

**STATEMENT OF
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**BEFORE THE
SENATE FOREIGN RELATIONS COMMITTEE
U.S. SENATE**

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Mr. Chairman, Ranking Member Shaheen, and Members of the Committee:

Thank you for the opportunity to testify today in support of the International Treaty on Plant Genetic Resources for Food and Agriculture (“the Treaty”).

U.S. agriculture depends on the stable high yields of U.S. crops which, in turn, depend on the continual development of new crop varieties. The crops we grow are under constant threat from diseases and pests, droughts and floods. Our food security and the future of U.S. agriculture will depend upon our ability to breed new crops that require fewer inputs, such as water, fertilizers, and energy, to grow; new crops that are more resilient or resistant to pests and diseases; and new crops that still reliably produce high-quality yields. To develop these new crop varieties, breeders and researchers require access to a broad spectrum of plant germplasm. Plant germplasm includes the seeds, bulbs, roots, and other propagating raw materials from which plants can be reproduced. These materials for plant breeding contain key traits, such as immunity to virulent pests and diseases, or tolerance for drought. Because plant genetic diversity is spread around the world, the United States needs to have access to germplasm from other countries in order to be best equipped to develop the crops we need. This means that facilitating access to what is termed “plant genetic resources” is a critical priority for the United States. It is also a critical priority for the entire international community. This is exactly why the Treaty was created.

Technological advances have significantly improved our ability to identify, characterize, and utilize plant genetic materials, meaning that now more than ever it is important for us to be able to access the diversity of plant genetic resources outside our borders. However, U.S. researchers have found it increasingly difficult to gain access to plant genetic resources in other countries. This Treaty establishes a stable legal framework for international plant germplasm exchanges, benefitting both research and commercial interests in the United States, and promoting U.S. and global food security through the conservation and sustainable use of plant genetic resources for food and agriculture.

The centerpiece of the Treaty is the establishment of a “Multilateral System” for access to, and benefit-sharing regarding, certain plant genetic resources to be used for research, breeding, and training for food and agriculture. The Multilateral System currently applies to 64 food, feed and grazing crops that are maintained by International Agricultural Research Centers or that are under the management and control of national governments and in the public domain. Access to germplasm in the multilateral system is granted through a Standard Material Transfer Agreement (SMTA), a contract that defines the terms of access and benefit-sharing.

As a global leader in agricultural production, research and breeding, the United States was intensively involved in negotiating the Treaty and the SMTA, which accompanies every transfer of materials under the multilateral system. President George W. Bush signed the Treaty in 2002. It entered into force in 2004 and now has 139 Parties including Australia, Brazil, Canada, Japan, and the EU. President Bush forwarded the Treaty to the Senate for consideration in July 2008, after negotiation of the SMTA was completed.

Throughout the Treaty negotiating process, the United States was firmly committed to creating a system that promotes U.S. and global food security, protects U.S. access to genetic resources held outside our borders, and supports research and breeding in both the public and private sectors. The United States also sought to protect the ability of the International Agricultural Research Centers—the institutions largely responsible for the “Green Revolution” which saved hundreds of millions of lives—to continue to breed crops that are the foundation for global food security. We were successful in achieving these objectives.

U.S. ratification of the Treaty enjoys broad stakeholder support, including support from major U.S. companies as well as prominent industry organizations such as the American Seed Trade Association, the American Farm Bureau Federation, the National Farmers Union, the National Association of Wheat Growers, the National Corn Growers Association, the Biotechnology Industry Organization, and the Intellectual Property Owners of America. In addition, the Association of Public Land-grant Universities also supports ratification.

U.S. stakeholders strongly support ratification because it would guarantee U.S. users what is known as “facilitated access,” that is, access on consistent terms for little or no cost, to plant genetic materials held by other Treaty Parties. Currently U.S. entities are at a disadvantage, as they are not assured access to these resources due to our non-party status. When they do gain access, they sometimes have to engage in lengthy ad hoc negotiations of terms of access, and those terms are not always as favorable as those in the SMTA. If the United States were a Party to the Treaty, U.S. users would have guaranteed access under the SMTA, and the United States could ensure that any revisions to the SMTA were consistent with U.S. interests.

The Treaty is consistent with existing U.S. practice and can be implemented under existing U.S. authorities. The United States is already in compliance with key provisions

of the Treaty. The Agricultural Research Service, in its capacity as manager of the National Plant Germplasm System, would play a major role in domestic Treaty implementation. Ratification would not entail major policy or technical changes to current National Plant Germplasm System operations. For more than 60 years, the U.S. National Plant Germplasm System has distributed samples of germplasm to plant breeders and researchers worldwide and without restriction. One notable example of collaboration is the Agricultural Research Service-University of Georgia crop genebank in Griffin, Georgia, which is working to collect, characterize, conserve, and distribute plant genetic resources for sorghum, peanut, vegetables, cowpeas, and other crops and crop wild relatives.

The U.S. Department of Agriculture has long been recognized as the world leader in plant germplasm conservation and distribution. If the United States were to ratify the Treaty, U.S. entities would gain guaranteed access to plant genetic resources covered by the Treaty's Multilateral System. This guaranteed access is critical to the efforts of researchers and plant breeders to develop new crop varieties that are more nutritious, that are resistant to pests and diseases, that show improved yields of high-quality products, and that are better able to tolerate environmental stresses. The emergence of new plant breeding tools only heightens the importance of open access to plant genetic resources.

Ratification of the Treaty would not only underscore our continued leadership in agricultural research, breeding, and markets; it would also help U.S. farmers and researchers sustain and improve their crops and promote food security for future generations. Finally, it would enable the United States effectively to guide the trajectory of the Treaty and its Material Transfer Agreement as they evolve to meet future challenges and changing conditions.

Thank you for the opportunity to testify today. I would be happy to answer any questions.