maryland, DGS was able to save the State over $78 million in the three (3) years that I have served as Secretary. While $78 million seems small when compared to federal budgets, in Maryland it represents one year of our Department's general fund budget.

Some of our cost saving initiatives included: renegotiating real property lease options; building temperature adjustments to reduce energy expenses; and two (2) year ago we conducted an award winning reverse internet energy auction, saving the State over $12 million over the two (2) year contract term.

Before concluding, I would like to express my support and appreciation for Agriculture and its impact on our lives. Being a city boy, as I was born and reared here in Washington, D.C., one might ask: How did you get considered for this opportunity? I asked that question myself.

First, the position of Assistant Secretary for Departmental Administration is a management position. The chief function is to insure that the Secretary and the Department in general, have the tools and support necessary to carry out its important mission. Unless USDA is able to operate efficiently and effectively, it can not provide those essential services needed to insure that American consumers continue to enjoy some of the lowest costs and safest foods in the world.

Secondly, during my tenure in State government, I have grown to understand the significant impact of Agriculture on Maryland and the national economy. Maryland is generally viewed as a small urban/suburban State. However, many people are surprised when they are informed of the significance of Agriculture on the State's economy and the quality of life. The fisheries on the Chesapeake Bay, the poultry industry on the Eastern Shore, the horse breeding and training operations in the North/Central regions, and the industries that support them contribute several billion dollars a year to the State's economy. In addition, a third of the State's land mass is Agricultural land.

Lastly, Bio-Energy is a small but significant overlap between one of the Administration's priorities and what I have been working on for the past year. The Maryland Department of General Services has been in the lead supporting legislation currently before the Maryland legislature to require the use of bio-diesel in the State's diesel fleet. In addition, DGS is in the process of installing the first State operated ethanol filling station at the Baltimore State Office Complex. Accordingly, I look forward to supporting the mission to expand the use of Bio-based products.

In conclusion, if confirmed as Assistant Secretary for Administration, I will make sure that Departmental Administration is customer service oriented with a focus on providing the services needed to allow the USDA to carry out its mission.

Thank you and I am happy to answer your questions.

Statement of Linda Avery Strachan,
Nominated by the President to be
United States Department of Agriculture
Assistant Secretary for Congressional Relations
March 14, 2006

Mr. Chairman, Ranking Member Harkin, and Members of the Committee, thank you for considering my nomination to be Assistant Secretary of Agriculture for Congressional Relations.

I am honored to appear before you today. I would like to introduce my mom Queet Strachan from North Myrtle Beach, South Carolina, my brother Steve, his wife Martie, and my nieces, Martha and Avery, from Wilmington, Delaware.

I wish to thank President Bush for nominating me for this position and Secretary Johanns and Deputy Secretary Conner for their support of my appointment. I have tremendous respect for the Department of Agriculture and the community it represents. I recognize the importance of rural America and agriculture to our nation. And, if confirmed, I look forward to having the opportunity to work with this Committee to promote our common goals.

At a very young age, my brother and I visited Capitol Hill with our parents. I will never forget sitting in the Senate Gallery and listening to Senator Everett Dirksen speak on the Senate floor. Little did I know that I would come to Washington many years later and work in the Majority Leader's Office for his son-in-law, Senator Howard Baker. I would like to express my gratitude and respect to Senator Baker for teaching me the "ways of the Senate" and for guiding me toward public service.

Before coming to Washington, I was a 6th grade social studies teacher in Virginia Beach, Virginia. As part of a lesson on the legislative process, my students drafted a proposed bill, and we worked with our state legislators to get it introduced in the General Assembly. We went to Richmond to lobby for its passage. And, as luck would have it, we were successful in getting the bill passed and signed by the Governor of Virginia. Because of our efforts, the Commonwealth of Virginia now has an official State shell – the

oyster shell. Inspired by this experience, I left teaching to work in Washington, DC.

I spent 14 years in Federal service working at the Department of State and the Environmental Protection Agency. During this time, I learned the importance of working closely and cooperatively with Congress, state and local officials, as well as a broad range of constituent groups on various policy initiatives.

Most recently, I worked for an agri-business company, Monsanto, which is headquartered in St. Louis, Missouri. In this position, I spent a significant amount of my time traveling throughout "farm country." During my tenure, I gained tremendous respect and admiration for farmers who work tirelessly to provide Americans with a safe and affordable food supply. I also had the pleasure of working with several Members and staff of this Committee on a variety of issues, including biotechnology acceptance and conservation programs.

If confirmed by the Senate, I will apply the skills, knowledge and experiences I have gained over the years to represent the views of the Administration and the Department of Agriculture on matters before this Committee. If confirmed, I pledge that I will make sure your views are accurately conveyed and understood within the Department. I will keep the lines of communication open and will strive to see that your concerns – and those of your constituents – are answered in a timely manner.

Mr. Chairman, thank you for giving me the opportunity to testify today. It is a great honor. Thank you for your consideration. I look forward to responding to any questions you may have of me.

DOCUMENTS SUBMITTED FOR THE RECORD

MARCH 14, 2006

Opening Statement and Questions
Sen. Jim Talent
Nomination Hearing
March 14, 2006

Mr. Chairman, thank you for holding this hearing and thank you to our witnesses for their willingness to serve at the U.S. Department of Agriculture. Agriculture is a major industry for the U.S. and it is certainly important in my home state of Missouri. We need good people like you at the helm.

Most recently I've worked with Linda Strachan in her previous position at Monsanto. She was a pleasure to work with and in that position she built strong relationships with members on both sides of the aisle. I don't know which of her previous jobs better prepared her for this nomination: her work at Monsanto or in the U.S. Senate, or her position as a 6th Grade teacher. I strongly support her nomination and I hope she can be confirmed by the Senate quickly.

I have worked with some of you before and I look forward to working with you in your future positions. I encourage you to keep open lines of communication with this Committee and its members as well as other members of the House and Senate. There are lots of things happening in agriculture from recapturing export markets to the ongoing WTO negotiations – not to mention the upcoming farm bill. We need to work together on behalf of farmers and ranchers across the U.S. and in Missouri.

I'd also like to remind the witnesses – the new leadership at USDA that we need to modernize our locks and dams. Back when Deputy Secretary Chuck Connor came through this committee, we talked about locks and dams on the Mississippi River – and how important they were to agriculture. He assured me that he would pay close attention to this issue; he said they were "absolutely essential." I hope you all will offer that same commitment.

I support all the nominees today and I hope they are promptly approved by this Committee and the full Senate.

Questions:

Dr. Buchanan -

1. The President announced a major initiative as part of the State of the Union address to enhance America's competitive standing in the global marketplace. The American Competitiveness Initiative proposes to significantly boost the federal government's investment in basic research for the physical sciences acknowledging the vital importance of basic research to future discovery and eventual economic growth.

   How much basic research does USDA perform? Over the last two decades has that amount grown? Would the establishment of a National Institute for Food and Agriculture---similar to other National

scientific institutes like the NIH or NSF enhance the future competitiveness of our farm and food sectors?

2. The National Institutes of Health spends nearly $15 dollars on research for every dollar spent by the USDA. In competitive, merit based, peer-reviewed grants - long considered the best way to achieve advances in fundamental science - the NIH outspends the USDA by more than 100 to 1. Would you support efforts to even out this disparity?

3. In USDA's budget proposal for Fiscal Year 2007, your administration lists six strategic goals that describe the Department's major objectives which include enhancing international competitiveness, enhancing the competitiveness and sustainability of rural economies, enhancing food safety, improving the nation's nutrition and health, protecting our natural environment, establishing energy independence and improving the quality of life in Rural America. Similar objectives were listed by the 2002 USDA Research, Education and Economics Task Force which called for the creation of a National Institute for Food and Agriculture to achieve these goals. Has the Department taken any steps to meet the objectives outlined in this task force report?

QUESTIONNAIRE FOR UNITED STATES DEPARTMENT OF AGRICULTURE NOMINEES
BIOGRAPHICAL INFORMATION (PUBLIC)

1. Full name (include any former names used).

   Gale Arlon Buchanan
   (My original birth certificate had my name spelled incorrectly as Gayle Arland Buchanan, but it was corrected many years ago. I've always used only the name Gale Arlon Buchanan.)

2. Date and place of birth.
   A. **November 20, 1937**
   B. **Madison County, Florida**

3. Marital Status (include maiden name of wife or husband's name).
   List spouse's occupation, employer's name and business address (es).

   I am married to Eva Carol Jones Buchanan. She is a housewife.

4. Education: List each college and graduate or professional school you have attended, including dates of attendance, degrees received, and dates degrees were granted.

Date	Degree	Institution	College	Department	Field of Study
1959	**B.S.A.**	**Univ. of Florida**	**Agriculture**	**Agronomy**	**Agronomy**
1962	**M.S.A.**	**Univ. of Florida**	**Agriculture**	**Agronomy**	**Weed Science**
1965	**Ph.D.**	**Iowa State Univ.**	**Liberal Arts & Sciences**	**Botany & Plant Pathology**	**Plant Physiology**
1969	**None**	**Univ. of Georgia**	**Arts & Sci.**	**Biochemistry**	**Herbicide Metabolism**
1980	**None**	**Weed Research Organization, Oxford, England**	**N/A**	**Weed Ecology**	**Weed Biology and Ecology**

5. Employment Record: List (by Year) all business or professional corporations, companies, firms, or other enterprises, partnerships, institutions and organizations, nonprofit or otherwise, including farms, with which you were connected as an officer, director, partner, proprietor, or employee since graduation from college; include a title and brief job description.

Month/Year	Position Held	Job Description	Institution
05/05 to Present	**Dean and Director Emeritus**	**None**	**University of Georgia College of Agriculture & Environmental Sciences**
01/05 to 05/05	**Professor, Crop & Soil Sciences**	**Teacher**	**University of Georgia College of Agriculture & Environmental Sciences**

03/95 to 12/04	**Dean and Director**	**Administrator**	**University of Georgia College of Agriculture & Environmental Sciences**
06/94 to 03/95	**Interim Director Georgia Agricultural Experiment Stations**	**Administrator**	**University of Georgia College of Agriculture & Environmental Sciences**
04/86 to 06/94	**Associate Director Georgia Agricultural Experiment Stations and Resident Director Coastal Plain Experiment Station**	**Administrator**	**University of Georgia College of Agriculture & Environmental Sciences**
10/85 to 04/86	**Professor, Dept. Of Agronomy**	**Research Scientist**	**Auburn University College of Agriculture**
10/80 to 10/85	**Dean and Director Alabama Agricultural Experiment Stations**	**Administrator**	**Auburn University College of Agriculture**
01/65 to 10/80	**Assistant, Associate and Alumni Professor of Agronomy & Soils**	**Research Scientist and Teacher**	**Auburn University College of Agriculture**

Miscellaneous, Part Time Employment Experiences During College:

01/74 to Present	**Partnership with brothers in small farming operation**	**Farmer**	**Madison County, Florida**
02/60 to 02/62	**Graduate Research Assistant**	**Assisted in Research**	**University of Florida**
02/62 to 12/64	**Graduate Research Assistant**	**Assisted in Research**	**Iowa State University**
05/58 to 7/58	**Tobacco Variety Identification Specialist**	**Identified "Discount" Varieties of Tobacco**	**Dept. Of Agriculture, ASCS**
07/58 to 09/58	**Tobacco Primer**	**Field Laborer**	**Ontario, Canada**
05/57 to 07/57	**Tobacco Variety Identification Specialist**	**Identified "Discount" Varieties of Tobacco**	**Dept. Of Agriculture, ASCS**
09/55 to 05/59	**Several different jobs in University Food Service and Dept. of Agronomy**	**Laborer**	**University of Florida**

6. Military Service: Have you had any military service? If so, give particulars, including the dates, branch of service, rank or rate, serial number and type of discharge received.

I have had military service as described below:

Month/Year	Assignment	Organization
09/55 to 05/59	Cadet, Reserve Officer Training Corps (ROTC) Graduated as a Distinguished Military Graduate (DMG) and Commissioned Second Lieutenant	University of Florida U.S. Army Reserves
07/59 to 01/60	Active Duty, attended Infantry Officer basic course (IOBC) and served as a line officer in a basic training company in 2nd Infantry Division	Ft. Benning, Georgia
02/60 to 02/62	Platoon Leader in Medium Tank Co. Madison, Florida	U.S. Army Reserves
07/62 to 12/64	Platoon leader in Quartermaster Company, Ames, Iowa	U.S. Army Reserves
02/65 to 11/91	I served in several different capacities: *Forward Observer - Field Artillery (SP) *Battery Commander- Headquarters Battery, Field Artillery (SP) *Company Commander, Military Police (SEP) *Battalion Staff Officer, MP Battalion *Commander of CID Unit, MP Detachment (CI) *Battalion Commander, 156th & 231st MP Battalions *Group Executive Officer, Area Support Group *Commandant, Alabama Military Academy *Personnel Staff, AC of S for ALA, Headquarter STARC	Alabama Army National Guard

Qualified as shown below:

- **Infantry Officer - Basic**
- **Artillery Officer - Basic**
- **Military Police Officer - Basic**
- **Military Police Officer - Advanced**
- **Quartermaster - Basic**
- **Criminal Investigations - Basic**
- **Advanced Investigative Management**
- **National Security Management**
- **Command and General Staff**

Rank:

Year	Grade	
06/59	01	Second Lieutenant
04/63	02	First Lieutenant
02/65	03	Captain
10/73	04	Major
09/79	05	Lieutenant Colonel
11/86	06	Colonel

Serial Number: 05-306-170

11/02/91	Honorable Discharge
11/20/97	Placed on Retired List

7. Government Service: State (chronologically) your government service or public offices you have held, including the terms of service grade levels and whether such positions were elected or appointed.

Month/Year	Assignment	Rank	Institution/Organization
09/55 to 05/59	Reserve Officer Training Corps	Cadet	University of Florida
07/59 to 01/60	Active Duty, U.S. Army	01	Ft. Benning, Georgia
02/60 to 12/64	U.S. Army Reserves	01-02	U.S. Army Madison, Florida Ames, Iowa
02/65 to 11/91	Alabama Army National Guard	02-06	Army National Guard Auburn, FL Opelika, AL Prattville, AL Montgomery, AL
05/57 to 7/57	Tobacco Variety Identification Specialist	Temporary Technician	U.S. Dept. of Agriculture
05/58 to 7/59	Tobacco Variety Identification Specialist	Temporary Technician	U.S. Dept. of Agriculture

I have never held an elected public office.

8. Honors and Awards: List any scholarships, fellowships, honorary degrees, and honorary society memberships that you received and believe would be of interest to the Committee.

Year	Award	Given By
1956	Member, Alpha Zeta Honor Society	University of Florida
1958	Member, Gamma Sigma Delta	University of Florida
1959	Member, Scabbard & Blade Military Honor Society	University of Florida
1959	Outstanding Student in Agronomy	University of Florida
1976	Alumni Professorship	Auburn University
1980	Will Howard Smith Research Fellowship	Auburn University
1980	Distinguished Service Award	Southern Weed Science Society
1981	Golden Peanut Research Award	American Peanut Research & Education Society
1984	Fellow	Weed Science Society of America
1985	Outstanding Achievement Award	Alabama Farm Bureau Federation
1985	Certificate of Appreciation as Dean & Director, Alabama Agricultural Experiment Station	College of Agriculture, Department Heads
1985	Certificate of Appreciation as Dean & Director, Alabama Agricultural Experiment Station	Agricultural Experiment Station Superintendents
1990	Certificate of Appreciation for Services on Committee of Nine	U.S. Dept. of Agriculture, Cooperative States Research Service
1990	Fellow	American Association for the Advancement of Science
1998	Honorary State FFA Degree	State FFA Association
1999	Certificate of Appreciation as President	Southern Association of Agricultural Scientists
2000	Fellow	American Peanut Research & Education Society
2000	Honorary American FFA Degree	National FFA Association
2001	Vidalia Onion Hall of Fame	State Vidalia Onion Committee
2002	Outstanding Leadership Award	National Association of State Universities & Land Grant Colleges
2003	Award of Distinction	Institute of Food and Agricultural Scientist, University of Florida
2004	Certificate of Appreciation	Georgia Flower Grower's Association
2005	Commodity Award	Georgia Farm Bureau Federation

9. Other Memberships: List all organizations to which you belong, excluding religious organizations.

A. **Current Membership:**
American Association for the Advancement of Science
American Society of Agronomy
Crop Science Society of America
Council for Agricultural Science and Technology
Weed Science Society of America

B. **Inactive Membership:**
American Peanut Research & Education Society
Georgia Cattlemen's Association
Georgia Agribusiness Council
Farm Foundation
Gamma Sigma Delta
Georgia Association of County Agents

10. Published Writings: List the titles, publishers, and dates of books, articles, reports, or other published materials (including published speeches) you have written. Please inlcude on this list published materials on which you are listed as the principal editor. It would be helpful to the Committee if you could provide one copy of all published material that may not be readily available. Also, to the maximum extent practicable, please supply a copy of all unpublished speeches you made during the past five years on issues involving agriculture, nutrition, forestry or commodity futures policy or related matters.

See Attached

18.

LIST OF SCHOLARLY PUBLICATIONS

A. SCHOLARLY JOURNALS

a. WEED SCIENCE

1. (1) Burns, E. R., Gale A. Buchanan, and A. E. Hiltbold. 1969. Adsorption and translocation of 2,4-D by wolftail (Carex cherokeensis Schwein). *Weed Science* 17:401-404.

2. (2) Buchanan, Gale A. and Earl R. Burns. 1970. Influence of various periods of weed competition on cotton. *Weed Science* 18:149-154.

3. (3) Lund, Zane F., R. W. Pearson, and Gale A. Buchanan. 1970. An implanted soil mass technique for the study of the effects of herbicides on root growth. *Weed Science* 18:279-281.

4. (4) Hoveland, C. S., G. A. Buchanan, and E. D. Donnely. 1971. Establishment of sericea lespedeza. *Weed Science* 19:21-24.

5. (5) Buchanan, Gale A. and Carl S. Hoveland. 1971. Tolerance of Yuchi arrowleaf clover to herbicides. *Weed Science* 19:254-256.

6. (6) Buchanan, Gale A. and Earl R. Burns. 1971. Weed competition in cotton. I. Sicklepod and tall morningglory. *Weed Science* 19:576-579.

7. (7) Buchanan, Gale and Earl R. Burns. 1971. Weed competition in cotton. II. Cocklebur and redroot pigweed. *Weed Science* 19:580-582.

8. (8) Dickens, Ray and Gale A. Buchanan. 1971. Influence of time of herbicide application on control of kudzu. *Weed Science* 19:669-671.

9. (9) Hoveland, C. S. and Gale A. Buchanan. 1972. Flooding tolerance on fall panicum and Texas panicum. *Weed Science* 20:1-3.

10. (10) Parks, John P., Bryan Truelove, and Gale A. Buchanan. 1972. Interaction of Promtryn and Phorate on bean. *Weed Science* 20:89-92.

11. (11) Thurlow, Donald L. and Gale A. Buchanan. 1972. Competition of sicklepod with soybeans. *Weed Science* 20:379-384.

12. (12) Hoveland, C. S. and G. A. Buchanan. 1973. Weed seed germination under simulated drought. *Weed Science* 21:322-324.

13. (13) Buchanan, G. A. and A. E. Hiltbold. 1973. Performance and persistence of atrazine. *Weed Science* 21:413-416.

14. (14) Teem, D. H., C. S. Hoveland, and G. A. Buchanan. 1974. Primary root elongation of three weed species. *Weed Science* 22:47-50.

15. (15) Hiltbold, A. E., B. F. Hajek, and G. A. Buchanan. 1974. Distribution of arsenic in soil profiles after repeated applications of MSMA. *Weed Science* 22:272-275.

16. (16) Buchanan, Gale A., C. S. Hoveland, and M. C. Harris. 1975. Response of weeds on soil pH. *Weed Science* 23:473-477.

17. (17) Buchanan, Gale A. and R. D. McLaughlin. 1975. Influence of nitrogen on weed competition in cotton. *Weed Science* 23:324-328.

18. (18) Hauser, E. W., G. A. Buchanan, and W. J. Ethredge. 1975. Competition of Florida beggarweed and sicklepod with peanuts. I. Effects of periods of weed-free maintenance on weed competition. *Weed Science* 23:368-372.

19. (19) Dickens, Ray and Gale A. Buchanan. 1976. Control of cogongrass with herbicides. *Weed Science* 23:194-197.

20. (20) Hoveland, C. S., G. A. Buchanan, and M. C. Harris. 1976. Response of weeds to soil phosphorus and potassium. *Weed Science* 24:194-201.

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2. August, 1986 - "Importance of Agricultural Research - A Local and International Perspective" for possible inclusion in a University publication.

3. August 20, 1986 - "Impact of Agricultural Research at the Coastal Plain Experiment Station on a Local and International Perspective" presented to Sertoma Club, Tifton, Georgia.

4. October 2, 1986 - "State of the Station" - 86 presented to the employees of the Coastal Plain Experiment Station.

5. November 21, 1986 - "Agriculture - Our Only Essential Industry" for Georgia Agriculture.

6. December 9, 1986 - "Production of Food and Fiber in Response to Need a Research Perspective"

7. 1986 - "The Role of the Coastal Plain Experiment Station in Swine Production"

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4. February 2, 1987 - "The Challenge Facing Land Grant Agricultural Communicators" presented at Southern Association of Aquaculture Scientists

5. February 6, 1987 - "Welcome" presented at Cotton Short Course

6. February 3, 1987 - "Cooperation in Progress in Weed Science" presented at Weed Science Society of America

7. February 10, 1987 - "Research Needs in the Changing Agriculture" presented at S. E. Aerocultural Fair

8. February 12, 1987 - "Changing Agriculture in a Changing World" presented to Valdosta Kiwanis Club

9. February 26, 1987 - "Welcome" presented at 1st Research Conference Banquet

10. February 27, 1987 - "Purpose of the Coastal Plain Experimentation Conference" presented at 1st Annual UGA Coastal Plain Experiment Station Research Conference.

11. March 17, 1987 - "Research Needs in a Changing Agriculture" presented to Farmers in Cochran, Georgia

12. May 20, 1987 - "Agricultural Research, Who Needs It?" presented to Tifton Rotary Club

13. August 14, 1987 - "Meeting the Challenge in Research" presented at Conference sponsored by Georgia Power Conference

14. August 26, 1987 - House Agricultural Committee Tour Briefing

15. September 10, 1987 - "Welcome" to Georgia Pecan Growers Association Meeting

16. September 10, 1987 - "Aquaculture Research Program at the Coastal Plain Experiment Station" presented at Legislative Group at Cohuta

17. October 1, 1987 - "State of the Station, Part II" presented at SIGMA XI Seminar

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19. October 23, 1987 - "UGA Coastal Plain Experiment Station and the Tifton Community" presented at Tifton Kiwanis Club

20. October 28, 1987 - "Meeting Today's Economic Challenge Through Agricultural Research"

21. November 17, 1987 - "Role of Weeds in Agro-Ecosystems Seminar" presented as Staniforth Memorial Lecture

22. November 17, 1987 - "The Challenge of Excellence in Agricultural Research" presented as Staniforth Lecture, Iowa State University

23. November 24, 1987 - "UGA Coastal Plain Experiment Station and the Tifton Community" presented at CPES Breakfast

24. December 7, 1987 - "Aquaculture Research at the UGA Coastal Plain Experiment Station" presented at Aquaculture Committee, Georgia Farm Bureau Federation

25. December 15, 1987 - "What You Have Always Wanted to Know About UGA Coastal Plain Experiment Station But Didn't Know Who to Ask" presented at Georgia Agricultural Experiment Station Research Conference

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2. January 26, 1988 - "Role of the Georgia Agricultural Experiment Stations in Improving Profitability" presented at 1988 Georgia Corn & Soybean Expo

3. February 2, 1988 - CAST report presented at Weed Science Society of America

4. February 18, 1988 - "The UGA Coastal Plain Experiment Station and the Tifton Community" presented at CPES Breakfast

5. February 25, 1988 - Welcome presented at UGA Coastal Plain Experiment Station Second Annual Research Conference Banquet

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7. February 26, 1988 - "Role of the UGA Coastal Plain Experiment Station in Meeting the Challenge in Agricultural Research" presented at UGA Coastal Plain Experiment Station Second Annual Research Conference

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10. March 31, 1988 - "The UGA Coastal Plain Experiment Station and the Tifton Community" presented at CPES Breakfast

11. April 13, 1988 - "Briefing for Regent Members" presented at visit by Board of Regent members Edgar Rhodes and John Henry Anderson

12. April 14, 1988 - "Importance of the Coastal Plain Experiment Station to Tift County and to Georgia" presented to Sertoma Club

13. April 14, 1988 - "Importance of the Coastal Plain Experiment Station and Research to Agriculture" presented to Berrien County Young Farmers Association

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20. August 10, 1988 - "The UGA Coastal Plain Experiment Station and the Tifton Community" presented at CPES Breakfast

21. August 31, 1988 - Welcome presented at 1988 Georgia Peanut Tour

22. August 31, 1988 - Welcome presented at New Faculty Tour

23. September 1988 - "Role of Research in Agricultural Profitability" editorial

24. September 1988 - "Research and the Competitive Edge in Agriculture" editorial

25. September 7, 1988 - Welcome given at M.E.Y. Conference

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28. October 10, 1988 - Introduction of Dr. Sylvan H. Wittwer

29. October 13, 1988 - "State of the Station, Part III" presented at Sigma Xi Seminar

30. November 7, 1988 - "Role of Weeds in Agroecosystems" presented to Dr. Philip Banks' graduate students

31. November 22, 1988 - "Research to Deal With the Weather" presented at Fifteenth Annual Agricultural Leadership Conference, Dothan, Alabama

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28. September 6, 1989 - "Update on a 1990 Farm Bill and Related Legislation" presented at College of Agriculture Leadership Conference

29. September 8, 1989 - Comments presented at UGA New Faculty Orientation

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33. October 9, 1989 - Comments presented at visit by Legislative Aides

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5. March, 1990 - "Column for Agrisearch"

6. March 26, 1990 - "The UGA Coastal Plain Experiment Station - Organization and Mission" - Welcome and presentation to CSRS Review of Division of Agronomy

7. April 16, 1990 - "Earth Day is for Everyone" presentation made - Pulliam Earth Day Lecture

8. May 15, 1990 - "Station Review of Research Programs and Needs" welcome and introductory comments made at Administrative Meeting

9. May 31, 1990 - "Overview of Southeastern Agriculture - The University of Georgia Coastal Plain Experiment Station - Project to Develop Environmentally Sound Production Agricultural Laboratory" presented for CSRS On-Site Visit of ESPA Lab

10. June 1, 1990 - "Comments for Congressman Charles Hatcher" - UGA Coastal Plain Experiment Station visit by Congressman Hatcher

11. June 1, 1990 - "Briefing Comments" for Senator Wyche Fowler and Commissioner Tommy Irvin - UGA Coastal Plain Experiment Station

12. July 11, 1990 - "Research in Peanuts: A Necessity for Survival" presented at APRES Meetings at Stone Mountain, Georgia

13. July 17, 1990 - "National Pesticide Impact Assessment Program" Introduction and comments to ESCOP Pest Control Subcommittee

14. August 7, 1990 - Welcome and Introductory Comments presented to Georgia Agribusiness Council

15. August 9, 1990 - "Status of Budgets at the CPES and in the College of Agriculture at the University of Georgia" comments presented to the Georgia Agricultural Commodity Commission for Peanuts Board of Directors.

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17. August 20, 1990 - "The Interface Between Research and Extension: SRIEGs, RRFs and Other Activities" presented to Joint Meeting Between Southern Regional Agricultural Experiment Station Directors and Southern Regional Cooperative Extension Service Directors in Atlanta

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20. September 21, 1990 - "Mission of the UGA CPES" and comments to Tifton Kiwanis Club Meeting

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28. October 6, 1991 - "Acquiring and Managing Resources for Agricultural Economic Departments" presented at Agricultural Economics Department Heads' Workshop, Denver, Colorado

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30. October 25, 1991 - "The Joy of Being Professional" presented at Graduation Exercise of Alabama Forestry Commission

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11: Health: What is the present state of your health?

I am in excellent health.

FINANCIAL DATA AND CONFLICT OF INTEREST (PUBLIC)

1. Have you severed all connections with your immediate past private sector employers, business firms, associations, and/or organizations?

   I have retired from the University of Georgia. Consequently, I have no formal relationship with the University. However, as an emeritus professor (Dean and Director) I have library privileges and the right to purchase athletic tickets. I am provided an office, subject to space availability and limited secretarial support as long as I'm contributing to the University programs. I do have a financial relationship with the Retirement System of Georgia as a retiree of the system.

2. List sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock options, incompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients, or customers.

   I receive retirement compensation from the Retirement System of Georgia, Alabama Retirement System, U.S. Army and Social Security. My only other source of income is interest from certificates of deposit and the small farming interest.

3. Do you, or does any partnership or closely held corporation in which you have an interest, own or operate a farm or ranch? (If yes, please give a brief description including location, size and type of operation.)

   When my father died, I inherited 1/4 of the family farm (400 acres). One brother and I purchased an additional 100 acres of woodland. My 100 acres given by my father, plus 47 acres, minus a recent gift of 5 acres to the local church, constitutes my part of the family farm. My brothers and I continue to farm in partnership. We grow corn or soybeans on a partnership basis with a local farmer. The farm is located in the Hickory Grove Community of N.E. Madison County, Florida.

4. Have you, or any partnership or closely held corporation in which you have an interest, ever participated in Federal commodity price support programs? (If yes, provide all details including amounts of direct government payments and loans received or forfeited by crop and farm, etc. during the past five years.)

   I have participated in commodity price support programs. The following table summarizes direct government payments since 1996.

Year	Amount
1996	$265
1997	$425
1998	$514
1999	$662
2000	$636
2001	$526
2002	$119
2003	$139
2004	$129
2005	$111

5. Have you, or any partnership or closely held corporation in which you have an interest, ever received a direct or guaranteed loan from or cosigned a note to the Rural Business-Cooperative Service, Rural Housing Service, the Rural Utilities Service or their predecessor agencies, the Farmers Home Administration, the Rural Development Administration, the Rural Housing and Cooperative Development Service or the Rural Electrification Administration? (If yes, give details of any such loan activity during the past 5 years.)

No

6. Have you, or any partnership or closely held corporation in which you have an interest, ever received payments for crop losses from the Federal Crop Insurance program? (If yes, give details.)

No

7. If confirmed, do you have any plans, commitments, or agreements to pursue outside employment or engage in any business or vocation, with or without compensation, during your service with the government? (If so, explain.)

I have no plans for any outside employment or to engage in any business activity while working for the government.

8. Do you have any plans to resume employment, affiliation, or practice with your previous employers, business firms, associations, or organizations after completing government service? (If yes, give details.)

If I am selected for government employment, upon completion of that assignment, I plan to fully retire.

9. Has anyone made a commitment to employ you or retain your services in any capacity after you leave government service? (If yes, please specify.)

I do not have any commitments for employment upon completion of my service to the government.

10. Identify all investments, obligations, liabilities, or other relationships which involve potential conflicts of interest in the position to which you have been nominated.

Please see ethics agreement.

11. Have you ever received a government guaranteed student loan? If so, has it been repaid?

I have never received a government guaranteed student loan.

12. If confirmed, explain how you will resolve any potential conflict of interest, including any that may be disclosed by your responses to the above items.

Please see ethics agreement.

United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

February 3, 2006

The Honorable Saxby Chambliss
Chairman
Committee on Agriculture, Nutrition,
and Forestry
United States Senate
Washington, DC 20510-6000

Dear Mr. Chairman:

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

We have reviewed the report and have also obtained advice from the Department of Agriculture concerning any possible conflict in light of its functions and the nominee's proposed duties. Also enclosed is a letter dated January 26, 2006, from Mr. Buchanan to the Department's ethics official, outlining the steps which he will take to avoid conflicts of interest. Unless a specific date has been agreed to, the nominee must fully comply within three months of his confirmation date with the actions he agreed to take in his ethics agreement.

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

Sincerely,

Jane S. Ley
Deputy Director for
Government Relations and
Special Projects

Enclosures

278 (Rev. 03/2000)
C F R Part 2634
S Office of Government Ethics

Executive Branch Personnel PUBLIC FINANCIAL DISCLOSURE REPORT

Form Approved
OMB No 3209-0001

ate of Appointment, Candidacy, Election Nomination (*Month, Day, Year*)	Reporting Status (*Check appropriate boxes*)	☐ Incumbent	Calendar Year Covered by Report	☒ New Entrant, Nominee, or Candidate	☐ Termination Filer	Termination Date (*If Apply - cabove) (MONTH, DAY, YEAR*)
Reporting Individual's Name	Last Name: Buchanan			First Name and Middle Initial: Gale A.		
Position for Which Filing	Title of Position: Under Secretary, Research, Education and Economics.			Department or Agency (*If Applicable*): USDA		
Location of Present Office or forwarding address)	Address (*Number, Street, City, State, and ZIP Code*): P.O. Box 748, Tifton GA 31793-0748			Telephone No. (*Include Area Code*): (229) 386-7118		
Position(s) Held with the Federal Government During the Preceding 2 Months (If Not Same as Above)	Title of Position(s) and Date(s) Held: None					
Presidential Nominees Subject to Senate Confirmation	Name of Congressional Committee Considering Nomination: Agriculture, Nutrition and Forestry			Do You Intend to Create a Qualified Diversified Trust? ☐ Yes ☒ No		
Certification I CERTIFY that the statements I have made on this form and all attached schedules are true, complete and correct to the best of my knowledge	Signature of Reporting Individual: Gale A Buchanan			Date (*Month, Day, Year*): 01/27/06		
Other Review (If desired by agency)	Signature of Other Reviewer:			Date (*Month, Day, Year*):		
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 in the box below)	Signature of Designated Agency Ethics Official/Reviewing Official:			Date (*Month, Day, Year*): 01/29/2006		
Office of Government Ethics Use Only	Signature:			Date (*Month, Day, Year*): 2/8/06		

Comments of Reviewing Officials (*If additional space is required, use the reverse side of this sheet*)

(*Check box if filing extension granted & indicate number of days* _____) ☐

(*Check box if comments are continued on the reverse side*) ☐

Fee for Late Filing
Any individual who is required to file this report and does so more than 30 days after the date the report is required to be filed, or, if an extension is granted, more than 30 days after the last day of the filing extension period shall be subject to a $200 fee

Reporting Periods
Incumbents: The reporting period is the preceding calendar year except Part II of Schedule C and Part I of Schedule D where you must also include the filing year up to the date you file Part II of Schedule D is not applicable

Termination Filers: The reporting period begins at the end of the period covered by your previous filing and ends at the date of termination Part II of Schedule D is not applicable

Nominees, New Entrants and Candidates for President and Vice President:

Schedule A--The reporting period for income (BLOCK C) is the preceding calendar year and the current calendar year up to the date of filing Value assets as of any date you choose that is within 31 days of the date of filing

Schedule B--Not applicable

Schedule C, Part I (Liabilities)--The reporting period is the preceding calendar year and the current calendar year up to any date you choose that is within 31 days of the date of filing

Schedule C, Part II (Agreements or Arrangements)-- Show any agreements or arrangements as of the date of filing

Schedule D--The reporting period is the preceding two calendar years and the current calendar year up to the date of filing

Agency Use Only

OGE Use Only
JAN 31 2006

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U.S. Office of Government Ethics

Reporting Individual's Name: Buchanan, Gale A.

SCHEDULE A

Page Number: 2

Assets and Income — BLOCK A

For you, your spouse, and dependent children, report each asset held for investment or the production of income which had a fair market value exceeding $1,000 at the close of the reporting period, or which generated more than $200 in income during the reporting period, together with such income.

For yourself, also report the source and actual amount of earned income exceeding $200 (other than from the U.S. Government). For your spouse, report the source but not the amount of earned income of more than $1,000 (except report the actual acount of any honoraria over $200 of your spouse).

None ☐

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

	Assets and Income	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
Examples	Central Airlines Common				x												x						x										
	Doe Jones & Smith, Hometown, State			x																												Law Partnership Income $130,000	
	Kempstone Equity Fund					x								x										x									
	IRA: Heartland 500 Index Fund							x						x											x								
1	DOCO Regional Federal Credit Union Albany, Georgia-- consisting of savings and Certificates of Deposit				X														X					X									
2	Cook Community Bank Adel, Georgia, Consisting of a Savings account and Certificates of Deposit			X															X				X										
3	Compass Bank Birmingham, Alabama Consisting of Certificates of Deposit				X														X				X										
4	University System of Georgia																															Salary: 2004: $165,944 2005: $97,001	
5	Retirement System of Alabama																															Pension 2004: $23,141 2005: $19,922	
6	Retirement System of Georgia																															Pension 2005: $37,113	

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.

Prior Editions Cannot be Used.

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Reporting Individual's Name: Buchanan, Gale A.

SCHEDULE A continued

(Use only if needed)

Page Number: 3

Assets and Income — BLOCK A

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

None ☐

#	Assets and Income (BLOCK A)	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	Bank of America Two Checking Accounts			X															X			X											
2	American Financial Life and Casualty Insurance.			X															X			X											
3	Tractor and Farm Equipment		X																		X												
4	16 Acres Land 4 Building lots				X																X												
5	42 Acres in in Madison County, Florida (Timber)					X															X												
6	TIAA/CREF (Traditional Annuity)			X										X					X			X											
7	100 Acres in Madison County, Florida Corn, soybeans, and pine. (400-acre farm, among 4 brothers)--income is:						X																		X								
8	2004 Direct and Countercyclical pmts 2005 Direct and Countercyclical pmts																															$139 $111	
9	2004 Gross Sales corn & soybeans 2005 Gross Sales soybeans																															$698 $966	

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.

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Reporting Individual's Name: Buchanan, Gale A.

SCHEDULE C

Page Number: 4

Part I: Liabilities

Report liabilities over $10,000 owed to any one creditor at **any time** during the reporting period by you, your spouse, or dependent children Check the highest amount owed during the reporting period **Exclude** a mortgage on your personal residence unless it is rented out, loans secured by automobiles, household furniture or appliances; and liabilities owed to certain relatives listed in instructions See instructions for revolving charge accounts

None ☐

	Creditors (Name and Address)	Type of Liability	Date Incurred	Interest Rate	Term if applicable	$10,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000
Examples	First District Bank, Washington, DC	Mortgage on rental property, Delaware	1991	8%	25 yrs			x								
	John Jones, 123 J St, Washington, DC	Promissory note	1999	10 %	on demand					x						
1	Sandra Sumner of Lenox, Georgia for purchase price of 16 investment lots	Promissory note	2005	0%	Due 1/15/2006			X								
2																
3																
4																
5																

* This category applies only if the liability is solely that of the filer's spouse or dependent children If the liability is that of the filer or a joint liability of the filer with the spouse or dependent children, mark the other higher categories, as appropriate

Part II: Agreements or Arrangements

Report your agreements or arrangements for: continuing participation in an employee benefit plan (e.g. 401k, deferred compensation; (2) continuation payment by a former employer (including severance payments); (3) leaves of absence; and (4) future employment. See instructions regarding the reporting of negotiations for any of these arrangements or benefits

None ☐

	Status and Terms of any Agreement or Arrangement	Parties	Date
Example	Pursuant to partnership agreement, will receive lump sum payment of capital account & partnership share calculated on service performed through 1/00.	Doe Jones & Smith, Hometown, State	7/85
1	As am an emeritus professor (Dean and Director) I have library privileges and the right to purchase athletic tickets I am also provided an office, subject to availability, and limited secretarial support as long as I am contributing to University programs.	University of Georgia System	5/05
2			
3			
4			
5			
6			

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Reporting Individual's Name	SCHEDULE D	Page Number
Buchanan, Gale A		5

Part I: Positions Held Outside U.S. Government

Report any positions held during the applicable reporting period, whether compensated or not. Positions include but are not limited to those of an officer, director, trustee, general partner, proprietor, representative, employee, or consultant of any corporation, firm, partnership, or other business enterprise or any non-profit organization or educational institution **Exclude** positions with religious, social, fraternal, or political entities and those solely of an honorary nature

None ☐

	Organization (*Name and Address*)	Type of Organization	Position Held	From (Mo , Yr)	To (Mo , Yr)
Examples	Nat'l Assn of Rock Collectors, NY, NY	Non-profit education	President	6/92	Present
	Doe Jones & Smith, Hometown, State	Law firm	Partner	7/85	1/00
1	Sunbelt Agricultural Exposition	Non-Profit education	Board of Directors	99	Present
2	Georgia Agnrama (Georgia Museum of Agriculture, Tifton GA)	Non-Profit education	Chairman Foundation Bd	9/05	Present
3	Gerogia 4-H Foundation, Athens GA	Non-Profit education	Board of Directors	3/95	12/04
4	University of Georgia, College of Agriculture and Environmental Sciences	Public University	Dean and Director Emeritus	5/05	Present
5	University of Georgia, College of Agriculture and Environmental Sciences	Public University	Professor, Crop and Soil Sciences	1/05	5/05
6	University of Georgia, College of Agriculture and Environmental Sciences	Public University	Dean and Director	3/95	12/04

Part II: Compensation In Excess Of $5,000 Paid by One Source

Report sources of more than $5,000 compensation received by you or your business affiliation for services provided directly by you during any one year of the reporting period This includes the names of clients and customers of any corporation, firm, partnership, or other business enterprise, or any other non-profit organization when you directly provided the services generating a fee or payment of more than $5,000 You need not report the U.S. Government as a source

Do not complete this part if you are an Incumbent, Termination Filer, or Vice Presidential or Presidential Candidate

None ☐

	Source (*Name and Address*)	Brief Description of Duties
Examples	Doe Jones & Smith, Hometown, State	Legal services
	Metro University (client of Doe Jones & Smith), Moneytown, State	Legal services in connection with university construction
1	University System of Georgia	Compensation as Dean and Director of the College of Agriculture and Environmental Sciences and as Professor, Crop and Soil Sciences
2		
3		
4		
5		
6		

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U S Office of Government Ethics

Reporting Individual's Name: Buchanan, Gale A.

SCHEDULE D

Page Number: 6

Part I: Positions Held Outside U.S. Government

Report any positions held during the applicable reporting period, whether compensated or not. Positions include but are not limited to those of an officer, director, trustee, general partner, proprietor, representative, employee, or consultant of any corporation, firm, partnership, or other business enterprise or any non-profit organization or educational institution. **Exclude** positions with religious, social, fraternal, or political entities and those solely of an honorary nature

None ☐

	Organization (*Name and Address*)	Type of Organization	Position Held	From (Mo , Yr)	To (Mo , Yr)
Examples	Nat'l Assn of Rock Collectors, NY, NY	Non-profit education	President	6/92	Present
	Doe Jones & Smith, Hometown, State	Law firm	Partner	7/85	1/00
1	Partnership with brothers in small farming operation in Madison County, Florida	Farming	Partner	1/74	Present
2					
3					
4					
5					
6					

Part II: Compensation In Excess Of $5,000 Paid by One Source

Report sources of more than $5,000 compensation received by you or your business affiliation for services provided directly by you during any one year of the reporting period This includes the names of clients and customers of any corporation, firm, partnership, or other business enterprise, or any other non-profit organization when you directly provided the services generating a fee or payment of more than $5,000. You need not report the U.S. Government as a source

Do not complete this part if you are an Incumbent, Termination Filer, or Vice Presidential or Presidential Candidate

None ☐

	Source (*Name and Address*)	Brief Description of Duties
Examples	Doe Jones & Smith, Hometown, State	Legal services
	Metro University (client of Doe Jones & Smith), Moneytown, State	Legal services in connection with university construction
1	(No further entries)	
2		
3		
4		
5		
6		

Prior Editions Cannot Be Used

January 26, 2006

Mr. Raymond J. Sheehan
Designated Agency Ethics Official (Acting)
U.S. Department of Agriculture
Washington, DC 20250-0122

Dear Mr. Sheehan:

The purpose of this letter is to describe the steps that I intend to take to avoid any actual or apparent conflict of interest in the event that I am confirmed for the position of Under Secretary, 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 that has a direct and predictable effect on my financial interests or those of any other person whose interests are imputed to me, unless I first obtain a written waiver, pursuant to section 208(b)(1), or qualify for a regulatory exemption, pursuant to section 208(b)(2). I understand that the interests of the following persons are imputed to me: my spouse, minor children, or any 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 retired from my position as Professor, Crop and Soil Sciences with the University of Georgia in April 30, 2005. Pursuant to 5 C.F.R. § 2635.502, for one year after this my termination date, I will not participate in any particular matter involving specific parties in which the University of Georgia is a party or represents a party, unless I am authorized to participate. I will continue to participate in retirement pension programs for the States of Georgia and Alabama, and therefore, pursuant to 18 U.S.C. § 208, I will not participate personally and substantially in any particular matter that will have a direct and predictable effect on the ability or willingness of these States to provide this contractual benefit, unless I first obtain a written waiver or qualify for a regulatory exemption.

Upon confirmation, I will resign my positions on the boards of directors of the following non-profit organizations: Sunbelt Agricultural Exposition and Georgia Agrirama (Georgia Museum of Agriculture, Tifton, Georgia). Pursuant to 5 C.F.R. § 2635.502, for a period of one year after the termination of these positions, I will not participate in any particular matter involving specific parties in which any one of these organizations is a party or represents a party, unless I am authorized to participate.

I also will retain my position as a general partner of a farming operation run by my family. The farming operation participates in the USDA Direct and Countercyclical payment program. With respect to this position, I agree to receive no compensation for services as a general partner and to limit my income to passive investment income. I also own 4 building lots in Lenox, Georgia and 42 acres of timber in Madison County, Florida. Pursuant to 18 U.S.C. § 208, I will not participate personally and substantially in

any particular matter that will have a direct and predictable effect on the financial interests of the farming operation or the value of this real estate, unless I first obtain a written waiver or qualify for a regulatory exemption.

I believe that the steps I have agreed to take, as outlined above, will assure that no conflict of interest or appearance thereof will exist between my personal financial interests on the one hand, and the duties I will perform as Under Secretary of Agriculture for Research, Education, and Economics on the other.

Sincerely,

Gale A. Buchanan

QUESTIONNAIRE FOR UNITED STATES DEPARTMENT OF AGRICULTURE NOMINEES
BIOGRAPHICAL INFORMATION (PUBLIC)

1 Full name (include any former names used).

Marc Lewis Kesselman

2. Date and place of birth.

October 25, 1971
Memphis, Tennessee

3. Marital Status (include maiden name of wife or husband's name). List spouse's occupation, employer's name and business address(es).

Wife: Risa (Cherry) Kesselman
Attorney
United States Office of Personnel Management
1900 E Street NW, Washington, DC 20415-1000

4 Education: List each college and graduate or professional school you have attended, including dates of attendance, degrees received, and dates degrees were granted.

Cornell University (Ithaca, NY)
August 1989 – May 1993
B.A., May 1993 (*magna cum laude* and with distinction in all subjects)

University of Pennsylvania Law School (Philadelphia, PA)
August 1993 – May 1996
J.D., May 1996 (*cum laude*)

5 Employment Record: List (by year) all business or professional corporations, companies, firms, or other enterprises, partnerships, institutions and organizations, nonprofit or otherwise, including farms, with which you were connected as an officer, director, partner, proprietor, or employee since graduation from college; include a title and brief job description.

Office of Management & Budget (2003 - present)
Deputy General Counsel, Associate General Counsel
Serve as Acting General Counsel during periods of General Counsel's absence Provide legal advice to Director and other senior agency officials. Supervise work of attorneys, lead interagency working groups, and handle special projects Review and coordinate broad range of legislative, regulatory, and other initiatives, including issues related to the United States Department of Agriculture Provide advice on federal appropriations law

United States Department of Justice, Office of Legal Policy (2003)
Senior Counsel
Assisted the Assistant Attorney General with legal policy initiatives and vetted prospective judicial nominees.

United States Department of Justice, Civil Division, Federal Programs Branch (2000 - 2002)
Trial Attorney
Represented the United States in lawsuits challenging the constitutionality of federal statutes and the administration of government programs, including USDA programs. Served as lead counsel in all phases of litigation including trial, oral argument, motions, written discovery, and expert and fact witness depositions Received the John Marshall Award (Attorney General's highest award for litigation)

Ropes & Gray (1997 – 2000, 1995)
Associate Attorney, Summer Associate
Participated in all phases of commercial lawsuits and arbitrations on diverse subjects including high technology disputes and an international bank failure Provided advice to clients on wide range of subjects including employment law and intellectual property Assisted in internal investigations of corporations

Honorable Julia Smith Gibbons (Memphis, TN) (1996 – 1997)
Law Clerk
Assisted with legal research, drafting, and administrative duties.

Gibson, Dunn & Crutcher (1996)
Summer Associate
Drafted motions and memoranda in labor, employment, and complex tort law

Lange, Simpson, Robinson & Somerville (Birmingham, AL) (1994, 1995)
Summer Associate
Drafted motions and memoranda in labor, employment, and property law

McDonnell Boyd (Memphis, TN) (1994)
Summer Associate
Drafted motions and memoranda in labor, employment, and tort law

Graceland (Memphis, TN) (1993)
Tour Guide
Provided guest services, including tours through former home of Elvis Presley

6 Military Service: Have you had any military service? If so, give particulars, including the dates, branch of service, rank or rate, serial number and type of discharge received.

None.

7. Government Service: State (chronologically) your government service or public offices you have held, including the terms of service and whether such positions were elected or appointed.

All positions appointed:

1996 – 1997: Law Clerk, Honorable Julia Smith Gibbons
2000 – 2002: Trial Attorney, United States Department of Justice, Civil Division
2003: Senior Counsel, United States Department of Justice, Office of Legal Policy
2003 – present: Deputy General Counsel (promoted from Associate General Counsel), Executive Office of the President, Office of Management & Budget

8 Honors and Awards: List any scholarships, fellowships, honorary degrees, and honorary society memberships that you received and believe would be of interest to the Committee.

Office of Management & Budget: Distinguished Service Award

United States Department of Justice: John Marshall Award (Attorney General's highest award for litigation); Assistant Attorney General's Special Achievement Award

University of Pennsylvania Law School : Littleton Legal Writing Fellowship; Lazarus Award

Cornell University: Sherman-Bennet Award for Best Honors Thesis in American Government; Delta Sigma Rho and Golden Key Honor Societies; Chairman, Cornell University Judicial Hearing Board; Semifinalist, National Intercollegiate Debate Championships

9 Other Memberships: List all organizations to which you belong, excluding religious organizations.

Bar Memberships: United States Supreme Court; District of Columbia, Maryland (inactive status), various federal district courts and courts of appeals
D.C. Bar Section on Administrative Law and Agency Practice, Section Co-Chair
Federalist Society for Law and Public Policy
United States Holocaust Museum
Bannockburn Community Association
Merrimack Swim Club

10 Published Writings: List the titles, publishers, and dates of books, articles, reports, or other published materials (including published speeches) you have written. Please include on this list published materials on which you are listed as the principal editor. It would be helpful to the Committee if you could provide one copy of all published material that may not be readily available. Also, to the maximum extent practicable, please supply a copy of all unpublished speeches you made during the past five years on issues involving agriculture, nutrition, forestry or commodity futures policy or related matters

"Putting the Professor to Bed: A Comparison of Mandatory Retirement of Tenured University Faculty in the U.S. and Canada," Comparative Labor Law Journal (1996)

Unpublished Speech: "Trends in Federal Administrative Law: Victims Compensation Funds" given at monthly luncheon of MD/DC Association of Administrative Law Judges (April 18, 2005) (briefly described Pigford litigation settlement) (spoke from notes).

11 Health: What is the present state of your health?

Excellent.

FINANCIAL DATA AND CONFLICT OF INTEREST (PUBLIC)

1. Have you severed all connections with your immediate past private sector employers, business firms, associations, and/or organizations?

Yes, as to all affiliations except the Steering Committee of the Administrative Law and Agency Practice Section of the DC Bar.

2 List sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock options, incompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients, or customers.

None.

3 Do you, or does any partnership or closely held corporation in which you have an interest, own or operate a farm or ranch? (If yes, please give a brief description including location, size and type of operation.)

No.

4 Have you, or any partnership or closely held corporation in which you have an interest, ever participated in Federal commodity price support programs? (If yes, provide all details including amounts of direct government payments and loans received or forfeited by crop and farm, etc. during the past five years.)

No.

5 Have you, or any partnership or closely held corporation in which you have an interest, ever received a direct or guaranteed loan from or cosigned a note to the Rural Business-Cooperative Service, Rural Housing Service, the Rural Utilities Service or their predecessor agencies, the Farmers Home Administration, the Rural Development Administration, the Rural Housing and Cooperative Development Service or the Rural Electrification Administration? (If yes, give details of any such loan activity during the past 5 years.)

No.

6 Have you, or any partnership or closely held corporation in which you have an interest, ever received payments for crop losses from the Federal Crop Insurance program? (If yes, give details.)

No.

7 If confirmed, do you have any plans, commitments, or agreements to pursue outside employment or engage in any business or vocation, with or without compensation, during your service with the government? (If so, explain.)

No.

8 Do you have any plans to resume employment, affiliation, or practice with your previous employers, business firms, associations, or organizations after completing government service? (If yes, give details)

No.

9 Has anyone made a commitment to employ you or retain your services in any capacity after you leave government service? (If yes, please specify)

No.

10 Identify all investments, obligations, liabilities, or other relationships which involve potential conflicts of interest in the position to which you have been nominated.

None.

11 Have you ever received a government guaranteed student loan? If so, has it been repaid?

No. (My spouse did receive several student loans. All were repaid early, except one. The one outstanding loan is current.)

12 If confirmed, explain how you will resolve any potential conflict of interest, including any that may be disclosed by your responses to the above items

Should I ever become aware of a financial holding or personal relationship that poses a conflict of interest, or presents even the appearance of a conflict of interest, I will promptly notify the Designated Agency Ethics Official, follow his advice, and where appropriate, recuse myself from all affected matters until the conflict or appearance of conflict can be resolved.

March 10, 2006

Honorable Saxby Chambliss
Chairman
Committee on Agriculture, Nutrition, and Forestry
United States Senate
Washington, D.C. 20510-6000

Dear Mr. Chairman:

On January 9, 2006, a copy of my SF-278, Executive Branch Public Financial Disclosure Report, required in connection with my nomination to serve as General Counsel for the Department of Agriculture was submitted to the U.S. Office of Government Ethics. That report contained all required financial information for calendar year 2004 and through November 30, 2005.

The Ethics in Government Act of 1978, as amended, also requires that I update certain of the information reported on the SF-278, i.e., that required by section 102(a)(1)(A) of the Act, respecting income (other than my Federal salary and dividends, interest, rents, and capital gains) and honoraria, to a 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 March 14, 2006. The purpose of this letter is to report that since I filed my Financial Disclosure Report, I earned no additional reportable income.

Additionally, I have updated and corrected certain entries on my public financial disclosure report, which change the following amounts and types of income:

Page 2, line 6, Columbia Marsico Growth Fund income changes to None (or less than $201).
Page 3, line 4, Fidelity Advisor Diverse International Fund income changes to None (or less than $201).
Page 3, line 5, Van Kampen Equity and Income Fund value is properly $15,001 to $50,000. The income changes to $1,001 to $2,500.
Page 8, line 8, Columbia Acorn USA Fund income changes to $1,001 to $2,500.

All other amounts disclosed on Schedule A remain unchanged.

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

Sincerely,

Marc L. Kesselman
Nominee for General Counsel
U. S. Department of Agriculture

cc: Marilyn Glynn, Acting Director, US Office of Government Ethics
Raymond Sheehan, Acting Designated Agency Ethics Official, USDA

United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

January 10, 2006

The Honorable Saxby Chambliss
Chairman
Committee on the Agriculture,
Nutrition, and Forestry
United States Senate
Washington, DC 20510-6000

Dear Mr. Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Marc L. Kesselman, who has been nominated by President Bush for the position of General Counsel, Department of Agriculture.

We have reviewed the report and have also obtained advice from the Department of Agriculture concerning any possible conflict in light of its functions and the nominee's proposed duties.

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

Sincerely,

Marilyn L. Glynn
General Counsel

Enclosure

SF278 (Rev 03/2000)
5 C F R Part 2634
U S Office of Government Ethics

Form Approved
OMB No 3209-0001

Executive Branch Personnel PUBLIC FINANCIAL DISCLOSURE REPORT

Date of Appointment, Candidacy Election or Nomination (*Month, Day, Year*)	Reporting Status (*Check appropriate boxes*)	Incumbent	Calendar Year Covered by Report	New Entrant, Nominee, or Candidate	Termination Filer	Termination Date (*If Applicable*) (*Month, Day, Year*)
November 16, 2005		[ ]		[X]	[ ]	

Reporting Individual's Name	Last Name: Kesselman	First Name and Middle Initial: Marc L
Position for Which Filing	Title of Position: General Counsel	Department or Agency (*If Applicable*): United States Department of Agriculture
Location of Present Office (or forwarding address)	Address (*Number, Street, City, State, and ZIP Code*): EEOB Room 254, 17th & Pennsylvania Ave , N.W	Telephone No. (*Include Area Code*): (202) 395-5044
Position(s) Held with the Federal Government During the Preceding 12 Months (If Not Same as Above)	Title of Position(s) and Date(s) Held: Deputy General Counsel, Office of Management and Budget, August 2004 to present	
Presidential Nominees Subject to Senate Confirmation	Name of Congressional Committee Considering Nomination: Senate Committee on Agriculture, Nutrition, and Forestry	Do You Intend to Create a Qualified Diversified Trust? [ ] Yes [X] No

Certification I CERTIFY that the statements I have made on this form and all attached schedules are true, complete and correct to the best of my knowledge	Signature of Reporting Individual: [signature]	Date (*Month, Day, Year*): November 30, 2005
Other Review (If desired by agency)	Signature of Other Reviewer:	Date (*Month, Day, Year*):
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 in the box below)	Signature of Designated Agency Ethics Official/Reviewing Official: [signature]	Date (*Month, Day, Year*): Jan 9, 2006
Office of Government Ethics Use Only	Signature: [signature]	Date (*Month, Day, Year*): 1/9/06

Comments of Reviewing Officials (*If additional space is required, use the reverse side of this sheet*)

1/9/06 Per Mr. Kesselman a $1,503.90 sale of Van Kampen Equity and Income Fund interests required a minor amendment to page three of this report. PT

(*Check box if filing extension granted & indicate number of days* _____) [ ]

(*Check box if comments are continued on the reverse side*) [ ]

Fee for Late Filing
Any individual who is required to file this report and does so more than 30 days after the date the report is required to be filed, or, if an extension is granted, more than 30 days after the last day of the filing extension period shall be subject to a $200 fee

Reporting Periods
Incumbents: The reporting period is the preceding calendar year except Part II of Schedule C and Part I of Schedule D where you must also include the filing year up to the date you file Part II of Schedule D is not applicable

Termination Filers: The reporting period begins at the end of the period covered by your previous filing and ends at the date of termination Part II of Schedule D is not applicable

Nominees, New Entrants and Candidates for President and Vice President:

Schedule A--The reporting period for income (BLOCK C) is the preceding calendar year and the current calendar year up to the date of filing Value assets as of any date you choose that is within 31 days of the date of filing

Schedule B--Not applicable

Schedule C, Part I (Liabilities)--The reporting period is the preceding calendar year and the current calendar year up to any date you choose that is within 31 days of the date of filing

Schedule C, Part II (Agreements or Arrangements)-- Show any agreements or arrangements as of the date of filing

Schedule D--The reporting period is the preceding two calendar years and the current calendar year up to the date of filing

Agency Use Only

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JAN - 9 2006

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U.S. Office of Government Ethics

Reporting Individual's Name: Marc L. Kesselman

SCHEDULE A

Page Number: 2

Assets and Income — BLOCK A

For you, your spouse, and dependent children, report each asset held for investment or the production of income which had a fair market value exceeding $1,000 at the close of the reporting period, or which generated more than $200 in income during the reporting period, together with such income.

For yourself, also report the source and actual amount of earned income exceeding $200 (other than from the U.S. Government). For your spouse, report the source but not the amount of earned income of more than $1,000 (except report the actual acount of any honoraria over $200 of your spouse).

None ☐

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

	Assets and Income	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rents and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
Examples	Central Airlines Common			x													x						x										
	Doe Jones & Smith, Hometown, State			x																												Law Partnership Income $130,000	
	Kempstone Equity Fund				x																			x									
	IRA: Heartland 500 Index Fund							x						x											x								
1	529 for benefit of daughter Fidelity 100% Unique Equity Portfolio		x																		x												
2	Presidential Bank Interest Bearing Checking Account			x															x				x										
3	Justice Federal Credit Union Interest Bearing Checking Account		x																		x												
4	Ameriprise Insured Money Market		x																		x												
5	Ameriprise Financial Services consist: VanKampen Real Estate Securities Fund		x											x							x												
6	Columbia Marsico Growth Fund			x										x									x										

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.

Prior Editions Cannot be Used.

5 C.F.R Part 2634
U.S. Office of Government Ethics

Reporting Individual's Name: Marc L. Kesselman

SCHEDULE A continued

(Use only if needed)

Page Number: 3

Assets and Income — BLOCK A

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

None ☐

#	Assets and Income	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	Ameriprise Cont.: Columbia Small Cap Fund		x										x							x												
2	Columbia Strategic Investor Fund		x										x							x												
3	Fidelity Advisor Mid Cap Fund		x										x								x											
4	Fidelity Advisor Diverse International Fund			x									x								x											
5	VanKampen Equity & Income Fund		x										x								x											
6	Wells Fargo Emerging Markets Focus Fund		x										x							x												
7	Columbia Acorn Select Fund		x										x								x											
8	VanKampen Comstock Fund		x										x								x											
9	Oppenheimer Main Street Opportunity Fund		x										x								x											

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.

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5 C.F.R. Part 2634
U.S. Office of Government Ethics

Reporting Individual's Name: Marc L. Kesselman

SCHEDULE A continued

(Use only if needed)

Page Number: 4

Assets and Income — BLOCK A

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

	Assets and Income (BLOCK A)	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
	None ☐																																
1	Ameriprise Cont.: LSI Logic Corp. Common		x																		x												
2	Nokia Corp Sponsored ADR		x																		x												
3	Packaging Corp. of America Common		x																		x												
4	Smith Barney consisting of: Ingersoll Rand Co. Common		x																		x												
5	Willis Group Holdings Ltd. Common		x																		x												
6	XL Capital Ltd. Common		x																		x												
7	Flextronics International Ltd. Common		x																		x												
8	AFLAC Inc. Common		x																		x												
9	American International Group Inc. Common		x														x			x				x									

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Reporting Individual's Name: Marc L. Kesselman

SCHEDULE A continued

(Use only if needed)

Page Number: 5

Assets and Income — BLOCK A

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

None ☐

#	Assets and Income (BLOCK A)	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	Amount: $201 - $1,000	Amount: $1,001 - $2,500	Amount: $2,501 - $5,000	Amount: $5,001 - $15,000	Amount: $15,001 - $50,000	Amount: $50,001 - $100,000	Amount: $100,001 - $1,000,000	Amount: Over $1,000,000*	Amount: $5,000,001 - $25,000,000	Amount: Over $25,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	Smith Barney cont.: Analog Devices Inc. Common		x																		x												
2	Capital One Financial Corp. Common		x														x			x		x											
3	Fisher Scientific Int'l. Inc.		x																		x												
4	Comcast Corp. Common		x																		x												
5	Costco Wholesale Corp. Common		x														x			x		x											
6	Walt Disney Co. Common		x																		x												
7	EMC Corp. Mass. Common		x																		x												
8	Exxon Mobil Corp. Common		x																		x												
9	Federal National Mortgage Association Common		x																		x												

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Reporting Individual's Name: Marc L. Kesselman

SCHEDULE A continued

(Use only if needed)

Page Number: 6

Assets and Income — BLOCK A

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

None ☐

#	Assets and Income (BLOCK A)	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	Smith Barney Cont.: General Electric Co. Common		x														x			x				x									
2	Harley-Davidson Inc. Common		x																		x												
3	Home Depot Inc. Common		x																		x												
4	Intel Corp. Common		x														x			x			x										
5	JP Morgan Chase & Co. Common		x														x			x				x									
6	Illinois Tool Works Inc. Common		x																		x												
7	Lexmark International Group Inc. Common		x																		x												
8	McGraw Hill Cos. Inc. Common		x																		x												
9	Omnicom Group Inc. Common		x																		x												

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Prior Editions Cannot be Used.

5 C.F.R. Part 2634
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Reporting Individual's Name: Marc L. Kesselman

SCHEDULE A continued

(Use only if needed)

Page Number: 7

Assets and Income — BLOCK A

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

None ☐

#	Assets and Income (BLOCK A)	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Retirement Investments Used	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	Smith Barney Cont.: Microsoft Corp. Common		x														x					x											
2	Pepsico Inc. Common		x																		x												
3	Pfizer Inc. Common		x														x			x					x								
4	Vodafone Group PLC SP ADR		x																		x												
5	Wells Fargo & Co. Common		x																		x												
6	CISCO Systems Inc. Common		x																		x												
7	Colgate Palmolive Co. Common		x																		x												
8	Global Santa Fe Corp. Common		x																		x												
9	Wal-Mart Stores Inc. Common		x																		x												

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Reporting Individual's Name: Marc L. Kesselman

SCHEDULE A continued

(Use only if needed)

Page Number: 8

Assets and Income — BLOCK A

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

None ☐

#	Assets and Income	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	Ameriprise Financial Services consist: Barr Pharmaceuticals Inc. Common		x																		x												
2	Endo Pharmaceuticals Inc. Common		x																		x												
3	Fiserv Inc. Common		x																		x												
4	International Rectifier Corp. Common		x																		x												
5	Nabors Industries Ltd. Common		x																		x												
6	PETCO Animal Common		x																		x												
7	AIM Real Estate Fund	x												x								x											
8	Columbia Acorn USA Fund	x												x								x											
9	Fidelity Advisor Strategic Income Fund	x												x									x										

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categ

Prior Editions Cannot be Used.

5 C.F.R. Part 2634
U.S. Office of Government Ethics

Reporting Individual's Name: Marc L. Kesselman

SCHEDULE A continued

(Use only if needed)

Page Number: 9

Assets and Income — BLOCK A

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

None ☐

#	Assets and Income (BLOCK A)	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Blind/Trust Instrument (Check)	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	Ameriprise Cont.: AXP Small Cap Advantage Fund	x												x										x									
2	AIM Mid Cap Core Equity Fund	x												x									x										
3	Putnam International Growth and Income Fund	x												x										x									
4	Putnam Vista Fund	x												x								x											
5	Smith Barney Consisting of: Jabil Circuits Inc. Common	x															x			x			x										
6	Texas Instruments Inc. Common	x																		x			x										
7																																	
8																																	
9																																	

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categ

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Do not Complete Schedule B if you are a new entrant, nominee, Vice Presidential or Presidential Candidate

Reporting Individual's Name: Marc L. Kesselman

SCHEDULE B

Page Number: 10

Part I: Transactions

None ☐

Report any purchase, sale, or exchange by you, your spouse, or dependent children during the reporting period of any real property, stocks, bonds, commodity futures, and other securities when the amount of the transaction exceeded $1,000. Include transactions that resulted in a loss. Do not report a transaction involving property used solely as your personal residence, or a transaction solely between you, your spouse, or dependent child. Check the "Certificate of divestiture" block to indicate sales made pursuant to a certificate of divestiture from OGE.

	Identification of Assets	Transaction Type (x): Purchase	Sale	Exchange	Date (Mo., Day, Yr.)	Amount of Transaction (x): $1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Certificate of divestiture
	Example: Central Airlines Common	x			2/1/99			x									
1																	
2																	
3																	
4																	
5																	

* This category applies only if the underlying asset is solely that of the filer's spouse or dependent children. If the underlying asset is either held by the filer or jointly held by the filer with the spouse or dependent children, use the other higher categories of value, as appropriate.

Part II: Gifts, Reimbursements, and Travel Expenses

For you, your spouse and dependent children, report the source, a brief description, and the value of: (1) gifts (such as tangible items, transportation, lodging, food, or entertainment) received from one source totaling more than $260; and (2) travel-related cash reimbursements received from one source totaling more than $260. For conflicts analysis, it is helpful to indicate a basis for receipt, such as personal friend, agency approval under 5 U.S.C. § 4111 or other statutory authority, etc. For travel-related gifts and reimbursements, include travel itinerary, dates, and the nature of expenses provided. **Exclude** anything given to you by the U.S. Government; given to your agency in connection with official travel; received from relatives; received by your spouse or dependent child totally independent of their relationship to you; or provided as personal hospitality at the donor's residence. Also, for purposes of aggregating gifts to determine the total value from one source, exclude items worth $104 or less. See instructions for other exclusions.

None ☐

	Source (Name and Address)	Brief Description	Value
	Examples: Nat'l Assn. of Rock Collectors, NY, NY	Airline ticket, hotel room & meals incident to national conference 6/15/99 (personal activity unrelated to duty)	$500
	Frank Jones, San Francisco, CA	Leather briefcase (personal friend)	$300
1			
2			
3			
4			
5			

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Reporting Individual's Name: Marc L. Kesselman

SCHEDULE C

Page Number: 11

Part I: Liabilities

Report liabilities over $10,000 owed to any one creditor at any time during the reporting period by you, your spouse, or dependent children. Check the highest amount owed during the reporting period. **Exclude** a mortgage on your personal residence unless it is rented out; loans secured by automobiles, household furniture or appliances; and liabilities owed to certain relatives listed in instructions. See instructions for revolving charge accounts.

None [X]

	Creditors (Name and Address)	Type of Liability	Date Incurred	Interest Rate	Term if applicable	$10,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over
Examples:	First District Bank, Washington, DC	Mortgage on rental property, Delaware	1991	8%	25 yrs.			X								
	John Jones, 123 J St., Washington, DC	Promissory note	1999	10 %	on demand					X						
1																
2																
3																
4																
5																

Category of Amount or Value (x)

* This category applies only if the liability is solely that of the filer's spouse or dependent children. If the liability is that of the filer or a joint liability of the filer with the spouse or dependent children, mark the other higher categories, as appropriate.

Part II: Agreements or Arrangements

Report your agreements or arrangements for: continuing participation in an employee benefit plan (e.g. 401k, deferred compensation; (2) continuation payment by a former employer (including severance payments); (3) leaves of absence; and (4) future employment. See instructions regarding the reporting of negotiations for any of these arrangements or benefits

None [X]

	Status and Terms of any Agreement or Arrangement	Parties	Date
Example:	Pursuant to partnership agreement, will receive lump sum payment of capital account & partnership share calculated on service performed through 1/00.	Doe Jones & Smith, Hometown, State	7/85
1			
2			
3			
4			
5			
6			

Prior Editions Cannot Be Used.

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Reporting Individual's Name		Page Number
Marc L. Kesselman	**SCHEDULE D**	12

Part I: Positions Held Outside U.S. Government

Report any positions held during the applicable reporting period, whether compensated or not. Positions include but are not limited to those of an officer, director, trustee, general partner, proprietor, representative, employee, or consultant of any corporation, firm, partnership, or other business enterprise or any non-profit organization or educational institution. **Exclude** positions with religious, social, fraternal, or political entities and those solely of an honorary nature.

None ☐

	Organization (*Name and Address*)	Type of Organization	Position Held	From (Mo., Yr.)	To (Mo., Yr.)
Examples:	Nat'l Assn. of Rock Collectors, NY, NY	Non-profit education	President	6/92	Present
	Doe Jones & Smith, Hometown, State	Law firm	Partner	7/85	1/00
1	District of Columbia Bar Association, Administrative Law Section	Non-profit bar association	Co-chair; Steering Committee Member	7/02	present
2					
3					
4					
5					
6					

Part II: Compensation In Excess Of $5,000 Paid by One Source

Report sources of more than $5,000 compensation received by you or your business affiliation for services provided directly by you during any one year of the reporting period. This includes the names of clients and customers of any corporation, firm, partnership, or other business enterprise, or any other non-profit organization when you directly provided the services generating a fee or payment of more than $5,000. You need not report the U.S. Government as a source.

Do not complete this part if you are an Incumbent, Termination Filer, or Vice Presidential or Presidential Candidate

None ☒

	Source (*Name and Address*)	Brief Description of Duties
Examples:	Doe Jones & Smith, Hometown, State	Legal services
	Metro University (client of Doe Jones & Smith), Moneytown, State	Legal services in connection with university construction
1		
2		
3		
4		
5		
6		

Prior Editions Cannot Be Used.

QUESTIONNAIRE FOR UNITED STATES DEPARTMENT OF AGRICULTURE NOMINEES
BIOGRAPHICAL INFORMATION (PUBLIC)

1. Full name (include any former names used).

Boyd Kevin Rutherford

2. Date and place of birth.

April 1, 1957 (Washington, D.C.)

3. Marital Status (include maiden name of wife or husband's name). List spouse's occupation, employer's name and business address(es).

Married, Monica Michelle Rutherford, Homemaker
Former Monica Harrison

4. Education: List each college and graduate or professional school you have attended, including dates of attendance, degrees received, and dates degrees were granted.

Northeastern University	**1975-1976**	
Howard University	**1976-1979**	**BA (Economics and Political Science)**
University of Southern California	**1987-1990**	**JD/MA**

5. Employment Record: List (by year) all business or professional corporations, companies, firms, or other enterprises, partnerships, institutions and organizations, nonprofit or otherwise, including farms, with which you were connected as an officer, director, partner, proprietor, or employee since graduation from college; include a title and brief job description.

1/2003 - Present, Maryland Department of General Services, Secretary
9/2001 - 1/2003, U.S. General Services Administration, Associate Administrator, Office of Performance Improvement and Office Small Business Utilization.
2/2000 - 9/2001, Kelly Law Registry, Director of Business Development (Legal Placement Agency)
1/1998 - 2/2000, Tydings & Rosenberg, Associate Attorney
11/1994 - 1/1998, Van Mess Feldman, Associate Attorney

1992 - 11/1994, Mitsubishi Motor Sales of America, Counsel
1991 - 1992, Diahatsu Motors America, Attorney
1990 - 1991, Carlsmith Ball, Associate Attorney
1987 - 1990, Law School, Student
1986 - 1987, Telenet Communications Corp., Marketing Representative (Telecommunications Sales)
1981 - 1986, Control Data Corporation, Marketing Representative (Computer Application Software Service Sales)
1979 - 1981, Bankers Trust Company, Credit and Financial Analyst

6. Military Service: Have you had any military service? If so, give particulars, including the dates, branch of service, rank or rate, serial number and type of discharge received.

None

7. Government Service: State (chronologically) your government service or public offices you have held, including the terms of service grade levels and whether such positions were elected or appointed.

9/2001 - 1/2003, U.S. General Services Administration, Associate Administrator, Office of Performance Improvement and Office Small Business Utilization.

8. Honors and Awards: List any scholarships, fellowships, honorary degrees, and honorary society memberships that you received and believe would be of interest to the Committee.

None

9. Other Memberships: List all organizations to which you belong, excluding religious organizations.

None

10. Published Writings: List the titles, publishers, and dates of books, articles, reports, or other published materials (including published speeches) you have written. Please include on this list published materials on which you are listed as the principal editor. It would be helpful to the Committee if you could provide one copy of all published material that may not be readily available. Also, to the maximum extent practicable, please supply a copy of all unpublished speeches you made during the past five years on issues involving agriculture, nutrition, forestry or commodity futures policy or related matters.

O-Ed, A black Republican credo, Philadelphia Daily News, Sept. 7, 2000

11. Health: What is the present state of your health?

Excellent

FINANCIAL DATA AND CONFLICT OF INTEREST (PUBLIC)

1. Have you severed all connections with your immediate past private sector employers, business firms, associations, and/or organizations?

No, Currently employed by the State of Maryland

2. List sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock options, incompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients, or customers.

I am a member of the Maryland State Retirement System and will receive a future retirement benefit upon reaching retirement age.

3. Do you, or does any partnership or closely held corporation in which you have an interest, own or operate a farm or ranch? (If yes, please give a brief description including location, size and type of operation.)

No

4. Have you, or any partnership or closely held corporation in which you have an interest, ever participated in Federal commodity price support programs? (If yes, provide all details including amounts of direct government payments and loans received or forfeited by crop and farm, etc. during the past five years.)

No

5. Have you, or any partnership or closely held corporation in which you have an interest, ever received a direct or guaranteed loan from or cosigned a note to the Rural Business-Cooperative Service, Rural Housing Service, the Rural Utilities Service or their predecessor agencies, the Farmers Home Administration, the Rural Development Administration, the Rural Housing and Cooperative Development Service or the Rural Electrification Administration? (If yes, give details of any such loan activity during the past 5 years.)

No

you have an interest, ever received payments for crop losses from the Federal Crop Insurance program? (If yes, give details.)

No

7. If confirmed, do you have any plans, commitments, or agreements to pursue outside employment or engage in any business or vocation, with or without compensation, during your service with the government? (If so, explain.)

No

8. Do you have any plans to resume employment, affiliation, or practice with your previous employers, business firms, associations, or organizations after completing government service? (If yes, give details.)

No

9. Has anyone made a commitment to employ you or retain your services in any capacity after you leave government service? (If yes, please specify.)

No

10. Identify all investments, obligations, liabilities, or other relationships which involve potential conflicts of interest in the position to which you have been nominated.

None

11. Have you ever received a government guaranteed student loan? If so, has it been repaid?

Yes as an undergraduate. The loan has been repaid.

12. If confirmed, explain how you will resolve any potential conflict of interest, including any that may be disclosed by your responses to the above items.

N/A

March 10, 2006

Honorable Saxby Chambliss
Chairman
Committee on Agriculture, Nutrition, and Forestry
United States Senate
Washington, D.C. 20510-6000

Dear Mr. Chairman:

On February 10, 2006, a copy of my SF-278, Executive Branch Public Financial Disclosure Report, required in connection with my nomination to serve as Assistant Secretary for Administration for the Department of Agriculture was submitted to the U.S. Office of Government Ethics. That report contained all required financial information for calendar year 2005 and for the current calendar year through January 20, 2006.

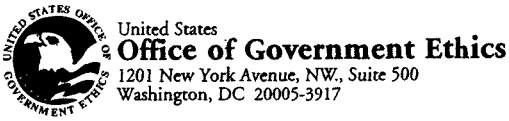
The Ethics in Government Act of 1978, as amended, also requires that I update certain of the information reported on the SF-278, i.e., that required by section 102(a)(1)(A) of the Act, respecting income (other than my Federal salary and dividends, interest, rents, and capital gains) and honoraria, to a 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 March 14, 2006. The purpose of this letter is to report that since I filed my Financial Disclosure Report, I earned an additional $24,860.20 for my position as Secretary, Department of General Services for the State of Maryland.

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

Sincerely,

Boyd K. Rutherford
Nominee for Assistant Secretary for Administration
U. S. Department of Agriculture

cc: Marilyn Glynn, Acting Director, US Office of Government Ethics
Raymond Sheehan, Acting Designated Agency Ethics Official, USDA



February 16, 2006

The Honorable Saxby Chambliss
Chairman
Committee on Agriculture, Nutrition,
and Forestry
United States Senate
Washington, DC 20510-6000

Dear Mr. Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Boyd K. Rutherford, who has been nominated by President Bush for the position of Assistant Secretary for Administration, Department of Agriculture.

We have reviewed the report and have also obtained advice from the Department of Agriculture concerning any possible conflict in light of its functions and the nominee's proposed duties. Also enclosed with the report is a letter dated January 20, 2006, from Mr. Rutherford to the Department's ethics official, outlining the steps which Mr. Rutherford will take to avoid conflicts of interest. Unless a specific date has been agreed to, the nominee must fully comply within three months of his confirmation date with the actions he agreed to take in his ethics agreement.

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

Sincerely,

Marilyn L. Glynn
Acting Director

Enclosures

OGE - 10
August 199

SF 278 (Rev. 03/2000)
5 C.F.R Part 2634
U.S. Office of Government Ethics

Form Approved
OMB No. 3209-0001

Executive Branch Personnel PUBLIC FINANCIAL DISCLOSURE REPORT

Date of Appointment, Candidacy, Election or Nomination (*Month, Day, Year*)	Reporting Status (*Check appropriate boxes*)	Incumbent	Calendar Year Covered by Report	New Entrant, Nominee, or Candidate [X]	Termination Filer [ ] / Termination Date (*If Applicable*) (*Month, Day, Year*)
Reporting Individual's Name	Last Name: Rutherford			First Name and Middle Initial: Boyd K.	
Position for Which Filing	Title of Position: Assistant Secretary for Administration			Department or Agency (*If Applicable*): U. S. Department of Agriculture	
Location of Present Office (or forwarding address)	Address (*Number, Street, City, State, and ZIP Code*): 301 West Preston Street, Baltimore, MD 21201			Telephone No. (*Include Area Code*): (410) 767-4960	
Position(s) Held with the Federal Government During the Preceding 12 Months (If Not Same as Above)	Title of Position(s) and Date(s) Held				
Presidential Nominees Subject to Senate Confirmation	Name of Congressional Committee Considering Nomination: Committee on Agriculture, Nutrition and Forestry			Do You Intend to Create a Qualified Diversified Trust? [ ] Yes [X] No	
Certification: I CERTIFY that the statements I have made on this form and all attached schedules are true, complete and correct to the best of my knowledge.	Signature of Reporting Individual: Boyd K. Rutherford			Date (*Month, Day, Year*): JAN. 20, 2006	
Other Review (If desired by agency)	Signature of Other Reviewer			Date (*Month, Day, Year*)	
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 in the box below).	Signature of Designated Agency Ethics Official/Reviewing Official			Date (*Month, Day, Year*): Feb. 10, 2006	
Office of Government Ethics Use Only	Signature: Marilyn L. Glynn			Date (*Month, Day, Year*): 2/16/06	

Comments of Reviewing Officials (*If additional space is required, use the reverse side of this sheet*)

RECEIVED JAN 25 2006

(*Check box if filing extension granted & indicate number of days* _____) [ ]

(*Check box if comments are continued on the reverse side*) [ ]

Fee for Late Filing
Any individual who is required to file this report and does so more than 30 days after the date the report is required to be filed, or, if an extension is granted, more than 30 days after the last day of the filing extension period shall be subject to a $200 fee.

Reporting Periods
Incumbents: The reporting period is the preceding calendar year except Part II of Schedule C and Part I of Schedule D where you must also include the filing year up to the date you file. Part II of Schedule D is not applicable.

Termination Filers: The reporting period begins at the end of the period covered by your previous filing and ends at the date of termination. Part II of Schedule D is not applicable.

Nominees, New Entrants and Candidates for President and Vice President:

Schedule A--The reporting period for income (BLOCK C) is the preceding calendar year and the current calendar year up to the date of filing. Value assets as of any date you choose that is within 31 days of the date of filing.

Schedule B--Not applicable.

Schedule C, Part I (Liabilities)--The reporting period is the preceding calendar year and the current calendar year up to any date you choose that is within 31 days of the date of filing.

Schedule C, Part II (Agreements or Arrangements)-- Show any agreements or arrangements as of the date of filing.

Schedule D--The reporting period is the preceding two calendar years and the current calendar year up to the date of filing.

Agency Use Only

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FEB 10 2006

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U S Office of Government Ethics

Reporting Individual's Name: Rutherford, Boyd K.

SCHEDULE A

Page Number 2

Assets and Income — BLOCK A

For you, your spouse, and dependent children, report each asset held for investment or the production of income which had a fair market value exceeding $1,000 at the close of the reporting period, or which generated more than $200 in income during the reporting period, together with such income.

For yourself, also report the source and actual amount of earned income exceeding $200 (other than from the U.S. Government). For your spouse, report the source but not the amount of earned income of more than $1,000 (except report the actual acount of any honoraria over $200 of your spouse).

None ☐

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $200)" is checked, no other entry is needed in Block C for that item.

BLOCK C — Type: Interest, Dividends, Rent and Royalties, Interest, Capital Gains. Amount: None (or less than $200), $201 - $1,000, $1,001 - $2,500, $2,501 - $5,000, $5,001 - $15,000, $15,001 - $50,000, $50,001 - $100,000, $100,001 - $1,000,000, Over $1,000,000, $1,000,001 - $5,000,000, Over $5,000,000.

	Assets and Income	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Dividends	Rent and Royalties	Interest	Capital Gains	None (or less than $200)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
Examples	Central Airlines Common			x																													
	Doe Jones & Smith, Hometown, State				x																											Low Nontaxable Income $170,000	
	Kempstone Equity Fund													x																			
	IRA: Heartland 500 Index Fund							x						x																			
1	T. Rowe Price - Mid Cap Value Fund (TRMCX)		x											x							x												
2	T. Rowe Price - Capital Appreciation Fund (PRWCX)		x											x						x													
3	T. Rowe Price - New Horizon Fund (PRNHX)		x											x						x													
4	Johnson & Johnson Common		x																	x													
5	Bank of America Common		x																	x													
6	State of Maryland - Salary																															$124,833.20 $4,972.04	CY 2005 2006 to date

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.

Prior Editions Cannot be Used.

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Reporting Individual's Name: Rutherford, Boyd K.

SCHEDULE A continued

(Use only if needed)

Page Number: 3

Assets and Income — BLOCK A

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

#	Assets and Income (BLOCK A)	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	KMC Realty Ventures, LLC Ellicott City, MD [Condo rental] (7% non-managing interest)		x																		x												
2	Harbor - Harbor Bond Fund (IRA) (HABDX)		x											x							x												
3	Managers Funds - Special Equity Fund (IRA) (MGSEX)		x											x							x												
4	Intel Corp. Common (IRA)		x																		x												
5	Harding Loevner - Emerging Markets Fund (IRA) (HLEMX)		x											x							x												
6	American Century Cap. Value Fund (IRA) (ACTIX)		x											x							x												
7	T. Rowe Price - Prime Reserve Fund (PRRXX)		x											x								x											
8 DC	Maryland College Investment Plan Equity Fund		x																		x												
	Bond & Income Fund		x																		x												
9 DC	Maryland College Investment Plan Equity Fund		x																		x												
	Bond & Income Fund	x																			x												

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.

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Reporting Individual's Name: Rutherford, Boyd K.

SCHEDULE A continued

(Use only if needed)

Page Number: 4

Assets and Income — BLOCK A

None ☐

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

#	Assets and Income (BLOCK A)	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	Amount: $201 - $1,000	Amount: $1,001 - $2,500	Amount: $2,501 - $5,000	Amount: $5,001 - $15,000	Amount: $15,001 - $50,000	Amount: $50,001 - $100,000	Amount: $100,001 - $1,000,000	Amount: $1,000,001 - $5,000,000	Amount: Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	T. Rowe Price - U.S. Treasury Intermediate Bond Fund (PRTIX)		x											x								x										
2	State of Maryland Retirement Account (457-defined contribution plan) consisting of:																															
3	Investment Contract Pool		x																		x											
4	Legg Mason - Value Instl Fund (LMNVX)		x											x							x											
5	Dreyfus - Mid Cap Index Fund (PESPX)		x											x							x											
6	PIMCO Funds - Total Return Instl Fund (PTTRX)		x											x							x											
7	American Funds - EuroPacific Fund (AEPGX)		x											x							x											
8	State of Maryland Retirement Account (401K Rollover) consisting of:																															
9	Investment Contract Pool		x																		x											

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categ

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5 CFR Part 2634
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Reporting Individual's Name: Rutherford, Boyd K.

SCHEDULE A continued

(Use only if needed)

Page Number: 5

Assets and Income — BLOCK A

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

None ☐

#	Assets and Income (Block A)	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000*	Over $1,000,000*	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gain	None (or less than $201)	$201 - $500	$501 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	State of Maryland Retirement Account (401k Rollover) continued																																
2	PIMCO Funds - Total Return Instl Fund (PTTRX)		x										x							x													
3	Legg Mason - Value Instl Fund (LMNVX)		x										x							x													
4	Dreyfus - Mid Cap Index Fund (PESPX)		x										x							x													
5	State of Maryland Retirement Account (401a-defined contribution plan consisting of holdings which		x																	x													
6	individually do not meet reporting thresholds)																																
7	ING Direct MMA		x																	x													
8	Maryland State Employee Credit Union		x																	x													
9 S	T. Rowe Price - Equity Index Fund (PREIX)		x										x							x													

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categ

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Do not Complete Schedule B if you are a new entrant, nominee, Vice Presidential or Presidential Candidate

Reporting Individual's Name: Rutherford, Boyd K.

SCHEDULE B

Page Number: 6

Part I: Transactions

None ☐

Report any purchase, sale, or exchange by you, your spouse, or dependent children during the reporting period of any real property, stocks, bonds, commodity futures, and other securities when the amount of the transaction exceeded $1,000. Include transactions that resulted in a loss. Do not report a transaction involving property used solely as your personal residence, or a transaction solely between you, your spouse, or dependent child. Check the "Certificate of divestiture" block to indicate sales made pursuant to a certificate of divestiture from OGE.

	Identification of Assets	Transaction Type (x): Purchase	Sale	Exchange	Date (Mo., Day, Yr.)	Amount of Transaction (x): $1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Certificate of divestiture
Example:	Central Airlines Common	x			2/1/99												
1																	
2																	
3																	
4																	
5																	

* This category applies only if the underlying asset is solely that of the filer's spouse or dependent children. If the underlying asset is either held by the filer or jointly held by the filer with the spouse or dependent children, use the other higher categories of value, as appropriate.

Part II: Gifts, Reimbursements, and Travel Expenses

None ☐

For you, your spouse and dependent children, report the source, a brief description, and the value of: (1) gifts (such as tangible items, transportation, lodging, food, or entertainment) received from one source totaling more than $260; and (2) travel-related cash reimbursements received from one source totaling more than $260. For conflicts analysis, it is helpful to indicate a basis for receipt, such as personal friend, agency approval under 5 U.S.C. § 4111, or other statutory authority, etc. For travel-related gifts and reimbursements, include travel itinerary, dates, and the nature of expenses provided. **Exclude** anything given to you by the U.S. Government; given to your agency in connection with official travel; received from relatives; received by your spouse or dependent child totally independent of their relationship to you; or provided as personal hospitality at the donor's residence. Also, for purposes of aggregating gifts to determine the total value from one source, exclude items worth $114 or less. See instructions for other exclusions.

	Source (Name and Address)	Brief Description	Value
Examples:	Nat'l Assn. of Rock Collectors, NY, NY	Airline ticket, hotel room & meals incident to national conference 6/15/99 (personal activity, unrelated to duty)	$500
	Frank Jones, San Francisco, CA	Leather briefcase (personal friend)	$300
1			
2			
3			
4			
5			

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Reporting Individual's Name: Rutherford, Boyd K.

SCHEDULE C

Page Number: 7

Part I: Liabilities

Report liabilities over $10,000 owed to any one creditor at any time during the reporting period by you, your spouse, or dependent children. Check the highest amount owed during the reporting period. **Exclude** a mortgage on your personal residence unless it is rented out; loans secured by automobiles, household furniture or appliances; and liabilities owed to certain relatives listed in instructions. See instructions for revolving charge accounts.

None ☐

	Creditors (Name and Address)	Type of Liability	Date Incurred	Interest Rate	Term if applicable	Category of Amount or Value(*): $10,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000*	$1,000,001* - $5,000,000	$5,000,001* - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000
Examples:	First District Bank, Washington, DC	Mortgage on rental property, Delaware	1991	8%	25 yrs.											
	John Jones, 123 J St., Washington, DC	Promissory note	1999	10 %	on demand					x						
1	Edu Serv	School Loans	1990	8%	25 yrs.	x										
2																
3																
4																
5																

* This category applies only if the liability is solely that of the filer's spouse or dependent children. If the liability is that of the filer or a joint liability of the filer with the spouse or dependent children, mark the other higher categories, as appropriate.

Part II: Agreements or Arrangements

Report your agreements or arrangements for: continuing participation in an employee benefit plan (e.g. 401k, deferred compensation); (2) continuation payment by a former employer (including severance payments); (3) leaves of absence; and (4) future employment. See instructions regarding the reporting of negotiations for any of these arrangements or benefits.

None: x

	Status and Terms of any Agreement or Arrangement	Parties	Date
Example:	Pursuant to partnership agreement, will receive lump sum payment of capital account & partnership share calculated on service performed through 1/00.	Doe Jones & Smith, Hometown, State	7/85
1	State of Maryland Retirement Account (457) (defined contribution plan)	State of Maryland	2/2003
2	State of Maryland Retirement Account (401k rollover) (defined contribution plan)	State of Maryland	4/2003
3	State of Maryland Retirement Account (401a) (defined contribution plan)	State of Maryland	2/2003
4			
5			
6			

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Reporting Individual's Name		Page Number
Rutherford, Boyd K.	**SCHEDULE D**	8

Part I: Positions Held Outside U.S. Government

Report any positions held during the applicable reporting period, whether compensated or not. Positions include but are not limited to those of an officer, director, trustee, general partner, proprietor, representative, employee, or consultant of any corporation, firm, partnership, or other business enterprise or any non-profit organization or educational institution. Exclude positions with religious, social, fraternal, or political entities and those solely of an honorary nature.

None ☐

	Organization (Name and Address)	Type of Organization	Position Held	From (Mo., Yr.)	To (Mo., Yr.)
Examples:	Nat'l Assn. of Rock Collectors, NY, NY	Non-profit education	President	6/92	Present
	Doe Jones & Smith, Hometown, State	Law firm	Partner	7/85	1/00
1	State of Maryland, Dept. of General Services Baltimore, MD	State Government	Secretary	01/2003	present
2					
3					
4					
5					
6					

Part II: Compensation In Excess Of $5,000 Paid by One Source

Report sources of more than $5,000 compensation received by you or your business affiliation for services provided directly by you during any one year of the reporting period. This includes the names of clients and customers of any corporation, firm, partnership, or other business enterprise, or any other non-profit organization when you directly provided the services generating a fee or payment of more than $5,000. You need not report the U.S. Government as a source.

Do not complete this part if you are an Incumbent, Termination Filer, or Vice Presidential or Presidential Candidate

None ☐

	Source (Name and Address)	Brief Description of Duties
Examples:	Doe Jones & Smith, Hometown, State	Legal services
	Metro University (client of Doe Jones & Smith), Moneytown, State	Legal services in connection with university construction
1	State of Maryland, Dept. of General Services Baltimore, MD	State Governmental duties
2		
3		
4		
5		
6		

Prior Editions Cannot Be Used.

January 20, 2006

Raymond J. Sheehan
Acting Designated Agency Ethics Official
United States Department of Agriculture
Washington, D.C. 20250-0122

Dear Mr. Sheehan:

The purpose of this letter is to describe the steps that I intend to take to avoid any actual or apparent conflict of interest in the event that I am confirmed for the position of Assistant Secretary for Administration, 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 that has a direct and predictable effect on my financial interests or those of any other person whose interests are imputed to me, unless I first obtain a written waiver, pursuant to section 208(b)(1), or qualify for a regulatory exemption, pursuant to section 208(b)(2). I understand that the interests of the following persons are imputed to me: my spouse, minor children, or any general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with whom I am negotiating or have an arrangement concerning prospective employment.

Upon confirmation, I will resign my position as Secretary, Department of General Services, State of Maryland. Furthermore, pursuant to 5 C.F.R § 2635.502, for one year after I terminate my position with the Department of General Services for the State of Maryland, I will not participate in any particular matter involving specific parties in which the Department of General Services for the State of Maryland is a party or represents a party, unless I am authorized to participate.

As an employee of the State of Maryland, I currently participate in the State of Maryland Retirement Account consisting of a 457 defined contribution plan, a 401k defined contribution plan, and a 401a defined contribution plan. Within 60 days of my appointment to the position of Assistant Secretary for Administration, I will roll the retirement account into an Individual Retirement Account.

I believe that the steps I have agreed to take, as outlined above, will assure that no conflict of interest, or the appearance of a conflict of interest, will exist between my personal financial interests and the duties I will perform as the Assistant Secretary for Administration for the United States Department of Agriculture.

Sincerely,

Boyd K. Rutherford

QUESTIONNAIRE FOR UNITED STATES DEPARTMENT OF AGRICULTURE NOMINEES
BIOGRAPHICAL INFORMATION (PUBLIC)

1. Full name (include any former names used).

   Linda Avery Strachan

2. Date and place of birth.

   November 27, 1950.
   Washington, D.C.

3. Marital Status (include maiden name of wife or husband's name). List spouse's occupation, employer's name and business address(es).

   Single

4. Education: List each college and graduate or professional school you have attended, including dates of attendance, degrees received, and dates degrees were granted.

   Greensboro College
   Greensboro, North Carolina
   B.A. Education, 1972

5. Employment Record: List (by year) all business or professional corporations, companies, firms, or other enterprises, partnerships, institutions and organizations, nonprofit or otherwise, including farms, with which you were connected as an officer, director, partner, proprietor, or employee since graduation from college; include a title and brief job description.

   September 2004 - Present
   Friends of the National Arboretum (Non Profit)
   Board Member

   February 1998 - November 2005
   Monsanto Company
   Director of Government Affairs

   November 1990 - January 1998
   Department of State
   Special Assistant to the Assistant Secretary for the Bureau of Oceans, International Environmental and Scientific Affairs.

January 1990 - November 1990
Environmental Protection Agency
Special Assistant to the Assistant Administrator for
Office of Pesticides and Toxic Substances

September 1988 - December 1989
Environmental Protection Agency
Special Assistant to the Assistant Administrator for
Office of Policy, Planning, and Evaluation.

March 1988 - August 1988
Environmental Protection Agency
Technology Transfer Liaison Specialist

1987 - 1988
Environmental Protection Agency
Intergovernmental Liaison Specialist

1986 - 1987
Environmental Protection Agency
Communications Strategies, Office of External Affairs

1985 - 1986
Environmental Protection Agency
Intergovernmental Liaison Specialist

1982 - 1985
Office of the Majority Leader
Senator Howard H. Baker, Jr. (R-TN)
Staff Assistant

1980 - 1982
Congressman Robin Beard (R-TN)
Staff Assistant

1972 - 1979
Linkhorn Park Elementary School,
Virginia Beach City Schools
Sixth Grade Teacher

Summer 1974
Princess Anne Country Club, Virginia Beach, VA
Waitress

Summer 1973
Oceans Club Restaurant, Virginia Beach, VA
Waitress

Summer 1972
Two Guys, Discount Retailer, Baltimore, MD
Cashier

6. Military Service: Have you had any military service? If so, give particulars, including the dates, branch of service, rank or rate, serial number and type of discharge received.

No.

7. Government Service: State (chronologically) your government service or public offices you have held, including the terms of service grade levels and whether such positions were elected or appointed.

Civil Service Positions
November 1990 - January 1998
Department of State
Special Assistant to the Assistant Secretary of State for the Bureau of Oceans, International Environmental and Scientific Affairs.
GS-15 (career)

January 1990 - November 1990
Environmental Protection Agency
Special Assistant to the Assistant Administrator for Office of Pesticides and Toxic Substances
GS-14 (career)

September 1988 - December 1989
Environmental Protection Agency
Special Assistant to the Assistant Administrator for Office of Policy, Planning, and Evaluation.
GS-14 (career)

March 1988 - August 1988
Environmental Protection Agency
Technology Transfer Liaison Specialist
GS-13 (career)

1987 - 1988
Environmental Protection Agency
Intergovernmental Liaison Specialist
GS-13 (career)

1986 - 1987
Environmental Protection Agency
Communications Strategies, Office of External Affairs
GS-13 (career)

1985 - 1986
Environmental Protection Agency
Intergovernmental Liaison Specialist
GS-12 (career)

Congressional Service
1982 - 1985
Office of the Majority Leader
Senator Howard H. Baker, Jr. (R-TN)
Staff Assistant

1980 - 1982
Congressman Robin Beard (R-TN)
Staff Assistant

Local Government Service
1972 - 1979
Linkhorn Park Elementary School,
Virginia Beach City Schools
Sixth Grade Teacher

8. Honors and Awards: List any scholarships, fellowships, honorary degrees, and honorary society memberships that you received and believe would be of interest to the Committee.

Honor and meritorious awards for service received from the Environmental Protection Agency and Department of State while employed with those agencies.

9. Other Memberships: List all organizations to which you belong, excluding religious organizations.

Board Member, Friends of the National Arboretum.

10. Published Writings: List the titles, publishers, and dates of books, articles, reports, or other published materials (including published speeches) you have written. Please include on this list published materials on which you are listed as the principal editor. It would be helpful to the Committee if you could provide one copy of all published material that may not be readily available. Also, to the maximum extent practicable, please supply a copy of all unpublished speeches you made during the past five years on issues involving agriculture, nutrition, forestry or commodity futures policy or related matters.

None.

11. Health: What is the present state of your health?

Excellent.

FINANCIAL DATA AND CONFLICT OF INTEREST (PUBLIC)

1. Have you severed all connections with your immediate past private sector employers, business firms, associations, and/or organizations?

   Yes. I resigned from Monsanto Company on November 1, 2005. If confirmed, I will resign as a Board Member of the Friends of the National Arboretum.

2. List sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock options, incompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients, or customers.

   See attached Schedule for Monsanto and Pfizer stock options.

3. Do you, or does any partnership or closely held corporation in which you have an interest, own or operate a farm or ranch? (If yes, please give a brief description including location, size and type of operation.)

   No.

4. Have you, or any partnership or closely held corporation in which you have an interest, ever participated in Federal commodity price support programs? (If yes, provide all details including amounts of direct government payments and loans received or forfeited by crop and farm, etc. during the past five years.)

   No.

5. Have you, or any partnership or closely held corporation in which you have an interest, ever received a direct or guaranteed loan from or cosigned a note to the Rural Business-Cooperative Service, Rural Housing Service, the Rural Utilities Service or their predecessor agencies, the Farmers Home Administration, the Rural Development Administration, the Rural Housing and Cooperative Development Service or the Rural Electrification Administration? (If yes, give details of any such loan activity during the past 5 years.)

   No.

6. Have you, or any partnership or closely held corporation in which you have an interest, ever received payments for crop losses from the Federal Crop Insurance program? (If yes, give details.)

No.

7. If confirmed, do you have any plans, commitments, or agreements to pursue outside employment or engage in any business or vocation, with or without compensation, during your service with the government? (If so, explain.)

No.

8. Do you have any plans to resume employment, affiliation, or practice with your previous employers, business firms, associations, or organizations after completing government service? (If yes, give details.)

No.

9. Has anyone made a commitment to employ you or retain your services in any capacity after you leave government service? (If yes, please specify.)

No.

10. Identify all investments, obligations, liabilities, or other relationships which involve potential conflicts of interest in the position to which you have been nominated.

See attached Ethics Agreement.

11. Have you ever received a government guaranteed student loan? If so, has it been repaid?

None received.

12. If confirmed, explain how you will resolve any potential conflict of interest, including any that may be disclosed by your responses to the above items.

See attached Ethics Agreement.

March 10, 2006

Honorable Saxby Chambliss
Chairman
Committee on Agriculture, Nutrition, and Forestry
United States Senate
Washington, D.C. 20510-6000

Dear Mr. Chairman:

On February 8, 2006, a copy of my SF-278, Executive Branch Public Financial Disclosure Report, required in connection with my nomination to serve as Assistant Secretary for Congressional Relations for the Department of Agriculture was submitted to the U.S. Office of Government Ethics. That report contained all required financial information for calendar year 2005 and for the current calendar year through February 21, 2006.

The Ethics in Government Act of 1978, as amended, also requires that I update certain of the information reported on the SF-278, i.e., that required by section 102(a)(1)(A) of the Act, respecting income (other than Federal salary and dividends, interest, rents, and capital gains) and honoraria, to a 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 March 14, 2006. The purpose of this letter is to report that since I filed my Financial Disclosure Report, I earned no additional reportable income.

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

Sincerely,

Linda A. Strachan

Linda A. Strachan
Nominee for Assistant Secretary for Congressional Relations
U. S. Department of Agriculture

cc: Marilyn Glynn, Acting Director, US Office of Government Ethics
Raymond Sheehan, Acting Designated Agency Ethics Official, USDA

United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

February 27, 2006

The Honorable Saxby Chambliss
Chairman
Committee on Agriculture, Nutrition,
and Forestry
United States Senate
Washington, DC 20510-6000

Dear Mr. Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Linda A. Strachan, who has been nominated by President Bush for the position of Assistant Secretary for Congressional Relations, Department of Agriculture.

We have reviewed the report and have also obtained advice from the Department of Agriculture concerning any possible conflict in light of its functions and the nominee's proposed duties. Also enclosed with the report is a letter dated February 21, 2006, from Ms. Strachan to the Department's ethics official, outlining the steps which Ms. Strachan will take to avoid conflicts of interest. Unless a specific date has been agreed to, the nominee must fully comply within three months of her confirmation date with the actions she agreed to take in her ethics agreement.

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

Sincerely,

Marilyn L. Glynn
Acting Director

Enclosures

5 C.F.R Part 2634
U.S. Office of Government Ethics

Form A
OMB No. 32

Executive Branch Personnel PUBLIC FINANCIAL DISCLOSURE REPORT

Date of Appointment, Candidacy, Election or Nomination (*Month, Day, Year*)	Reporting Status (*Check appropriate boxes*)	Incumbent [ ]	Calendar Year Covered by Report	New Entrant, Nominee, or Candidate [X]	Termination Filer [ ]	Termination Date (*If Applicable*) (*Month, Day, Year*)
Reporting Individual's Name	Last Name: Strachan			First Name and Middle Initial: Linda A.		
Position for Which Filing	Title of Position: Assistant Secretary for Congressional Relations			Department or Agency (*If Applicable*): USDA		
Location of Present Office (or forwarding address)	Address (*Number, Street, City, State, and ZIP Code*): 3708 Military Rd. N.W. Washington, DC 20015			Telephone No. (*Include Area Code*): 202-363-1008		
Position(s) Held with the Federal Government During the Preceding 12 Months (If Not Same as Above)	Title of Position(s) and Date(s) Held: None					
Presidential Nominees Subject to Senate Confirmation	Name of Congressional Committee Considering Nomination: Committee on Agriculture, Nutrition and Forestry			Do You Intend to Create a Qualified Diversified Trust? [ ] Yes [X] No		
Certification: I CERTIFY that the statements I have made on this form and all attached schedules are true, complete and correct to the best of my knowledge.	Signature of Reporting Individual: Linda A. Strachan			Date (*Month, Day, Year*): 2/21/06		
Other Review (If desired by agency)	Signature of Other Reviewer:			Date (*Month, Day, Year*):		
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 in the box below).	Signature of Designated Agency Ethics Official/Reviewing Official: [signature]			Date (*Month, Day, Year*): 2/22/2006		
Office of Government Ethics Use Only	Signature: [signature]			Date (*Month, Day, Year*): 2/27/06		

Comments of Reviewing Officials (*If additional space is required, use the reverse side of this sheet*)

(*Check box if filing extension granted & indicate number of days* _____) [ ]

(*Check box if comments are continued on the reverse side*) [ ]

Fee for Late Filing
Any individual who is required to file this report and does so more than 30 days after the date the report is required to be filed, or, if an extension is granted, more than 30 days after the last day of the filing extension period shall be subject to a $200 fee.

Reporting Periods
Incumbents: The reporting period is the preceding calendar year except Part II of Schedule C and Part I of Schedule D where you must also include the filing year up to the date you file. Part II of Schedule D is not applicable.

Termination Filers: The reporting period begins at the end of the period covered by your previous filing and end at the date of termination. Part II of Schedule D is not applicable.

Nominees, New Entrants and Candidates for President and Vice President:

Schedule A--The reporting period for income (BLOCK C) is the preceding calendar year and the current calendar year up to the date of filing. Value assets as of any date you choose that is within 31 days of the date of filing.

Schedule B--Not applicable.

Schedule C, Part I (*Liabilities*)--The reporting period is the preceding calendar year and the current calendar year up to any date you choose that is within 31 days of the date of filing.

Schedule C, Part II (Agreements or Arrangements)-- Show any agreements or arrangements as of the date of filing.

Schedule D--The reporting period is the preceding two calendar years and the current calendar year up to the date of filing.

Agency Use Only

OGE Use Only
FEB 22 2006

5 C.F.R. Part 2634
U.S. Office of Government Ethics

Reporting Individual's Name: Strachan, Linda A.

SCHEDULE A

Assets and Income — BLOCK A

For you, your spouse, and dependent children, report each asset held for investment or the production of income which had a fair market value exceeding $1,000 at the close of the reporting period, or which generated more than $200 in income during the reporting period, together with such income.

For yourself, also report the source and actual amount of earned income exceeding $200 (other than from the U.S. Government). For your spouse, report the source but not the amount of earned income of more than $1,000 (except report the actual acount of any honoraria over $200 of your spouse).

None ☐

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

	Assets and Income	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., D Yr.) Only Honor
Examples	Central Airlines Common				X												X						X										
	Doe Jones & Smith, Hometown, State			X																												Lim Partnership Income $130,000	
	Kempstone Equity Fund					X																		X									
	IRA: Heartland 500 Index Fund							X																	X								
1	A.G. Edwards Rollover IRA consisting of: Cardinal Health, Inc.		X																		X												
2	Conoco Phillips			X													X					X												
3	Harley Davidson		X																		X												
4	American Funds - Capital World Growth and Income Fund			X										X									X										
5	American Funds - New Perspective Fund		X											X								X											
6	Intentionally blank																																

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Prior Editions Cannot be Used.

5 C.F.R. Part 2634
U.S. Office of Government Ethics

Reporting Individual's Name: Strachan, Linda A.

SCHEDULE A continued

(Use only if needed)

Assets and Income — BLOCK A

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

None ☐

#	Assets and Income (Block A)	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	A.G. Edwards Non-Qualified Account consisting of: A.G. Edwards Money MKT			x															x				x										
2	Cisco Systems		x																		x												
3	General Electric		x														x					x											
4	Microsoft		x																		x												
5	MetLife Variable Annuity consisting of:																																
6	Oppenheimer Capital Appreciation Fund		x											x							x												
7	MetLife AIM Small Cap Growth Fund		x											x							x												
8	Lazard Mid Cap Fund		x											x							x												
9	Lord Abbett Growth & Income Fund		x											x							x												

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5 C.F.R Part 2634
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Reporting Individual's Name: Strachan, Linda A.

SCHEDULE A continued

(Use only if needed)

Assets and Income — BLOCK A

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

None ☐

#	Assets and Income (BLOCK A)	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	Monsanto Co. Qualified Savings and Pension Plan - Defined Contribution consisting of:																																
2	Pfizer Stock Fund consisting of: Pfizer			x													x						x										
3	Monsanto Stock Fund consisting of: Monsanto					x											x						x										
4	Growth & Income Fund			x										x							x												
5	U.S. Equity Index Fund			x										x							x												
6	Small Cap Growth Fund		x											x							x												
7	Balanced Fund			x										x							x												
8	Moderate Portfolio Fund			x										x							x												
9	Moderate Aggressive Portfolio Fund			x										x							x												

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Reporting Individual's Name: Strachan, Linda A.

SCHEDULE A continued

(Use only if needed)

Assets and Income — BLOCK A

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

None ☐

#	Assets and Income (BLOCK A)	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	Monsanto Co. Qualified Savings and Pension Plan - Defined Benefit (Cash Balance Pension)					x													x						x								
2	Monsanto Co.Non-Qualified Savings & Pension Plan - Defined Contribution Consisting of:																																
3	Moody's Fixed Fund				x									x								x											
	Moody's Bond Fund	x												x											x								
4	Monsanto Co. Non-Qualified Savings and Pension Plan - Defined Benefit (Cash Balance Pension)			x															x				x										
5	Monsanto Annual Incentive Plan (for period 9/04-8/31/2005) received 11/10/05																															$82,027	
6	Monsanto - Salary																															$153,878	1/1/2005 to 11/1/2005
7	Monsanto Stock Options Exercised in CY 2005																															$687,807	
8	Monsanto Vested Stock Options to exercise 5 years from 11/1/2005 as ordinary income (current value)					x															x											5,680 shares	
9	Pfizer Vested Stock Options $33.9874 strike price to expire 8/14/2007																															29,256 shares	

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Reporting Individual's Name: Strachan, Linda A.

SCHEDULE A continued

(Use only if needed)

Assets and Income — BLOCK A

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

None ☐

#	Assets and Income (BLOCK A)	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	Patriot EE Savings Bonds		x																		x												
2	U. S. EE Savings Bonds		x																		x												
3	AXA Advisors Brokerage Acct. - Money Market Account					x															x												
4	PNC Bank (MM & interest bearing checking account)				x														x				x										
5	AXA Equitable Non-Qualified Deferred Variable Annuity - Moderate Portfolio Allocation consisting of:																																
6	EQ/Bernstein Diversified Value Fund		x											x							x												
7	AXA Premier VIP Core Bond Cl Fund		x											x							x												
8	EQ/Mercury Basic Value Equity Fund		x											x							x												
9	AXA Premier VIP International Fund		x											x							x												

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Reporting Individual's Name: Strachan, Linda A.

SCHEDULE A continued

(Use only if needed)

Assets and Income — BLOCK A

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

None ☐

#	Assets and Income (Block A)	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	Amount: $201 - $1,000	Amount: $1,001 - $2,500	Amount: $2,501 - $5,000	Amount: $5,001 - $15,000	Amount: $15,001 - $50,000	Amount: $50,001 - $100,000	Amount: $100,001 - $1,000,000	Amount: Over $1,000,000*	Amount: $1,000,001 - $5,000,000	Amount: Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	AXA Equitable Non-Qualified Deferred Variable Annuity (Cont.) EQ/Marsico Focus (A) Fund		x											x							x												
2	EQ/Short Duration Bond A Fund		x											x							x												
3	EQ/Lazard Small Cap Value (A) Fund		x											x							x												
4	AXA Premier VIP Aggressive AI Fund		x											x							x												
5	EQ/Mercury Intl. Value Fund		x											x							x												
6	EQ/Van Kampen Emerging Markets Fund		x											x							x												
7	EQ/Alliance Quality Bond Fund		x											x							x												
8	EQ/Capital Guardian Intl. (A) Fund		x											x							x												
9	AXA Premier VIP Large Cap Co Fund		x											x							x												

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Reporting Individual's Name: Strachan, Linda A.

SCHEDULE A continued

(Use only if needed)

Assets and Income — BLOCK A

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

None ☐

#	Assets and Income (BLOCK A)	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	Amount: $201 - $1,000	Amount: $1,001 - $2,500	Amount: $2,501 - $5,000	Amount: $5,001 - $15,000	Amount: $15,001 - $50,000	Amount: $50,001 - $100,000	Amount: $100,001 - $1,000,000	Amount: Over $1,000,000*	Amount: $1,000,001 - $5,000,000	Amount: Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	AXA Equitable Non-Qualified Deferred Variable Annuity (Cont.) AXA Premier VIP Lrg Cap Value Fund		x											x							x												
2	EQ/Long Term Bond Fund		x											x							x												
3	AXA Premier VIP Mid Cap Value A		x											x							x												
4	EQ/Alliance Large Cap Growth Fund		x											x							x												
5																																	
6																																	
7																																	
8																																	
9																																	

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Reporting Individual's Name: Strachan, Linda A.

SCHEDULE C

Part I: Liabilities

Report liabilities over $10,000 owed to any one creditor at **any time** during the reporting period by you, your spouse, or dependent children. Check the highest amount owed during the reporting period. **Exclude** a mortgage on your personal residence unless it is rented out; loans secured by automobiles, household furniture or appliances; and liabilities owed to certain relatives listed in instructions. See instructions for revolving charge accounts.

None [X]

	Creditors (Name and Address)	Type of Liability	Date Incurred	Interest Rate	Term if applicable	Category of Amount or Value (x): $10,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000
Examples:	First District Bank, Washington, DC	Mortgage on rental property, Delaware	1991	8%	25 yrs.			x							
	John Jones, 123 J St., Washington, DC	Promissory note	1999	10 %	on demand					x					
1															
2															
3															
4															
5															

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Part II: Agreements or Arrangements

Report your agreements or arrangements for: continuing participation in an employee benefit plan (e.g. 401k, deferred compensation; (2) continuation payment by a former employer (including severance payments); (3) leaves of absence; and (4) future employment. See instructions regarding the reporting of negotiations for any of these arrangements or benefits

None [ ]

	Status and Terms of any Agreement or Arrangement	Parties	Date
Example:	Pursuant to partnership agreement, will receive lump sum payment of capital account & partnership share calculated on service performed through 1/00.	Doe Jones & Smith, Hometown, State	7/8
1	Annual Incentive Plan - pursuant to formally established plan to receive cash payment amount of which is based on company and employee team performance. Payout date 11/10/05.	Monsanto Company	02/9
2	Monsanto Co. Qualified Savings and Pension Plan - Defined Benefit At age 65 to receive approximately $1,670 per month.	Monsanto Company	02/9
3	Monsanto Co. Non-Qualified Savings and Pension Plan - Defined Benefit At age 65 to receive approximately $512 per month.	Monsanto Company	02/9
4	Monsanto Co. Qualified Savings and Pension Plan - Defined Contribution	Monsanto Company	02/9
5	Monsanto Non-Qualified Savings and Pension Plan - Defined Contribution	Monsanto Company	02/9
6	Monsanto Co. Stock Option Plan - pursuant to formally established plan to receive stock options as percentage of base pay. Forumla: target times base pay divided by estimated option. Options held +1 yr vest on separation. Others for forfeited on sep.	Monsanto Company	02/9

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Reporting Individual's Name: Strachan, Linda A.

SCHEDULE C

Part I: Liabilities

Report liabilities over $10,000 owed to any one creditor at **any time** during the reporting period by you, your spouse, or dependent children. Check the highest amount owed during the reporting period. **Exclude** a mortgage on your personal residence unless it is rented out; loans secured by automobiles, household furniture or appliances; and liabilities owed to certain relatives listed in instructions. See instructions for revolving charge accounts.

None ☐

	Creditors (Name and Address)	Type of Liability	Date Incurred	Interest Rate	Term if applicable	Category of Amount or Value (x): $10,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over
Examples:	First District Bank, Washington, DC	Mortgage on rental property, Delaware	1991	8%	25 yrs.			x								
	John Jones, 123 J St., Washington, DC	Promissory note	1999	10 %	on demand					x						
1																
2																
3																
4																
5																

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Part II: Agreements or Arrangements

Report your agreements or arrangements for: continuing participation in an employee benefit plan (e.g. 401k, deferred compensation; (2) continuation payment by a former employer (including severance payments); (3) leaves of absence; and (4) future employment. See instructions regarding the reporting of negotiations for any of these arrangements or benefits

None ☐

	Status and Terms of any Agreement or Arrangement	Parties	Date
Example:	Pursuant to partnership agreement, will receive lump sum payment of capital account & partnership share calculated on service performed through 1/00.	Doe Jones & Smith, Hometown, State	7/85
1	Pfizer Stock Option Plan - pursuant to formally establised plan to receive stock options as percentage of base pay. Monsanto stock options converted to Pfizer stock options upon Pharmacia being acquired by Pfizer. Monsanto was formerly	Pfizer Inc.	02.98
2	owned by Pharmacia.		
3			
4			
5			
6			

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Strachan, Linda A.	**SCHEDULE D**	11 of 11

Part I: Positions Held Outside U.S. Government

Report any positions held during the applicable reporting period, whether compensated or not. Positions include but are not limited to those of an officer, director, trustee, general partner, proprietor, representative, employee, or consultant of any corporation, firm, partnership, or other business enterprise or any non-profit organization or educational institution. **Exclude** positions with religious, social, fraternal, or political entities and those solely of an honorary nature.

None ☐

	Organization (*Name and Address*)	Type of Organization	Position Held	From (Mo., Yr.)	To (Mo., Yr.)
Examples:	Nat'l Assn. of Rock Collectors, NY, NY	Non-profit education	President	6/92	Present
	Doe Jones & Smith, Hometown, State	Law firm	Partner	7/85	1/00
1	Old Town Gateway Home Owners Assn.	Non-profit Home Owners Association	Board Member	01/03	08/04
2	Friends of the National Arboretum	Non-profit Conservation Organization	Board Member	09/04	Present
3	Monsanto Company	Agro-chemical Company	Director, Government Affairs	02/98	11/01/05
4					
5					
6					

Part II: Compensation In Excess Of $5,000 Paid by One Source

Report sources of more than $5,000 compensation received by you or your business affiliation for services provided directly by you during any one year of the reporting period. This includes the names of clients and customers of any corporation, firm, partnership, or other business enterprise, or any other non-profit organization when you directly provided the services generating a fee or payment of more than $5,000. You need not report the U.S. Government as a source.

Do not complete this part if you are an Incumbent, Termination Filer, or Vice Presidential or Presidential Candidate

None ☐

	Source (*Name and Address*)	Brief Description of Duties
Examples:	Doe Jones & Smith, Hometown, State	Legal services
	Metro University (client of Doe Jones & Smith), Moneytown, State	Legal services in connection with university construction
1	Monsanto Company	Work with congressional affairs and government officials and trade groups on agricultural issues as they related to Monsanto Company.
2		
3		
4		
5		
6		

Prior Editions Cannot Be Used.

March 7, 2006

Raymond J. Sheehan
Acting Designated Agency Ethics Official
U.S. Department of Agriculture
Washington, DC 20250

Dear Mr. Sheehan:

The purpose of this letter is to describe the steps that I intend to take to avoid any actual or apparent conflict of interest in the event that I am confirmed for the position of Assistant Secretary for Congressional Relations, U.S. Department of Agriculture.

Overall, I understand that, as required by 18 U.S.C. § 208(a), I may not participate personally and substantially in any particular matter that has a direct and predictable effect on my financial interests or those of any other person whose interests are imputed to me, unless I first obtain a written waiver, pursuant to section 208(b)(1), or qualify for a regulatory exemption, pursuant to section 208(b)(2). I further understand that the interests of the following persons are imputed to me: my spouse, minor children, or any 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.

Friends of the National Arboretum

I currently serve as a member of the Board of Directors for the Friends of the National Arboretum, Washington, D.C. Upon confirmation, I will resign from my board position. Pursuant to 5 C.F.R. § 2635.502, for a period of one year after terminating my service with the Friends of the National Arboretum, I will not participate in any particular matter involving specific parties in which the Friends of the National Arboretum is a party or represents a party, unless I am authorized to participate.

Monsanto Company

I have the following financial/covered relationships with the Monsanto Company (Monsanto):

- Employment as Director, Government Affairs from which I resigned on November 1, 2005;
- Ownership of common stock in Monsanto through the Monsanto Company Pension and Savings Plan; and
- Options for shares of common stock in Monsanto.

Monsanto provides agricultural products and services for farmers. It produces seed brands, including DEKALB® and Asgrow®, and provides biotechnology traits for insect

protection and herbicide tolerance. The company also makes herbicides, such as Roundup®, Harness Xtra®, Machete®, and Maverick® and other crop protection products.

I will not participate personally and substantially in any particular matter that has a direct and predictable effect on the financial interests of Monsanto, unless I first obtain a written waiver pursuant to section 208(b)(1), or qualify for a regulatory exemption, pursuant to section 208(b)(2).

Additionally, I participate in qualified and unqualified defined contribution pension plans, containing excepted investment funds, and qualified and unqualified defined benefit pension plans--all created by Monsanto. No further contributions will be made by either Monsanto or me to any of these plans. By July 1, 2006, I will roll over the Moody's Fixed Fund contained within my Monsanto Non-Qualified Savings and Pension Plan (Defined Contribution) to an individual retirement account. Further within 90 days of my appointment I will roll over all other assets within the above described plans to an individual retirement account. Until these divestitures have been completed, I will not participate personally and substantially in any particular matter in which to my knowledge I have a financial interest through the holdings in any of the above plans if the matter would have a direct and predictable effect on those interests, unless I first obtain a written waiver or qualify for a regulatory exemption.

Pfizer Inc.

I own stock in Pfizer Inc. (Pfizer) through the Monsanto Company Pension and Savings Plan (Defined Contribution). As communicated above, within 90 days of my appointment, I will roll over all Pfizer stock within the above described plan to an individual retirement account.

I also own Pfizer stock options. These options are owned independent from my pension plans. My right to exercise these options will expire on August 14, 2007.

Pfizer is a pharmaceutical company with three product lines: Human pharmaceutical products, health care products, and animal health care products. Their current animal health care products consist of Clavamox®/Synulox®, Equimax®, Naxcel®/Excenel®, Rimadyl®, Dectomax®, Respisure®/Stellamune®, and Revolution®/Stronghold®. As a result of Pfizer's animal health care research and production, the company currently has more than 200 active licenses with the USDA Animal and Plant Health Inspection Service, Center for Veterinary Biologics, for the preparation and distribution of veterinary biologics in the United States–under the statutory authority of the Virus-Serum-Toxin Act (21 U.S.C § 151-159 et. seq.).

Until such time as both the Pfizer stock in my Monsanto Company Pension and Savings Plan (Defined Contribution) has been liquidated and the right to exercise my Pfizer stock options has either expired or been exercised, I will remain alert to the possibility of a conflict of interest with these interests, and I will not participate personally and substantially in any particular matter that will have a direct and predictable effect on the

financial interests of Pfizer, unless I first obtain a written waiver or qualify for a regulatory exemption.

Screening Arrangement

In order to effect this recusal for Monsanto and Pfizer, I agree to implement an arrangement whereby all USDA matters directed to my attention that involve or affect outside entities will be screened, and those involving or affecting Monsanto, Pfizer, herbicides, animal pharmaceuticals, veterinary biologics, seed genomics, and other biotechnology issues will be handled by the Deputy Assistant Secretary for Congressional Relations without my knowledge or involvement.

I believe that the steps I have agreed to take, as outlined above, will assure that no conflict of interest or appearance thereof will exist between my personal financial interests on the one hand, and the duties I will perform as Assistant Secretary for Congressional Relations on the other.

Sincerely,

Linda A. Strachan

Linda A. Strachan

QUESTIONS AND ANSWERS

MARCH 14, 2006

RESPONSE TO QUESTIONS SUBMITTED BY CHAIRMAN CHAMBLISS

Dr. Gale Buchanan
Nominee—Under Secretary for Research, Education, and Economics, USDA

1. We are aware of proposals that Hatch Act funding be eliminated and replaced with competitive grants. What is your opinion of the formula aspects of the Hatch Act and would replacing it with a competitive grants program actually be more effective?

Through my involvement in agriculture administration in a State Land Grant University I am familiar with Hatch Act funds. I've watched how things have evolved over the past few years. Today, throughout much of the scientific community and increasingly in much of the agricultural community the impression is that supporting research through the competitive process is an effective means of funding research. In the end, I believe that a balanced portfolio is important to the effectiveness of our agricultural research and education system. It is my understanding that the President's FY 2007 budget proposal addresses the need for this balance.

I am committed to working collaboratively with the research community and the Congress to ensure our research needs are met effectively. Only by working together can we deliver the agricultural research our nation demands.

RESPONSE TO QUESTIONS SUBMITTED BY CHAIRMAN CHAMBLISS

Dr. Gale Buchanan
Nominee—Under Secretary for Research, Education, and Economics, USDA

2. The Administration's budget proposal, if implemented, would cut ARS cotton research funding by about $8.4 million in FY07 at a wide range of locations including Shafter, CA, Lubbock, TX, Las Cruces, NM, College Station, TX, Florence, SC and Tifton, GA. In some cases the reduction in funding would terminate research programs and require closing the gin labs at Lubbock and Las Cruces leaving a single lab at Stoneville, MS.

   How does ARS propose to handle the research necessary to reflect different cultural practices, environmental conditions, and harvesting systems at a single location? For example Las Cruces is the only location capable of conducting research on roller ginning and Lubbock is the only location that conducts research on stripper harvesting.

Having been dean, I am aware of the difficult funding choices that are often made when allocating limited resources. However, I am not familiar with the decisions that resulted in the current budget proposal. I am very much aware of the importance of cotton in the Southern tier states from California to Georgia. Having been a cotton researcher (weed scientist) during my research days, I am aware of the role these laboratories play in the U.S. cotton industry. If confirmed, I will examine the budget proposal and would be happy to meet with you regarding my findings.

RESPONSE TO QUESTIONS SUBMITTED BY SENATOR HARKIN

Dr. Gale Buchanan
Nominee—Under Secretary for Research, Education, and Economics, USDA

1. It appears that a major change occurring in food and agriculture research over the years has been a shifting focus from applied research dealing directly with crops and animals to molecular research conducted mostly in laboratories. However, both types of research are extremely important to U.S. agriculture and are needed to advance our understanding of the host of scientific challenges in the food and agriculture. Your scientific background includes an emphasis on applied agricultural research, and I am curious about your views on the balance of basic and applied scientific research in food and agriculture.

   a. What would be your research priorities in crop and animal sciences during your tenure as Under Secretary?

   b. In your opinion, what are the most important research initiatives right now at ARS and CSREES?

   c. How much basic research does USDA now perform or support? How much applied research? How has the division of funding between these two types of research changed over the years?

First, you are correct that much of my background has been in the applied research area. However, I should point out that my training at Iowa State University involved "surfactant toxicity to cell tissues." My dissertation research considered the effects of all classes of surfactants on cellular structure. This certainly provided for an appreciation of basic research. I'm also reminded that the very first experiment station director, Dr. Wilbur O. Atwater, talked about the importance of basic research. My view is that both basic and applied research is important to agriculture. I think that it is critical to maintain an appropriate balance between basic and applied research. I'm often reminded that in 25 years as an agricultural administrator I got far more calls when the crop variety reports were late, then when a journal article was late. Of course, in scientific circles, a variety report carries little recognition as compared to most journal articles. The bottom line in my view is that both basic and applied research must be embraced.

RESPONSE TO QUESTIONS SUBMITTED BY SENATOR HARKIN

I believe that research priorities must be developed from the grassroots up. Consequently, I see the Under Secretary as ensuring that the process is definitive and embraces all parties who have a stake in the research effort. In addition, as I stated in my confirmation hearing, I have a strong personal interest in research that promotes new and alternative uses of agricultural products—like research that results in bioenergy and biobased products.

I am not yet aware of the funding or research decisions made at REE, but if confirmed I look forward to learning of these priorities and funding decisions and would be happy to meet with you to discuss my findings.

RESPONSE TO QUESTIONS SUBMITTED BY SENATOR HARKIN

Dr. Gale Buchanan
Nominee—Under Secretary for Research, Education, and Economics, USDA

2. In the 2002 farm bill, we directed the Secretary of Agriculture to commission a task force to study the Agricultural Research Service and to evaluate the merits of establishing one or more national institutes focused on food and agricultural science. In that bill we also expressed the sense of Congress that funding for food and agriculture research should double in the next five fiscal years.

   Regrettably, we have really fallen behind where we ought to be in federal funding for food and agriculture research. We are falling behind in real dollars and clearly are not on course for doubling research anytime soon. I was pleased to work with Senator Lugar in the 1998 research legislation and in the 2002 farm bill to invest substantial new mandatory funding for food and agriculture research in the Initiative for Future Food and Agriculture Systems (IFAFS). But unfortunately, most of that funding has been taken away and applied elsewhere – again with the result that USDA research funding has been essentially flat for many years. The principal recommendation of the task force authorized by the farm bill is to create and fund a National Institute for Food and Agriculture (NIFA) within USDA which would eventually have and distribute $1 billion a year in grants for food and agriculture research. The NIFA would be a lot like the National Institutes of Health. Most importantly, this proposed new research funding would be in addition to the existing types and amounts of funding for food and agriculture research, education and extension through USDA, the National Science Foundation, or other sources.

   a. What are your impressions and thoughts regarding the report and recommendations of this task force?

   b. Would you acknowledge that the federal investment in food and agriculture research has fallen behind the federal investment in other areas of research?

   c. Will you be an advocate in the administration – in your new role – to push to get our federal investment in food and agriculture research up to what it needs to be?

I have always been receptive to new and innovative ideas. The ideas and concept of NIFA is indeed a new and innovative idea. I am encouraged by the current attention and support for agricultural research as evidenced by efforts such as the Danforth Report, CREATE 21 and the National Coalition for Food and Agricultural Research (C-FAR). All of these share the same overall objective of enhancing the future competitiveness of our farm and food sectors, as well as providing benefits to human health, homeland security and other

public goods. I look forward to working with Congress and agricultural research stakeholders to address the future of agricultural research policy.

In 25 years of agricultural administration, I have been through many belt-tightening periods, and I am aware of the difficult funding choices that are often made when allocating limited resources. If confirmed, I look forward to working with Secretary Johanns and others in the Administration and the Congress in support of agricultural research and educational programs. Dollars allocated to research and education is an investment that yields excellent dividends. I will continue to be an advocate for research and education.

RESPONSE TO QUESTIONS SUBMITTED BY SENATOR HARKIN

Dr. Gale Buchanan
Nominee—Under Secretary for Research, Education, and Economics, USDA

3. Every year, the Economic Research Service awards funds to external institutions such as land grant universities to conduct research on agricultural policy issues through the mechanism of cooperative agreements. There are at least a few instances in which cooperative agreements have been awarded to individuals at academic institutions outside the United States. Assuming you are confirmed as Under Secretary, can you report back to me how decisions are made as to how these funds are allocated, which institutions are selected for the work, and what research topics are chosen? In addition, I would like to learn if those decisions are reviewed by anyone outside the Economic Research Service.

I am not currently familiar with how these decisions are made, but if confirmed, I will look in the matter of cooperative agreements awarded to individuals at academic institutions outside the United States. I will try and learn the details regarding these awards and report back to you.

RESPONSE TO QUESTIONS SUBMITTED BY SENATOR HARKIN

Boyd Rutherford
Nominee—Assistant Secretary for Departmental Administration, USDA

1. Human resources management is a critical responsibility of Departmental Administration. What will you do to ensure that USDA employees have a safe and productive work environment and also that USDA employees are fulfilling their job responsibilities in an ethical manner?

Providing a Safe and Productive Work Environment

If confirmed, I will ensure that the USDA policies and guidelines promote a safe and productive work environment. In addition, I will make sure that USDA policies are current with Federal workplace standards and are properly communicated and implemented throughout the Department. My objective in this area would be to provide a work environment that allows the workforce to carry out their mission in the best physical surroundings practical.

Along with quality physical surroundings, a productive work environment is a product of mutual respect between management and employees. Management must provide employees with a clear understanding of their roles, responsibilities, and management's expectations. I believe that employees are most productive when management demonstrates an appreciation of their efforts and recognition their abilities.

Fulfilling Job Responsibilities and an Ethical Manner

It is the responsibility of both management and employees to conduct themselves in an ethical manner. However, it all starts at the top. Transparency on the part of management is recognized and followed by staff. Leadership from management can and should be

supplemented with regular ethics training that provides practical examples of where the line is between appropriate and inappropriate activities.

If confirmed, as the official responsible for the Office of Ethics, I will review the current Ethics program for the Department in order to determine from a management perspective, if we have provided the necessary guidance to both managers and employees on ethical conduct in the workplace.

RESPONSE TO QUESTIONS SUBMITTED BY SENATOR HARKIN

Mark Kesselman
Nominee—General Counsel, USDA

1. Last week, at a hearing to review USDA's management and oversight of the Packers and Stockyards Act, it became very apparent that USDA's Office of General Counsel pays little or no attention to cases involving anti-competitive practices in the livestock and poultry marketplace. I have also been told that OGC discourages the Grain Inspection, Packers and Stockyards Administration from pursuing cases involving anti-competitive practices.

   If confirmed, will you work to improve the culture at OGC and ensure that there is a priority assigned to cases involving violations or potential violations of the Packers and Stockyards Act, especially in regard to cases involving anti-competitive practices?

Yes. USDA is responsible for enforcing the Packers and Stockyards Act, an important statute designed to promote fair business practices and ensure competitive environments to market livestock, meat, and poultry. If confirmed, I will make it a priority for the Office of General Counsel to work cooperatively with the Grain Inspection, Packers and Stockyards Administration on cases involving violations or potential violations of the Packers and Stockyards Act, particularly regarding cases of anti-competitive practices.

RESPONSE TO QUESTIONS SUBMITTED BY SENATOR NELSON

Dr. Gale Buchanan
Nominee—Under Secretary for Research, Education, and Economics, USDA

1. The President's FY2007 budget proposal, a part of the American Competitiveness Initiative, seeks approximately a 1% increase for most basic research programs while seeking reductions of approximately 7% for applied research. Does such a proposal bode well for the competitiveness of American agriculture?

   Agricultural research requires a commitment to both basic (fundamental) as well as applied research. Often it is exceedingly difficult to separate them. To be successful we must find a means to support both. I am not familiar with the decisions that resulted in the American Competiveness Initiative. If confirmed, I will examine this proposals and the potential impact it may have on the competitiveness of American agriculture and would be happy to meet with you to further discuss this issue. The bottom line, both basic and applied research are important and research administrators must work to develop funding sources for both types of research.

RESPONSE TO QUESTIONS SUBMITTED BY SENATOR NELSON

Dr. Gale Buchanan
Nominee—Under Secretary for Research, Education, and Economics, USDA

2. Are you aware of "Create 21," an effort by some associated with the land-grant university community to have Congress legislate a major restructuring of the USDA research and education programs? If so, do you think this action would be wise in this period of a tight Federal budget?

I am aware of efforts such as CREATE 21, the Danforth Report, and the National Coalition for Food and Agricultural Research (C-FAR) to address the future of agricultural research and education programs. I am encouraged by the attention and support for agricultural research, extension and education shown by these various groups. I firmly believe that we should always be searching for a better way "to do business." I've never liked the cliché "if it isn't broke—don't fix it." Rather, I prefer "if it isn't broke—use the time to make it better." Our REE programs are not broke. They have been and are still highly effective. With that said, I'm very interested in exploring how we can make them better in the future. Making them better also includes improving efficiency, that is more effectively using available dollars for REE efforts.

RESPONSE TO QUESTIONS SUBMITTED BY SENATOR NELSON

Dr. Gale Buchanan
Nominee—Under Secretary for Research, Education, and Economics, USDA

3. If, as the President has proposed, funding for agricultural research should be awarded on a more competitive basis, do you also think that extension funding should be awarded competitively rather than by the existing "Formula Funds"?

I support the President's FY 2007 budget proposal to maintain the current funding mechanisms for extension programs, which include formula funds. However, I believe that the availability of funding is more important than the mechanism of awarding that funding.

RESPONSE TO QUESTIONS SUBMITTED BY SENATOR NELSON

Dr. Gale Buchanan
Nominee—Under Secretary for Research, Education, and Economics, USDA

4. Do you think the nation's extension system is doing an effective job of delivering information to the citizens of the various states and territories?

I am a strong believer in extension and am convinced that the nation's extension system is doing an effective job of delivering information to citizens across local, state and national levels. My experience in Georgia during recent years shows that while state and federal funding was exceedingly tight, county funding continued to grow. This clearly reflects an appreciation at the grassroots level for support for extension. When you work in an extension office you have the university at your fingertips.

RESPONSE TO QUESTIONS SUBMITTED BY SENATOR NELSON

Dr. Gale Buchanan
Nominee—Under Secretary for Research, Education, and Economics, USDA

5. Do you think REE agencies currently are well organized and well administered?

From my current vantage point, I would say yes. That being said, there are very few organizations in which some improvements cannot be made. I think the 4-H Motto says it well: "To make the best better."

RESPONSE TO QUESTIONS SUBMITTED BY SENATOR NELSON

Dr. Gale Buchanan
Nominee—Under Secretary for Research, Education, and Economics, USDA

6. Do you think the REE agencies are providing useful knowledge and meeting the nation's needs in terms of support for agriculture and rural economic development?

My response is an overwhelming yes. The REE agencies have a long track record of meeting the nation's needs for agricultural and rural economic development and are well positioned to continue doing so in the future. But, I quickly add that research and education can never be finished and can always be improved. I've been in research most of my life, and I am aware that as soon as we solve a problem we simply "raise the bar." There is an ever increasing array of problems continuing to emerge in agriculture that must be solved just to hold our own, challenges such as Avian Influenza, Bovine Spongiform Encephalopathy, Tomato Spotted Wilt Virus, Citrus Canker, Asian Soybean Rust, and the list goes on. Other issues such as food safety and quality and developing bioenergy and bioproducts present tremendous opportunities that can help take agricultural research to the next level.

RESPONSE TO QUESTIONS SUBMITTED BY SENATOR NELSON

Dr. Gale Buchanan
Nominee—Under Secretary for Research, Education, and Economics, USDA

7. Do you think the current partnership between the federal government and the state governments is the most effective way to support the nation's agricultural research and education needs?

Creation of the partnership of federal, state, county, and city governments was a stroke of genius. I recognize my bias, but I believe that support at all levels of government will ensure REE programs will remain responsive to the needs of the people and make most efficient use of the funds available. As a dean, I learned early that working with three levels of government was always a challenge, but I also learned it was clearly my greatest strength.

RESPONSE TO QUESTIONS SUBMITTED BY SENATOR NELSON

Dr. Gale Buchanan
Nominee—Under Secretary for Research, Education, and Economics, USDA

8. With your former experience as a Dean and as an Experiment Station Director have you found the Federal Formula Funds to be of value to your state and institution? If the Federal Formula Funds were to be converted to competitive funds, how would the land-grant universities meet their current financial commitments to employee salaries and to research projects focusing on specific needs?

Yes. Federal formula funds were important to my state while serving as a dean. And, clearly throughout much of the scientific community and increasingly in much of the agricultural community the impression is that supporting research through the competitive process is an effective means of funding research. I believe that a balanced portfolio is important to the effectiveness of our agricultural research and education system. I believe that the President's FY 2007 budget proposal effectively addresses the need for this balance.

In answer to the second part of your question, I know that every institution is unique in how they allocate their federal funding. So, I think the answer would be different for each institution, as they determine how to most effectively use their state and federal resources. Research administrators must work in their respective systems to utilize various sources of funding to cover their responsibilities.

RESPONSE TO QUESTIONS SUBMITTED BY SENATOR NELSON

Dr. Gale Buchanan
Nominee—Under Secretary for Research, Education, and Economics, USDA

9. Are the REE programs properly supportive of rural economic development in the United States? Do they provide the knowledge and information needed to support rural economic development and to make a difference?

In my experience, REE programs are supportive of rural economic development and are making a difference in rural America.

RESPONSE TO QUESTIONS SUBMITTED BY SENATOR TALENT

Dr. Gale Buchanan
Nominee—Under Secretary for Research, Education, and Economics, USDA

1. The President announced a major initiative as part of the State of the Union address to enhance America's competitive standing in the global marketplace. The American Competitiveness Initiative proposes to significantly boost the federal government's investment in basic research for the physical sciences acknowledging the vital importance of basic research to future discovery and eventual economic growth.

   How much basic research does USDA perform? Over the last two decades has that amount grown? Would the establishment of a National Institute for Food and Agriculture---similar to other National scientific institutes like the NIH or NSF enhance the future competitiveness of our farm and food sectors?

In answer to the first part of your question, it is my understanding that the overall budget for the Research, Education and Economics Mission Area has more than doubled over the last two decades.

I am encouraged by the current attention and support for agricultural research as evidenced by efforts such as the Danforth Report, CREATE 21 and the National Coalition for Food and Agricultural Research (C-FAR). All of these share the same overall objective of enhancing the future competitiveness of our farm and food sectors, as well as providing benefits to human health, homeland security and other public goods. I look forward to working with Congress and agricultural research stakeholders to address the future of agricultural research policy.

RESPONSE TO QUESTIONS SUBMITTED BY SENATOR TALENT

Dr. Gale Buchanan
Nominee—Under Secretary for Research, Education, and Economics, USDA

2. The National Institutes of Health spends nearly $15 dollars on research for every dollar spent by the USDA. In competitive, merit based, peer-reviewed grants - long considered the best way to achieve advances in fundamental science - the NIH outspends the USDA by more than 100 to 1. Would you support efforts to even out this disparity?

It is my understanding that the administration continues to show strong support for the National Research Initiative, a competitive, merit-based, peer-reviewed grants program within USDA. I am very supportive of these increases to the NRI. I also believe in the value of a balanced portfolio of intramural and extramural research, as proposed in the President's FY 2007 budget request.

RESPONSE TO QUESTIONS SUBMITTED BY SENATOR TALENT

Dr. Gale Buchanan
Nominee—Under Secretary for Research, Education, and Economics, USDA

3. In USDA's budget proposal for Fiscal Year 2007, your administration lists six strategic goals that describe the Department's major objectives which include enhancing international competitiveness, enhancing the competitiveness and sustainability of rural economies, enhancing food safety, improving the nation's nutrition and health, protecting our natural environment, establishing energy independence and improving the quality of life in Rural America. Similar objectives were listed by the 2002 USDA Research, Education and Economics Task Force which called for the creation of a National Institute for Food and Agriculture to achieve these goals. Has the Department taken any steps to meet the objectives outlined in this task force report?

I believe the Department's FY 2007 strategic goals are similar to those identified by the 2002 USDA REE Task Force report. This would suggest that there may be a shared vision for addressing the challenges and opportunities facing our Nation's food and agriculture system. However, I am not familiar with the Department's deliberations or efforts on the task force report. If confirmed, I will review the Department's efforts and would be happy to meet with you to discuss the report and USDA's efforts.

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