

**NOMINATION HEARING FOR ELSA A. MURANO  
AND EDWARD R. McPHERSON**

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**HEARING**  
BEFORE THE  
**COMMITTEE ON AGRICULTURE,  
NUTRITION, AND FORESTRY**  
**UNITED STATES SENATE**

ONE HUNDRED SEVENTH CONGRESS

FIRST SESSION

—————  
SEPTEMBER 26, 2001  
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**NOMINATION HEARING: ELSA A. MURANO  
AND EDWARD R. McPHERSON**

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**WEDNESDAY, SEPTEMBER 26, 2001**

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

The committee met, pursuant to notice, at 12:35 p.m., in room SD-106, Dirksen Senate Office Building, Hon. Tom Harkin, [Chairman of the Committee], presiding.

Present or Submitting a Statement: Senators Harkin and Lugar.

The CHAIRMAN. I would like to bring before the committee Dr. Elsa Murano and Mr. Edward McPherson.

I as you both to stand and raise your right hand.

Do you both swear or affirm that the testimony you are about to provide is the truth, the whole truth and nothing but the truth, so help you God?

Mr. MCPHERSON. I do.

Dr. MURANO. I do.

The CHAIRMAN. Thank you. You may be seated.

I am required to ask a question of both Dr. Murano and Mr. McPherson.

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

Ms. MURANO. I do.

Mr. MCPHERSON. I will, yes, sir.

The CHAIRMAN. Thank you both very much, and thank you for your patience here today.

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

First, I want to welcome Dr. Elsa Murano, President Bush's nominee to be Under Secretary for Food Safety at the U.S. Department of Agriculture. The Under Secretary for Food Safety is this country's highest-ranking food safety official. It is one of our top scientific and public health appointments. It is a position that is critical to ensuring the safety of our food supply from contamination, either accidental or intentional.

This is a relatively new position. The 1994 USDA Reorganization Act consolidated the USDA's food safety activities within the Food Safety and Inspection Service and created the Under Secretary for Food Safety position. The Under Secretary position was created by Congress to elevate the importance of food safety at USDA.

The reorganization recognized that FSIS was an essential public health regulatory agency and a vital part of our public health system. It is a position that must be filled by a person with solid public health and scientific credentials, and I think the administration has found just such a person in Dr. Murano.

Dr. Murano is a recognized expert in food safety and has held a variety of leadership positions in the field. Most recently, Dr. Murano has been a professor at Texas A&M University and Director of its Center for Food Safety. Of greatest interest to me, however, was the five years that Dr. Murano spent at Iowa State University, my alma mater, at the linear accelerator facility. This, again, is something which I believe can be very important not only to our food safety, but for exports as well.

We also want to welcome Mr. McPherson, to be the Chief Financial Officer for the USDA. Again, you have been nominated to an important position. As CFO, you will have responsibility for achieving effective financial management for the Department. This will be a huge challenge.

The USDA does not have strong corporate financial systems. Because of this and other reasons, USDA has not been able to achieve a "clean audit." It is one of only a few departments that carries this mark of distinction.

Mr. McPherson, you have a job ahead of you, but I have read your credentials and your background, and it is obvious that you bring the right credentials and the right background to this position.

We welcome both of you to the committee, and I will yield to Senator Lugar for any opening comments.

Senator LUGAR. Thank you very much, Senator Harkin. I just have one question of each of the nominees, if that is permissible at this point in our hearing.

The CHAIRMAN. We want to have them make an opening statement first.

Senator LUGAR. Oh, of course. I am sorry. We got ahead of ourselves. You have not testified yet. I commend both the nominees and look forward to your testimony.

The CHAIRMAN. Thank you.

I would recognize Dr. Murano now. Again, your full statements will be made a part of the record in their entirety and if you could just summarize those, we would deeply appreciate it.

Dr. Murano.

**STATEMENT OF ELSA A. MURANO, OF BRYAN, TEXAS, TO BE UNDER SECRETARY FOR FOOD SAFETY, UNITED STATES DEPARTMENT OF AGRICULTURE.**

Dr. MURANO. Thank you, Chairman Harkin and Ranking Member Lugar, distinguished members of the committee, but there is nobody else here except the two of you. I am greatly honored and humbled to appear before you today as President Bush's nominee for Under Secretary for Food Safety at the United States Department of Agriculture. I would like to publicly thank the President and Secretary Ann Veneman for their support and for their trust in nominating me for this position.

I am a native of Havana, Cuba. My family and I emigrated to the United States about 40 years ago. As a Cuban American, I can proclaim to you without hesitation that we live in the greatest country on the face of the Earth. America opened her arms to Cubans fleeing Castro's regime, allowing me the incredible opportunities that have led to my appearing before you today.

On behalf of my family and countless Cuban Americans, I thank the United States of America, my country, for standing up for freedom and for the generosity and indomitable spirit of her people.

It was 1961 when my parents, my brother George and I left our homeland, settling in Puerto Rico, where I attended an elementary school. A few years later, we moved to Miami, Florida, where I worked my way through school, graduating with a B.S. in biology from Florida International University.

I developed a deep interest in the medical field and in public health, which guided me to earn an M.S. degree in anaerobic microbiology and a Ph.D. in food science from Virginia Tech. I also developed an appreciation for the field of food microbiology, and decided to dedicate my life to the study of bacteria which, although microscopic, are capable of causing so many cases of food-borne illness each year in our country and throughout the world.

As you know from reading my background documents, I have been a researcher and teacher in the field of food safety, both at Iowa State and Texas A&M Universities, and I think we know, Mr. Chairman, which of those two you think is the best.

My research efforts have led me to investigate organisms like *Escherichia coli* 0157:H7, *Listeria monocytogenes*, and salmonella—all the bad actors that have become household words. My approach in this work has been to determine where these pathogens are found, and to investigate safe methods that can be used to control or eliminate them from farm to table.

Throughout my career as a researcher, I have become keenly aware of the importance of sound scientific studies and how these can help provide us with the critical information we need to make decisions that will truly reduce the risk of food-borne illness.

I have also observed the need for a proactive approach, one that does not react to food safety crisis, but rather anticipates risks. The events of September 11 are a reminder to all of us that we need to be diligent in order to prevent threats to our food supply as much as humanly possible.

As an educator, I have seen how education can become one of our most effective tools in combatting food-borne illness. Although I am aware of the great strides that have been made in this arena with the FightBac campaign, there is still much to be done.

My work in Latin America on HACCP training has opened my eyes to the importance of helping those countries, of whom we are a customer, to improve their food safety prevention systems. I have also come to believe very strongly that inclusion of all stakeholders working to attack the issues rather than each other is the key to our success in decreasing the risk of food-borne illness.

We are all in this together—government, and I mean not only the agencies within USDA but other agencies that play a role in food safety; consumers, industry, educators and scientists. It is only through a team approach, working in total transparency and stand-

ing on the truth of science, that we will accomplish our goals for America of having the safest food supply possible.

Thank you, Mr. Chairman. I look forward to working with you and the members of the committee, if they ever return, on these issues. Right now, I would be very happy to answer any questions.

[The prepared statement of Dr. Murano can be found in the appendix on page 12.]

The CHAIRMAN. Thank you, Dr. Murano. The only thing I would take issue with you on is that some of those really aren't household words; I still can't pronounce them.

Now, we turn to Mr. McPherson.

Mr. McPherson, again, your statement will be made a part of the record in its entirety. Please proceed.

**STATEMENT OF EDWARD R. McPHERSON, OF DALLAS, TEXAS,  
TO BE CHIEF FINANCIAL OFFICER, UNITED STATES  
DEPARTMENT OF AGRICULTURE**

Mr. MCPHERSON. Thank you, Mr. Chairman, Senator Lugar, members of the committee. I am honored to be here as the President's choice for Chief Financial Officer of the Department of Agriculture. I appreciate the opportunity to be with you today so as to listen carefully to what is important to you in serving every constituent of the Department of Agriculture with skillful financial management.

My preparation for today's meeting actually began over 30 years ago, in Washington, when I served as a young Navy officer in an intense assignment with the Defense Intelligence Agency. Next, I gained insight into the Federal sector while with Booz-Allen and Hamilton Public Administration Services.

Subsequently, I spent 15 years as a corporate executive in the private sector, including serving as chief financial officer for two large and active New York Stock Exchange companies. For the past 13 years, as Chief Executive Officer of InterSolve Group, my business has been executing the commercial agenda of prominent American leaders by leading high-performing project teams of Just-In-Time Talent.

Effective financial management at the Department of Agriculture requires focus on the following issues: internal control of accounting operations and data integrity based on sound processes and integrated computing systems; solid cash management and lending and credit practices; a culture which values customer service and embraces the accountability of service-level agreements and key performance factors; resourceful deployment of financial assets and human capital; useful and timely management information enabling anticipatory decisionmaking and action; and, finally, clear communication and partnership with those served by the Department of Agriculture and those entrusted with setting policy, providing funding, and overseeing its operations.

The Department of Agriculture has made progress in these important areas. If confirmed, my role is to reduce the time required, lower the risk, and achieve an attractive return from this ongoing effort, resulting in an Agriculture Department as known for skillful financial management as it is for the successes of its missions and programs.

While one person with courage is often a majority, my experience is that sustained high performance comes from the collaborative effort of people energized toward common goals. If confirmed, I will draw on my experience and judgment as a corporate financial executive, as a successful owner and entrepreneur, and my strong belief and trust in people to achieve the financial management goals of the Department.

I am grateful for the love of my wife, Sally, for 32 years, and of our children, Beth and Edward, all who support me in my endeavors and help invent my life.

If confirmed, I look forward to working together with each of you in achieving the results you seek in the vital work of the Department of Agriculture.

Thank you, Mr. Chairman.

[The prepared statement of Mr. McPherson can be found in the appendix on page 16.]

The CHAIRMAN. Very good. Thank you, Mr. McPherson.

Senator LUGAR.

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

Dr. Murano, earlier this year the committee conducted a hearing to receive testimony from Inspector General Viadero and Administrator Billy regarding the operation of the Food Safety and Inspection Service in the New York City and New Jersey areas. No less than 10 criminal investigations are reportedly underway at this time with regard to all of this.

If you are confirmed, it would be my hope that within 30 days you might provide the committee with a written plan for a strategy to review the entire operation of the Food and Safety Inspection Service, with particular reference to what we have already looked into in New York and New Jersey, but more broadly your own views of the rest of the Service.

Are you aware of the investigation in New York and does it seem reasonable that within 30 days you could give us some indication of your plan of action?

Dr. MURANO. Senator, I am somewhat aware of that case. Definitely, if I am confirmed, one of the important things to do is to assess the state of the agency. When you consider that one of the most important things that the agency does is to inspect meat and poultry, it behooves us to assess the effectiveness of our inspection system.

If I am confirmed, I will do my best to work with you and anybody else on the committee, and certainly I know that I will have the full cooperation of everybody at the agency behind me to come up with a document as soon as I can to address these issues and make sure that we are always vigilant, that our inspectors are doing their job as they are supposed to.

Senator LUGAR. Well, I thank you for that response. Obviously, your nomination and confirmation are important so that we can finally close that loop of leadership and not leave a vacuum, because these ongoing investigations are important in terms of the integrity and credibility of our system.

Mr. McPherson, the Chairman has raised in his introduction of you the unfortunate fact that a clean audit has not come from the United States Department of Agriculture. You have certainly ex-

pressed in a very forthright way your own experience in business and your views with regard to what you anticipate you will do at USDA.

Specifically, having examined the situation, do you believe that in a reasonably short period of time a clean audit will be possible; in other words, the blemish that has been mentioned quite appropriately by the chairman will be removed and the Department over which we have oversight finally comes into its own in terms of fiscal integrity?

Mr. MCPHERSON. I do believe a solution is possible, Senator, and the solution to fixing the Department's problems with financial statements and enhancing the management information that is available to all associates to lead and manage the enterprise will include the following elements: No. 1, continuing strengthening the Department's internal controls and data integrity by converting to improved core accounting systems and the related work processes, especially those focused on cash management, and promising tools such as the data warehousing capability that is emerging that does support the preparation of the consolidated financial statements; No. 2, as a practical matter, focusing on the important elements of financial management at USDA which, as you know, range from credit reform that addresses the Department's lending and credit function to real property. In other words, my focus is adding value to the actions where large amounts of money are involved.

No. 3, having sufficient capacity in place in terms of human talent. There are a number of very capable and competent people that are working on these issues. The task going forward is to augment them with the talent that have clear roles, specific task plans, and the resources to produce sustainable results cost-effectively. As I suggested, my role is to reduce the time it takes to do those things, and lower the risk and get an attractive return on the investment being made in these initiatives.

Senator LUGAR. Well, I appreciate those goals and your articulation of them. In due course, however, we will get back to whether we have a clean audit. The reason I raise this is that over 15 years the Chairman and I have listened to many Secretaries of Agriculture and their subordinates, and we have found over the course of time, at least in the initial stages, they could not even identify how many employees there were in USDA, quite apart from the descriptions of stovepipe mentalities, computers that did not express themselves to each other, and during the Y2K crisis a whole raft of obsolescent computers that finally were scrapped.

Now, these situations happen in a large bureaucracy of 100,000-plus people all over the country. It is not unusual that there are accounting difficulties in terms of everybody finding out where it all is. We are asking you to do that on behalf of the Department and on behalf of good Government.

I appreciate your own analysis and I wish you well as you try to get to the clean audit.

Mr. MCPHERSON. I appreciate, Senator Lugar, your articulation of the result that you seek and we all seek.

The CHAIRMAN. Thank you very much, Senator.

Mr. McPherson, that was really the only question I had for you, and you responded quite forthrightly to that and I hope we can get to that point of having a clean audit as soon as possible.

Dr. Murano, with the recent events of two weeks and one day ago, I hope we don't get tunnel vision in this country and think that we only are going to have to look at airlines and airplanes in terms of terrorist activities.

Certainly, one vulnerable point for us is, of course, in our water and food supply. In terms of developing the proper approaches, not just towards response but to prevention and interdiction at an early point in time, it is going to be vital that we develop this, and you will be playing an important and key role in this effort.

When you get to the Department, I hope that you will report back to this committee as soon as possible the need for any additional resources or authorities that you think USDA needs to ensure the biosecurity of our food and food supply systems in this country.

I have been thinking about it in terms of HACCP. When we developed HACCP over all those years, there are certain points in our food processing where you know you are not going to get contamination and there are certain critical points where it can enter. That is what we wanted to look at. If you can address those points, then you are fairly certain that you are going to have a clean product at the end.

It seems to me that the same applies to our food security. There are critical access points in the whole spectrum of our food supply system in this country. There are critical access points where terrorists and others who want to interrupt and strike terror in people might be able to do something. We need to identify those critical access points and make sure that we have the security at those points.

I don't want to raise any undue fears, but I think we have to be honest about it and we have to address it forthrightly. If terrorists akin to those who did that awful thing two weeks and a day ago were to do something to our food supply that just raised a serious question in people's minds, it could be devastating for our economy and for our people.

We have to be sure that we have those points covered, and that is where I look for your input and your suggestions. We need something soon. Maybe something exists—I don't know—in terms of a plan of action or in terms of preventative measures.

Now, again, we focus on the response. What will be the response if this happens? I want to get in front of that. What do we do before that? We have to have both. If there is such a plan, I would like to know about it. If not, I encourage you to work with us. Like I said, if you need any additional resources or authorities, I ask that you come back to us as soon as possible so we can give you whatever you might need.

The second thing is on the pathogen standards. As you know, when the rule was published in 1996 on HACCP and pathogen reduction, we were moving ahead. The pathogen reduction part of it was struck down in the Supreme Beef case, in Texas.

For some time now, we have been asking the industry to get its act together and to provide us with some form of a solution to this

that we could move ahead on. I think we have been very patient. I think the Chairman before me, sitting next to me, was very patient on that. I have been very patient on that. We have all been asking the industry to give us their best advice and suggestions on how we address this. Well, it is just not happening and so we need to have something.

One of your first tasks will be to decide how to approach updating the salmonella performance standard. It is something I think that we have to attend to, and I hope we can do that before Congress adjourns this year. However, I don't know when that is going to be. At the end, the standards have to be enforceable. Whatever they are, they have got to be enforceable, and so I just have a couple of questions.

Do you support having enforceable microbiological performance standards, including pathogen reduction standards, where at some point the Secretary of Agriculture withdraws an inspection for failure to meet them?

Dr. MURANO. Mr. Chairman, let me begin by saying that having been a microbiologist for 17 years, I truly do appreciate what microbiological standards are. I do also believe very strongly that we need to have standards in order to determine whether what we are doing or what industry is doing at the processing level is actually accomplishing the production of the safest food possible. There is no question about that in my mind.

There is a study commissioned of the National Academy of Sciences that is due to begin very soon to look exactly at that issue that you just raised—the appropriate application of performance standards. It is a crucial issue. It is one that is going to help us tremendously to have the input of the scientific community, top scientists working on this very issue, to tell us what does science say that performance standards are, what should they be, salmonella standards or any other standards for that matter, and I look forward to that report.

Prior to that report, I am also aware that the Food Safety and Inspection Service, through their National Advisory Committee on Microbiological Criteria for Food—they have commissioned that advisory committee to also weigh in on this issue. That committee's work will take a lot less time than the National Academy of Sciences study, which is a good thing because I agree with you. We need an answer to this as soon as possible because a lot is riding on it.

I am confident this is the right way to approach. I know a lot of the scientists on both the National Advisory Committee and the NAS panel very well. I have complete confidence that they will do the right thing in terms of approaching it from a science base and be able to give us some guidance as to what we should do.

The CHAIRMAN. Do you believe there is a role for pathogen standards in a HACCP-based regulatory system?

Dr. MURANO. Mr. Chairman, as I said, I believe that there is a role for pathogen standards. The HACCP system itself, if you look at it, relies on microbiological testing, which is at the base of standards, to verify if a critical control point is under control, to verify or validate the entire HACCP plan that a plant has. It is a crucial part of the system.

The CHAIRMAN. I appreciate that. Thank you, Dr. Murano. Those are the questions I had.

Do you have any followup?

Senator LUGAR. No.

The CHAIRMAN. Well, I thank you both for your past contributions both in the private and public sector and on the research end. I thank you for your willingness to give of your time and your expertise to devote to public service. I think it is highly commendable.

I hope that before we adjourn this afternoon in the Senate, we will be able to get both of your nominations through and have you at the Department with all of the power and authority that you need. With that, I want to thank you for being here.

The CHAIRMAN. I want to especially thank Senator Lugar for all the time he has spent here today. Senator Lugar, as you know, is also on the Foreign Relations Committee and very heavily involved in all of the negotiations and things that are going on right now with the administration and with other countries. I think it is a mark of his intense interest in agriculture and our food system that he would spend so much time here today.

I just want you to know I personally appreciate it very much, Senator Lugar.

With that, the Committee on Agriculture will stand adjourned until the call of the Chair.

[Whereupon, at 1:03 p.m., the committee was adjourned.]



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**A P P E N D I X**

SEPTEMBER 26, 2001

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**Statement of Elsa A. Murano**  
**Nominee for Under Secretary for Food Safety**  
**U.S. Department of Agriculture**  
**September 26, 2001**

Chairman Harkin, Ranking Member Lugar, and distinguished members of the Committee, I am greatly honored and humbled to appear before you today as President Bush's nominee for Under Secretary for Food Safety at the United States Department of Agriculture. I would like to publicly thank the President and Secretary Ann Veneman for their support and for their trust in nominating me for this position.

I am a native of Havana, Cuba. My family and I emigrated to the United States 40 years ago. As a Cuban-American, I can proclaim to you without hesitation that we live in the greatest country on the face of the Earth. America opened her arms to Cubans fleeing Castro's regime, allowing me the incredible opportunities that have led to my appearing before you today. On behalf of my family and the countless other Cuban-Americans, I thank the United States of America, my country, for standing up for freedom and for the generosity and indomitable spirit of her people.

It was 1961 when my parents, my brother George, and I left our homeland, settling in Puerto Rico, where I attended elementary school. A few years later, we moved to Miami, Florida, where I worked my way through school, graduating with a B.S. in Biology from Florida International University. I developed a deep interest in the medical field and in public health, which guided me to earn an M.S. degree in Anaerobic Microbiology, and a Ph.D. in Food Science from Virginia Tech. I also developed an appreciation for the field of food microbiology, and decided to dedicate my life to the study of bacteria, which although microscopic, are capable of causing so many cases of foodborne illness each year in our country, and throughout the world.

As you know from reading my background documents, I have been a researcher and teacher in the field of food safety, both at Iowa State and Texas A&M Universities. My research efforts have led me to investigate organisms like *Escherichia coli* O157:H7, *Listeria monocytogenes*, and salmonella, all the bad actors that have become household words. My approach in this work has been to determine where these pathogens are found, and to investigate safe methods that can be used to control or eliminate them from farm to table. Throughout my career as a researcher, I have become keenly aware of the importance of sound scientific studies, and how these can help provide us with the critical

information we need to make decisions that will truly reduce the risk of foodborne illness. I have also observed the need for a proactive approach, one that does not react to food safety crises but rather anticipates risks. The events of September 11<sup>th</sup> are a reminder to all of us that we need to be diligent in order to prevent threats to our food supply as much as humanly possible.

As an educator, I have seen how education can become one of our most effective tools in combating foodborne illness, and although I am aware of the great strides that have been made in this arena with the FightBac™ campaign, there is still much to be done. My work in Latin America on HACCP training has opened my eyes to the importance of helping those countries, of whom we are the customer, to improve their food safety prevention systems.

I have also come to believe very strongly that inclusion of all stakeholders, working to attack the issues rather than each other, is the key to our success in decreasing the risk of foodborne illness. We're all in this together, government (and I mean not only those in USDA, but all other agencies that play a role in food safety), consumers, industry, educators, and scientists. It is only through a team approach, working in total transparency, and standing on the truth of science that we will accomplish our goal for America of having the safest food supply possible.

Thank you, Mr. Chairman. I look forward to working with you and the members of the Committee on these issues. Right now, I would be delighted to answer any questions you may have.

**Statement of Edward R. McPherson, Nominee for Chief Financial Officer,  
United States Department of Agriculture**

**Before the Committee on Agriculture, Nutrition and Forestry, United States Senate**

**September 26, 2001**

Thank you, Mr. Chairman, Senator Lugar and members of the Committee.

I am honored to be here as the President's choice for Chief Financial Officer of the Department of Agriculture.

I appreciate the opportunity to be with you today so as to listen carefully to what is important to you in serving every constituent of the Department of Agriculture with skillful financial management.

My preparation for today's meeting actually began in Washington over thirty years ago when I served as a young Navy officer in an intense assignment with the Defense Intelligence Agency.

Next I gained insight into the Federal sector while with Booz-Allen & Hamilton Public Administration Services.

Subsequently, I spent fifteen years as a corporate executive in the private sector, including serving as Chief Financial Officer of two large and active New York Stock Exchange companies.

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- Solid cash management and lending and credit practices;
- A culture which values customer service and embraces the accountability of service level agreements and key performance factors;

- Resourceful deployment of financial assets and human capital;
- Useful and timely management information enabling anticipatory decision-making and action;
- Clear communication and partnership with those served by the Department of Agriculture and those entrusted with setting policy, providing funding, and overseeing its operations.

The Department of Agriculture has made progress in these important areas.

If confirmed, my role is to reduce the time required, lower the risk, and achieve an attractive return from this on-going effort resulting in an Agriculture Department known for skillful financial management as it is for the success of its missions and programs.

While one person with courage is often a majority, my experience is that sustained high-performance comes from the collaborative effort of people energized toward common goals.

If confirmed, I will draw upon my experience and judgment as a corporate financial executive, as a successful owner/entrepreneur, and my strong belief and trust in people to achieve the financial management goals of the Department.

I am grateful for the love of my wife Sally for 32 years and of our children Beth and Edward --- all who support me in my endeavors and help invent my life.

If confirmed, I look forward to working together with each of you in achieving the results you seek in the vital work of the Department of Agriculture.



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**DOCUMENTS SUBMITTED FOR THE RECORD**

SEPTEMBER 26, 2001

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September 24, 2001

Honorable Tom Harkin  
Chairman  
Committee on Agriculture, Nutrition,  
and Forestry  
United States Senate  
Washington, D.C. 20510

Dear Mr. Chairman:

On July 31, 2001 a copy of my SF 278, Executive Branch Public Financial Disclosure Report, required in connection with my nomination to serve as Under Secretary of Agriculture for Food Safety was submitted to the U.S. Office of Government Ethics. That report contained all required financial information for calendar year 2000 and for the current calendar year through July 31, 2001.

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, 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 Wednesday, September 26, 2001. The purpose of this letter is to report that since I filed my Financial Disclosure Report on July 31, 2001 and beginning of business on Monday September 24, 2001, I received no honoraria, approximately \$13,446 in salary from Texas A&M University and a total of \$3,188 accrued as a consultant to USDA.

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

Sincerely,



Dr. Elsa A. Murano  
Nominee for Under Secretary of Agriculture  
for Food Safety

cc: Hon. Amy Comstock, Director, US Office of Government Ethics  
John Surina, USDA Designated Agency Ethics Officer

Director Office of Ethics  
U.S. Department of Agriculture  
Washington, D.C. 20250

Dear Mr. Surina:

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 of Agriculture for Food Safety.

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 (which I have none), 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 have served since 1995 as a professor of Texas A&M University (A&M). Since 1997, I have served as Director, Center for Food Safety (Center), at A&M. The latter position is collateral to, and associated with, my professorship. According to A&M standard policy, I will take a leave of absence from my professor position at the University during the period of my service as an official of the U.S. Department of Agriculture (USDA) so that I may retain my status within the A&M University System Retirement Plan. Because I will be taking a leave of absence, the University will appoint a new director of the Center.

During my leave of absence, neither A&M nor I will make payments to the retirement plan on my behalf. While I will therefore perform no duties for the University while serving as an official of USDA, I will nonetheless retain my affiliation with and my financial interest in the University. I understand that, pursuant to 18 U.S.C. § 208, I may not participate personally and substantially in any particular matter that will have a direct and predictable effect on the financial interests of the University, unless I first obtain a written waiver or qualify for a regulatory exemption. I also understand that, consistent with a regulatory exemption found at 5 C.F.R. § 2640.203(b), I may participate in any particular matter of general applicability affecting the financial interests of A&M, provided that the matter will not have a special or distinct effect on the University other than as part of a class. Furthermore, because Titan Corporation is in partnership with Texas A&M University to build and operate a food irradiation facility, I will also disqualify myself from personally and substantially participating in any particular matter which would have a direct and predictable effect on the financial interests of that corporation, unless I first obtain a written waiver or qualify for a regulatory exemption.

Upon confirmation, I will resign my appointment to the Chair of Operations Committee and Member of the Board of Directors for the National Alliance for Food Safety and as a member of the Post-Harvest Food Safety Advisory Committee for the National Pork Producers Council. 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 believe that the above outlined steps will assure that no conflict of interest or appearance thereof will arise between my personal financial interests on the one hand, and the duties I will perform if confirmed to serve as Under Secretary of Agriculture for Food Safety.

Sincerely,

A handwritten signature in black ink, appearing to read 'E. Murano', with a long, sweeping horizontal line extending to the right.

Elsa A. Murano



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

August 8, 2001

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

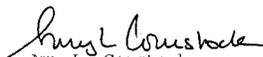
Dear Mr. Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Elsa A. Murano, who has been nominated by President Bush for the position of Under Secretary for Food Safety, 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 July 31, 2001, from Ms. Murano to the Department's ethics official, outlining the steps which Ms. Murano 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. Murano is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,

  
Amy L. Comstock  
Director

Enclosures

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

1. Full name, (include any former names used), and City and State where you currently reside.

Elsa Alina Murano, formerly Elsa Alina Casales, living in Bryan, Texas.

2. Date and place of birth.

August 14, 1959 in Havana, Cuba.

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 Peter Stephen Murano, who is an Associate Professor at Texas A&M University, located at 310 Kleberg Center in College Station, Texas, 77843-2471.

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

Virginia Tech University from 9/1987 to 9/1990, Ph.D. on 9/1990.

Virginia Tech University from 1/1984 to 9/1987, M.S. on 6/1987.

Florida International University from 9/1979 to 6/1981, B.S. on 6/1981.

Miami-Dade Community College from 8/1977 to 5/1979, A.A. on 5/1979.

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.

2001-pres.: Professor, Department of Animal Science, Texas A&M University. Engage in scholarly activities in food safety, including research and teaching.

1997-pres.: Director, Center for Food Safety, Institute of Food

Science & Engineering, Texas A&M University. Direct activities at the Center, including building of teams of researchers within the university to address specific problems in food safety, and promote programs at Texas A&M within and outside the university.

1995-1997: Associate Director, Center for Food Safety, Institute of Food Science & Engineering, Texas A&M University. Assist the Director of the Center in establishing linkages within faculty conducting activities in food safety across departments and colleges.

1995-2001: Associate Professor, Department of Animal Science, Texas A&M University. Engage in scholarly activities in food safety, including research and teaching.

1992-1995: Professor-in-charge of Research Programs, Linear Accelerator Facility, Iowa State University, Ames, Iowa. Direct and conduct research activities in the area of food irradiation.

1990-1995: Assistant Professor, Department of Microbiology, Immunology, and Preventive Medicine, Iowa State University, Ames, Iowa. Engage in scholarly activities in food safety, including research and teaching.

1987-1990: Research/Teaching Assistant, Department of Food Science & Technology, Virginia Polytechnic Institute & State University. Conduct doctoral research project on heat shock response of foodborne bacteria, and assist with teaching of undergraduate food microbiology course.

1984-1987: Research/Teaching Assistant, Department of Anaerobic Microbiology, Virginia Polytechnic Institute & State University. Conduct master's research project in antitumor effect of bacterial cell wall extracts, and assist with teaching of undergraduate pathogenic bacteriology laboratory.

1981-1983: Research Laboratory Technician, Department of Biology, Florida International University. Assist in conducting research on antitumor effect of tetrahydrocannabinol.

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.

None.

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.

Sadie Hatfield Endowed Professorship in Agriculture, Texas A&M University, 2000-present.

ISU Foundation Award on Early Achievement (nominated from MIPM), Iowa State University, 1994

Institute of Food Technologists Certificate of Merit for Outstanding Scholarship, 1989.

National Hispanic Fellowship for Scholarship, 1988.

American Society for Microbiology National Pre-Doctoral Minority Fellowship for Outstanding Research and Scholarship, 1987.

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

National Alliance for Food Safety, Board Member, 1998 to present.

National Alliance for Food Safety, Operations Committee Chair, 2000 to present.

National Pork Producers Council Post-Harvest Advisory Committee, , 1997 to present.

American Society for Testing Materials, member, 1991 to present.

International Association for Food Protection (IAMFES), member, 1989 to present.

Institute of Food Technologists, member, 1987 to present.

American Society for Microbiology, member, 1985 to present.

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.

**Oral Presentations**

**International**

- 15th Annual Meeting of Food Microbiology, Hygiene and Toxicology, Guadalajara, Mexico, presentation: "Development of Antibiotic Resistance by Foodborne Pathogens", Guadalajara, Mexico, November 6-7, 1998.
- Interamerican Institute for Cooperation on Agriculture (IICA) Symposium on Food Safety and International Agricultural Trade, lecture: "Application of HACCP to improve food safety", Mexico City, Mexico, September 29-30, 1998.
- Texas Beef Council, lecture: "Food Safety of Meats", conducted in Spanish to food industry professionals from Mexico, San Antonio, TX, April 29, 1998.
- 1st Annual Meeting of Food Microbiology and Safety, presentations: "Emerging pathogens", and "Novel processing methods to improve food safety", Barranquilla, Colombia, March 1998.
- International Meat and Poultry HACCP Alliance and National Food Processors Institute, "Train-the-Trainer" HACCP workshop presented to international participants from Argentina, Mexico, and Nicaragua (taught in Spanish), San Antonio, TX, January 7-9, 1998, Co-Instructor.
- 14th Annual Meeting of Food Microbiology, Hygiene and Toxicology, Guadalajara, Mexico, November 1997, presentations: "Microbial testing in a HACCP system", and "Chronic illnesses transmitted by foodborne pathogens".
- TAMU Office of Latin American Studies and Food Safety and Inspection Service, via Trans-Texas Video Network (TTVN), lectures on HACCP system for improving food safety, presented to officials of Mexican government, December 2-3, 1996, TAMUS Center in Mexico City, Mexico, Co-Instructor.
- Australian Meat Research Symposium, "Intervention strategies used in the decontamination of animal carcasses and meats", November 22, 1996, Sydney, Australia.
- SENASA (Dept. of Sanitation and Agriculture), Government of Argentina, and INPPAZ (Panamerican Institute for Food Protection and Zoonoses), Buenos Aires, Argentina, August 1996, lecture: "The seven principles of HACCP".
- University of Querétaro, Querétaro, México, July 1996, lectures: "Hazard analysis and critical control points system".
- SENASA (Dept. of Sanitation and Agriculture), Government of Argentina, Buenos Aires, Argentina, April 1996, lecture: "Update on HACCP regulations and microbiological testing".
- 12th Annual Meeting of Food Microbiology, Hygiene and Toxicology, Guadalajara, Mexico, November 1995, presentations: "Irradiation to increase the safety of fresh meats", and "Arcobacter: a new foodborne pathogen".
- International Meeting on Radiation Processing, Istanbul, Turkey, September 1994, presentation: "Elimination/reduction of various pathogens after irradiation in meats".
- International Workshop on the Use of Irradiation and Refrigeration to Ensure Hygienic Quality of Food, International Atomic Energy Agency,

Iowa State University Campus, August, 1992, lectures: "Role of *Salmonella* and *Campylobacter* in Food Infection", and "Role of *Listeria* in Food Infection".

#### National

Institute of Food Technologists Food Safety and Quality Conference and Expo, "Food safety of fruits and vegetables in Latin America", November 15, 2000, Orlando, FL.

American Dietetic Association Annual Meeting, "Basics of food irradiation", October 19, 2000, Denver, CO.

Institute of Food Technologists General Meeting, Food Irradiation Session presenter: "Microbiological effectiveness of radiation pasteurization", June 12, 2000, Dallas, TX.

American Society for Microbiology General Meeting, symposium convener: "Food microbiology in the 21<sup>st</sup> century: a look ahead", May 22, 2000, Los Angeles, CA.

National Pork Producers Council Board Meeting, presentation: "Comparison of three protocols for isolation of *Arcobacter* species in pork", January 20, 2000, College Station, TX.

Worldwide Food Expo, special industry symposium sponsored by Meat & Poultry Magazine, presentation: "Food irradiation: selecting a source", October 28, 1999, Chicago, IL.

Food Distribution Research Society Annual Meeting, presentation: "Food safety in the 21<sup>st</sup> century", October 19, 1999, San Antonio, TX.

International Life Sciences Institute Symposium "Microbial resistance to processing treatments", lecture: "Microbial resistance and food irradiation", August 3, 1999, Detroit, MI.

Institute of Food Technologists Annual Meeting, presentation: "Effect of various packaging conditions on survival of *Escherichia coli* O157:H7 to irradiation by gamma vs. electron beam in ground beef", July 27, 1999, Chicago, IL.

Minnesota Department of Health conference "Food irradiation: Minnesota steps forward", lecture: "Technical aspects of bringing irradiated foods to the market", June 20, 1999, Minneapolis, MN.

Risk and Insurance Management Society Annual Conference & Exhibition, lecture: "Basics of food irradiation", April 12, 1999, Dallas, TX.

Pfizer, Inc. symposium "Food Safety", Mystic, CN, February 4, 1999, presentation: "Novel intervention strategies".

USDA/FDA National Food Safety Research Conference, Washington, DC, November 11-13, 1998, presentation: "New Technologies to Improve Food Safety: Recommendations for Research".

Western Pennsylvania Chapter of the Health Physics Society and the University of Pittsburgh School of Medicine conference "Food irradiation: benefits and risks for public health", Pittsburgh, PA, May 8, 1998, presentation: "Benefits of food irradiation".

The Science and Public Policy Institute conference "Food irradiation: the next step in food safety", George Washington University, Washington, D.C., April 1998, presentation: "Research update on effect of packaging material on survival of *E. coli* O157:H7 in irradiated beef".

National Meat Association Annual Meeting Special Forum, San Francisco, CA, February 14, 1998, lecture: "Finding *E. coli* O157:H7 positives".

Institute of Food Technologists Special Forum "Irradiation and HACCP", Orlando, FL, June 16, 1997, lecture: "Irradiation as a CCP in HACCP".

Intertech Conference "Food Preservation: Methods and Markets", Arlington, Virginia, May 12-14, 1997, lecture: "Irradiation of meats: present and future".

Food Irradiation...It works, it's safe and it's time, Austin, TX, June 3-4, 1996, lecture: "Technology of food irradiation".

Research & Development Associates Annual Meeting, San Antonio, TX, May 15, 1996, lecture: "Studies on microbial aspects of food irradiation".

Texas Agriculture Extension Service Satellite Videoconference "Food Technologies for the Future: Health and Safety Concerns", College Station, TX, October 24, 1995, presentation: "Introduction to Irradiation".

Institute of Food Technologists Workshop "Practical Aspects of Food Irradiation", Tampa, FL, October 16-18, 1995, lecture: "Red Meat Irradiation".

International Association of Milk, Food and Environmental Sanitarians Annual Meeting Symposium on Alternative Processing Strategies for Pasteurization of Foods, Pittsburgh, PA, August 2, 1995, lecture: "High Pressure Processing as an Intervention Strategy for Food Safety".

American Society for Microbiology Annual Meeting, Symposium on Update on Foodborne Pathogens in Domestic Animals, Washington, DC, May 25, 1995, lecture: "Listeria and Yersinia in Domestic Animals".

Food Safety Education, Indianapolis, Indiana, May 2, 1994, lecture: "Food Cooperative Extension Service Workshop on Expanding Team Strategies in irradiation".

Cooperative Extension Service Workshop on Expanding Team Strategies in Food Safety Education, Denver, Colorado, May 13, 1994, lecture: "Introduction to food irradiation".

North Central Region Animal Science Extension Specialist Development Workshop, Columbia, Missouri, May 23, 1994, lecture: "Irradiation of food to eliminate or reduce pathogens".

World Pork Expo, lecture to visiting Legislative Aides, June 12, 1993, lecture: "Food Irradiation: Can it make food safer?".

Society for the Advancement of Food Service Research, Bloomingdale, Illinois, March 27, 1993, lecture: "Food irradiation: can it make food safer?".

Nebraska Poultry Industries Convention, Columbus, Nebraska, March 10, 1993, lecture: "Irradiation and food safety".

Animal Source Food Safety Workshop 'FOOD SAFETY -- WHO IS RESPONSIBLE', Washington, D.C., September 9, 1992, lecture: "Irradiation: Will It Make Food Safer?".

#### State

Texas Department of Health workshop "Improving Food Safety in Texas", San Antonio, Texas, February 8-9, 2000, lecture: "Safety of Fruits and Vegetables".

Texas Animal Health Commission Annual Meeting, College Station, Texas, December 8-9, 1999, lecture: "Food Safety Initiative".

Department of the Army Academy of Health Sciences, Ft. Sam Houston, Texas, June 1, 1998. Lecture: "Food Irradiation".

TAMU-Southwest Meat Association Second Annual Beef Brief. Lecture: "Meat microbiology and safety", April 28-30, 1998.

Texas Panhandle Chapter of Health Physicists, Amarillo, Texas, October 1, 1996, lecture: "Basics of food irradiation".

Texas Environmental Health Association, Plano, Texas, March 30, 1996, lecture: "Food irradiation to improve food safety".

Texas Agricultural and Natural Resources Summit II: Food Safety, Health and Nutrition, Dallas, Texas, December 7-8, 1995, lecture: "Factors influencing food safety: bacterial vs. chemical vs. physical hazards".

Iowa State University Public Policy Education In-service, Fort Dodge, Iowa, September 9, 1993, lecture: "Food Irradiation"

Iowa State Biotechnology Workshop, Ames, Iowa, Summer and Fall, 1993, lectures: "Detection of foodborne pathogens with biotechnology".

Cured Meats Workshop, American Meat Institute, Iowa State University, April, 1993, lecture: "Microbiology of Cured Meats".

Inservice for High School Agriculture Teachers, Department of Agricultural Education Studies, Iowa State University, Ames, Iowa, April 9, 1992, lecture: "Food Irradiation and How It Affects Us".

Invited speaker on Food Safety Call-in Programs, KASI Radio, Spring and Fall 1991.

Iowa State University College of Family and Consumer Sciences and Des Moines Public Schools Home Economics Department Workshop on Current Topics in Foods and Nutrition, Ames, Iowa, June 13, 1994, lecture: "What is Food Irradiation?".

Iowa Poultry Symposium, Scheman Bldng., Ames, Iowa, April 7, 1993, lecture: "Update on Linear Accelerator Research Program".

Iowa Home Economics Association Annual Meeting, Des Moines, Iowa, April 2, 1993, lecture: "Food Irradiation".

Iowa Poultry Fall Festival, Amana Colonies, Iowa, September 3, 1992, lecture: "Mission and Goals of the ISU Linear Accelerator".

Iowa Poultry Symposium, Scheman Bldng., Ames, Iowa, April 9, 1992, lecture: "Future Use of Irradiation With Poultry Food Products".

#### Local

Institute of International Education, Department of State, International Visitors' Program, Texas A&M University, College Station, Texas, April 26, 2001, presentation on "International Projects in Food Safety at TAMU".

Texas A&M University System Beef Research Group, Texas A&M University Agriculture Research and Extension Center, Overton, Texas, June 8, 2000, lecture: "Beef safety".

Faculty of Food Science Spring Seminar, Texas A&M University, College Station, Texas, February 18, 2000, lecture: "Food safety issues".

Agriculture Program Conference, Texas A&M University System, College Station, Texas, January 12, 2000, lecture: "Food safety in the 21<sup>st</sup> century".

Rosenthal Lecture Series, Texas A&M University, College Station, Texas, October 10, 1997, lecture: "Microbial Testing".

Danish Meat Board Visit, Iowa State University, Ames, Iowa, May 3, 1994, lecture: "Update on high pressure processing research at Iowa State University".

Value Added Ag and Food Processing Seminar, Ames, Iowa, May 3, 1994, lecture: "Understanding food irradiation".

Rotary Club of Fort Dodge, Fort Dodge, Iowa, March 28, 1994, lecture: "Food Irradiation".

#### Publications

- Ananth, V., J.S. Dickson, D.G. Olson, and E.A. Murano. 1998. Shelf-life extension, safety, and quality of fresh pork loin treated with high hydrostatic pressure. *J. Food Prot.* 61:1649-1656.
- Andrews, L.S., M. Ahmedna, R.M. Grodner, J.A. Liuzzo, P.S. Murano, E.A. Murano, R.M. Rao, S. Shane, and P.W. Wilson. 1998. Food preservation using ionizing radiation. *Rev. Environ. Contam. Toxicol.* 154:1-53.
- Brown, N.E., E.A. Murano, and S. Kotinek Marsh. 1996. Evaluation of microbial hazards of pork products in institutional foodservice settings. - Part I. *Dairy Food Environ. San.* 16:14-21.
- Brown, N.E., E.A. Murano, and S. Kotinek Marsh. 1996. Evaluation of microbial hazards of pork products in institutional foodservice settings. - Part II. *Dairy Food Environ. San.* 16:22-27.
- Collins, C.I., I.V. Wesley, and E.A. Murano. 1996. Detection of *Arcobacter* spp. in ground pork by modified plating methods. *J. Food Prot.* 59:448-452.
- Collins, C.I., E.A. Murano, and I.V. Wesley. 1996. Survival of *Arcobacter butzleri* and *Campylobacter jejuni* after irradiation treatment in vacuum-packaged ground pork. *J. Food Prot.* 59:1164-1166.
- Crawford, Y.J., E.A. Murano, D.G. Olson, and K. Shenoy 1996. Use of high hydrostatic pressure and irradiation to eliminate *Clostridium sporogenes* spores in chicken breast. *J. Food Prot.* 59:711-715.
- Fu, A.-H., J.G. Sebranek, and E.A. Murano. 1995. Survival of *Listeria monocytogenes* and *Salmonella typhimurium* and quality attributes of cooked pork chops and cured ham after irradiation. *J. Food Sci.* 60(5):1001-1005, 1008.
- Fu, A.-H., J.G. Sebranek, and E.A. Murano. 1995. Survival of *Listeria monocytogenes*, *Yersinia enterocolitica*, and *Escherichia coli* O157:H7 and quality changes after irradiation of beef steaks and ground beef. *J. Food Sci.* 60(5):972-977.
- Fu, A.-H., J.G. Sebranek, and E.A. Murano. 1994. Microbial quality characteristics of pork cuts from carcasses treated with sanitizing sprays. *J. Food Sci.* 59:306-309.
- Golla, S.C., E.A. Murano, R.E. Brennan, L.G. Johnson, and J.W. Savell. 1999. Determination of the occurrence of *Arcobacter butzleri* in beef and dairy cattle from Texas using two isolation methods. *J. Food Prot.* (submitted).
- Hooker, N.H. and E.A. Murano. 2000. Interdisciplinary approaches to food safety research: opportunities for partnership. *J. Food Dist. Res.* 31(1):39-46.
- Huang, M., R.G. Moreira, and E.A. Murano. 1999. Use of hydrostatic pressure to produce high quality and safe fresh pork sausage. *J. Food Proc. Pres.* 23:265-284.
- Johnson, L.G., and E.A. Murano. 1999. Development of a new medium for the isolation of *Arcobacter* spp. *J. Food Prot.* 62:456-462.
- Johnson, L.G., and E.A. Murano. 1999. Comparison of three protocols for the isolation of *Arcobacter* from poultry. *J. Food Prot.* 62:610-614.

- Khojasteh, A., and E.A. Murano. 1996. Inability of heat stress to affect sensitivity of *Listeria monocytogenes* to pediocin in pork. *J. Food Saf.* 16:201-208.
- Knight, T.D., P.S. Murano, and E.A. Murano. 1999. Antimicrobial activity and quality effects of chlorine-dioxide-releasing packaging film. *Food Sci. Technol. Int.* (submitted).
- Kim, K.T., Murano, E.A., and D.G. Olson. 1993. Development of an enzyme-linked immunosorbent assay (ELISA) for analysis of listeriolysin O produced by *Listeria monocytogenes*. *J. Rap. Meth. Autom.* 2:189-201.
- Kim, K.T., E.A. Murano, and D.G. Olson. 1994. Effect of heat shock on production of listeriolysin O by *Listeria monocytogenes*. *J. Food Saf.* 14:273-279.
- Kim, K.T., E.A. Murano, and D.G. Olson. 1994. Optimization of listeriolysin O production by *Listeria monocytogenes*. *J. Food Saf.* 14:281-288.
- Kim, K.T., E.A. Murano, and D.G. Olson. 1994. Heating and storage conditions affect survival and recovery of *Listeria monocytogenes* in ground pork. *J. Food Sci.* 59:30-32, 59.
- López-González, V., P.S. Murano, R.E. Brennan, and E.A. Murano. 1999. Influence of various commercial packaging conditions on survival of *E. coli* O157:H7 to irradiation by electron beam vs. gamma rays. *J. Food Prot.* 62:10-15.
- López-González, V., P.S. Murano, R.E. Brennan, and E.A. Murano. 2000. Sensory evaluation of ground beef patties irradiated by gamma rays versus electron beam under various packaging conditions. *J. Food Qual.* 23:195-204.
- Lyon, W.J., D. G. Olson, and E.A. Murano. 1995. Isolation and purification of Enterocin EL1, a bacteriocin produced by a strain of *Enterococcus faecium*. *J. Food Prot.* 58:890-898.
- Markarian, V., Hooker, N.H. Murano, E.A., Acuff, G.R., and Carroll, S. 2001. Comparative costs of pathogen reduction strategies for Australian beef slaughter plants. In: "Interdisciplinary Food Safety Research". CRC Press, Boca Raton, FL., pp. 25-42.
- Murano, E.A. 2000. Food Safety in the 21st Century. *J. Food Distr. Res.* 31(1): 64-67.
- Murano, E.A., P.S. Murano, R.E. Brennan, K. Shenoy, and R.G. Moreira. 1999. Application of high hydrostatic pressure to eliminate *Listeria monocytogenes* from fresh pork sausage. *J. Food Prot.* 62:480-483.
- Murano, E.A. 1995. Irradiation of fresh meats. *Food Technol.* 49:52-54.
- Murano, E.A., and R. Rust. 1995. General microbial profile of low-fat frankfurters formulated with sodium lactate and a texture modifier. *J. Food Qual.* 18:313-323.
- Murano, E.A., and M.D. Pierson. 1993. Effect of heat shock and incubation atmosphere on injury and recovery of *Escherichia coli* O157:H7. *J. Food Prot.* 56:568-572.
- Murano, E.A., and Z. DeFreitas. 1993. Podrá la irradiación hacer los alimentos más seguros? (Can irradiation make food safer?). *Ind. Alim.* October, 1993.
- Murano, E.A. and M.D. Pierson. 1991. Effect of heat shock and growth atmosphere on the heat resistance of *Escherichia coli* O157:H7. *J. Food Prot.* 55(3):171-175.

- products from polymorphonuclear leukocytes in the antitumor activity of *Propionibacterium acnes* vaccine. *Cancer Immunol. Immunother.* 29:7-16.
- Murano, P.S., E.A. Murano, and D.G. Olson. 1998. Irradiated ground beef: sensory and quality changes during storage under various packaging conditions. *J. Food Sci.* 63:548-551.
- Pickett, E.L. and E.A. Murano. 1996. Sensitivity of *Listeria monocytogenes* to sanitizers after exposure to a chemical shock. *J. Food Prot.* 59:374-378.
- Radomysky, T., E.A. Murano, and D.G. Olson. 1993. Irradiation of meat and meat products to ensure hygienic quality. *Dair. Food Environ. Sanit.* 13:398-403.
- Radomysky, T., E.A. Murano, D.G. Olson, and P.S. Murano. 1993. Elimination of pathogens of significance in food by low-dose irradiation: a review. *J. Food Prot.* 57:73-86.
- Saide-Albornoz, J., C.L. Knipe, E.A. Murano, and G.W. Beran. 1995. Contamination of pork carcasses during slaughter, fabrication and chilled storage. *J. Food Prot.* 58:993-997.
- Serrano, L.E., E.A. Murano, K. Shenoy, and D.G. Olson. 1997. D value of *Salmonella enteritidis* isolates and quality attributes of shell eggs and liquid whole eggs treated with irradiation. *J. Poult. Sci.* 76:202-205.
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11. Health: What is the present state of your health?

I am in very good 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?

No. I will be taking a leave of absence from my present employer, Texas A&M University, in order to serve at the USDA if I am confirmed for this position. Under this arrangement, I plan to return to Texas A&M University as a professor at the conclusion of my service at USDA.

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

- A) Retirement accounts/annuities from which I expect to receive benefits upon retirement at age 65:

Texas A&M University System Retirement Plan (403B) through Aetna Financial Services, valued at \$114,043.17 as of 7/18/01

TIAA/CREF Plan, valued at \$96,504.22 as of 6/30/01

- B) Stocks:

United Parcel Service, 48 shares of class A stocks valued currently at \$58.82/share for a total of \$2,823.36. I have received a cash dividend of \$38.88 to-date.

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.)

Yes. I plan to return to my position as professor at Texas A&M University after completing government service, as per my leave of absence agreement with the university.

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, I received a student loan to support my college education. The loan has been repaid in full.

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.

The only potential conflict of interest involves my continued affiliation through a leave of absence from my employer, Texas A&M University. I plan to recuse myself from any decisions that involve that institution during the course of my activities in the USDA.

### Executive Branch Personnel PUBLIC FINANCIAL DISCLOSURE REPORT

Reporting Status <input type="checkbox"/> Clerk <input type="checkbox"/> Appropriator <input type="checkbox"/> Other	Chenier Year Covered by Report <input type="checkbox"/> Incumbent <input checked="" type="checkbox"/> New Career, Nominee, or Candidate	Termination <input type="checkbox"/> Prior <input type="checkbox"/> After	Reporting Period Start Date (MM/DD/YYYY)	Reporting Period End Date (MM/DD/YYYY)
Reporting individual's Name Murielo				
Position for Which Filing Under Secretary of Agriculture for Food Safety				
Location of Present Office (or forwarding address) Texas A&M University, Center for Food Safety, Dept. of Animal Science, 310 Nideberg Center, College Station, TX 77843-2471				
Position's Title with the Federal Government During the Preceding 12 Months (If Not Same as Above) None				
Presidential Nominees Subject to Senate Confirmation Do You Intend to Create a Qualified Diverted Post? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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.				
Other Box(es) (If desired by agency) Date (Month, Day, Year) 7/31/01				
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. I have no comments to make (check box below)				
Signature of Reporting Individual Eugene Murielo				
Signature of Other Reviewer John Quinn				
Date (Month, Day, Year) 8/1/01				
Comments of Reporting Officials (If additional space is required, use the reverse side of this sheet) Murielo, 7 July				
Date (Month, Day, Year) 8/1/01				
Signature of Reporting Official Eugene Murielo				
Signature of Other Reviewer John Quinn				
Date (Month, Day, Year) 8/1/01				

Supersede Prior Editions, Which Cannot Be Used. Form Designed in Microsoft Excel 2000. 278-112 (Check box if comments are continued on the reverse side)  OGE Use Only. AUG - 1 2001 NSN 7540-01-070-8444



SCHEDULE A continued  
(Use only if needed)

Page Number: 2

SFZB Rev. 03/2003  
1-C of Part 104  
Form 1041-1  
Reporting Individual's Name

Murano, E. A.

Assets and Income	Valuation of Assets at close of reporting period										Income: Type and amount. If "None (or less than \$201)" is checked, no other entry is needed in Block C for that item.										Date (Mo., Day, Yr.) Only if Non-Resident		
	BLOCK B										BLOCK C												
	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	\$1,000,001 - \$250,000,000	\$250,000,001 - \$50,000,000	Over \$50,000,000	None (or less than \$201)	\$201 - \$1,000	\$1,001 - \$2,500	\$2,501 - \$5,000	\$5,001 - \$10,000	\$10,001 - \$25,000	\$25,001 - \$50,000	\$50,001 - \$100,000	Over \$100,000	Over \$1,000,000	Over \$5,000,000	Other Income (Specify Name and Amount)	
1 Fidelity VIP Equity-Income Fund	X																						
2 Aetna Bond Fund		X																					
3 Texas A&M University System Retirement Plan (Type 403B) - spouse (Includes Items 4-9, Item 1, p.3)																							
4 Aetna Small Company Fund																							
5 Aetna Bond Fund																							
6 MFS Capital Opportunities Fund																							
7 T. Rowe Price Mid-Cap Growth Equity Fund																							
8 Janus Aspen Worldwide Growth Fund																							
9 Fidelity VIP Equity-Income Fund																							

None

This category applies only if the taxpayer is jointly or solely the filer or spouse or dependent child. If the asset income is other than of the filer or jointly held by the filer, the spouse or dependent child, enter the other filer's categories of value, as appropriate. Prior Editions Cannot be Used.

SF 278 Rev. (03/2000)  
 U.S. Office of Governmental Ethics  
 Reporting Information Sheet

Murano, E. A. Page Number 3

**SCHEDULE A continued**  
(Use only if needed)

Assets and Income	Valuation of Assets at close of reporting period										BLOCK C							Date (Mo., Day, Yr.) Only if Honoraria
	BLOCK B										Type	Amount						
	None (or less than \$1,000)	\$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	Over \$500,000	Over \$250,000	Over \$100,000	Over \$50,000	Over \$25,000	Over \$10,000	Over \$5,000	Over \$1,000	Over \$500	Other Income (Specify Annual Amount)
1. Frabody V/P II Contract Ltd																		
2. TIAACREF (Iowa State University) Self																		
3. TIAACREF (Iowa State University) Spouse																		
4. Iowa State University College Station, Texas Self																		Salary \$ 138,000
5. Texas A&M University College Station, Texas Spouse																		Salary
6. Aspen Publishers, Frederick, MD Self																		Honoraria \$775
7. Aspen Publishers - Spouse San Antonio, Texas																		Honorarium \$5,000
8. Hunterman Polymers Houston, Texas Spouse																		Honorarium \$655.50
9. Wells Fargo Bank Fargo, Texas																		

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

Print Edition: CG-278-12-03



SF 278 (Rev. 02/2000)  
 S O F R Part 5354  
 U.S. Office of Government Ethics

Respecting Individual's Name

Murano, E. A.

Page Number

5

**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 this 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.

Creditor (Name and Address)  
 Example: First Direct Bank, Washington, DC  
 John Jones, 123 1st St., Washington, DC

Type of Liability  
 Example: Mortgage on main property, 25-year  
 Promissory note

Date Incurred  
 Example: 1997

Interest Rate  
 Example: 8%  
 10%  
 on demand

Term of Liability  
 Example: None  25 yr

Category of Amount or Value (x)  
 Example: \$10,000 - \$19,999.99  
 \$20,000 - \$29,999.99  
 \$30,000 - \$39,999.99  
 \$40,000 - \$49,999.99  
 \$50,000 - \$59,999.99  
 \$60,000 - \$69,999.99  
 \$70,000 - \$79,999.99  
 \$80,000 - \$89,999.99  
 \$90,000 - \$99,999.99  
 \$100,000 or more

1	2	3	4	5	6	7	8	9	10	11	12
1											
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.

Status and Terms of any Agreement or Arrangement  
 Example: Pursuant to partnership agreement, will receive lump sum payment of capital account & partnership share calculated on services performed through 1/30.

Date  
 Example: 7/95

1	2	3	4	5	6	7	8	9	10	11	12
1	Leave of absence without pay from Texas A&M University to commence upon confirmation to serve as Under Secretary for Food Safety Administration. This leave is subject to my resignation during the period of leave of absence.										
2	This plan is based on the stock market; therefore, the benefits are not readily ascertainable.										
3											
4											
5											
6											

Prior Editions Cannot Be Used.

SF 278 (Rev. 02/2000)  
 U.S. Office of Government Ethics  
 Reporting Individual's Name

**SCHEDULE D**

Page Number **6**

**Part I: Positions Held Outside U.S. Government**  
 Report any positions held during the applicable reporting period, whether or not compensated, in any capacity as an officer, director, trustee, general partner, proprietor, representative, employee, or consultant of any corporation, firm, partnership, or other business enterprise or any other organization, including religious, social, fraternal, or political entities and those solely of an honorary nature.

1	2	3	4	5	6
Organization (Name and Address)	Type of Organization Non-profit, education, Law firm	Position Held	From (Mo./Yr.)	To (Mo./Yr.)	None <input type="checkbox"/>
Examples: Karl Ann of Rock College, NY, NY Doe Jones & Smith, Hometown, State		President Partner	6/92 7/82	7/00 7/00	
1 Texas A&M University College Station, Texas	Educational	Professor	8/95	Present	
2 National Alliance for Food Safety College Station, Texas	Non-profit education	Director, Center for Food Safety Chair of Operations Committee	11/87	Present	
3 National Park Producers Council Washington, DC	Industry Association	Member, Board of Directors Member Post-Harvest Food Safety Advisory Committee	9/00 5/98 9/97	Present Present Present	
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 during the applicable reporting period, whether or not directly by you or your business, if the source is a source of more than \$5,000. You need not report the U.S. Government as a source or Presidential Candidate.

1	2	3	4	5	6
Source (Name and Address)	Legal services	Legal services in connection with university construction	Provide educational services	Other	None <input type="checkbox"/>
Examples: Doe Jones & Smith, Hometown, State Mega University (c/o Doe Jones & Smith), Hometown, State					
1 Texas A&M University College Station, Texas					
2					
3					
4					
5					
6					

Prior Editions Cannot Be Used.

September 24, 2001

Honorable Tom Harkin  
Chairman  
Committee on Agriculture, Nutrition,  
and Forestry  
United States Senate  
Washington, D.C. 20510

Dear Mr. Chairman:

On August 16, 2001 a copy of my SF 278, Executive Branch Public Financial Disclosure Report, required in connection with my nomination to serve as Chief Financial Officer for the U.S. Department of Agriculture was submitted to the U.S. Office of Government Ethics. That report contained all required financial information for calendar year 2000 and for the current calendar year through August 16, 2001.

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, 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 Wednesday September 26, 2001. The purpose of this letter is to report that since I filed my Financial Disclosure Report on August 16, 2001 and beginning of business on Monday September 24, 2001, I received no honoraria, approximately \$15,000 in salary from the InterSolve Group, Inc and a total of \$2,391 accrued as a consultant to USDA.

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

Sincerely,



Edward R. McPherson  
Nominee for Chief Financial Officer for the  
U.S. Department of Agriculture

cc: Hon. Amy Comstock, Director, US Office of Government Ethics  
John Surina, USDA Designated Agency Ethics Officer

August 16, 2001

John Surina  
Designated Agency Ethics Official  
U.S. Department of Agriculture  
Washington, DC 20250-0122

Dear Mr. Surina:

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 Chief Financial Officer for the U.S. Department of Agriculture.

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter 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.

As reflected on my financial disclosure form at Schedule D, Part I, I currently am President, CEO, and Director of InterSolve Group, Inc. (InterSolve), a management consultative service dedicated to helping companies create value in their business, including implementing projects relating to financial management, information technology, human resources, marketing and other functions. Upon confirmation, I will place InterSolve in an inactive status and will conduct no further business, except that I will collect any payments outstanding from services performed prior to my confirmation, and pay any necessary fees or taxes required to maintain the company in an inactive status. I will not participate in any particular matter that will have a direct and predictable effect upon InterSolve. Additionally, pursuant to 5 C.F.R. § 2635.502, for a period of one year after the termination of my consulting relationships involving clients of InterSolve, I will not participate in any particular matter involving specific parties in which any one of those former clients is a party or represents a party, unless I am authorized to participate.

I am vested in and am now eligible to receive a pension from a defined benefit retirement program administered by the Bank of America. If I choose to activate this pension at age 65 I will receive approximately \$3,108.47 per month. 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 Bank of America to provide this contractual benefit unless I first obtain a written waiver or qualify for a regulatory exemption.

I will retain my uncompensated positions as Trustee of the:

- Edward R. McPherson Trust;
- Janet R. McPherson Trust FBO Donald P. McPherson III; and
- Scott McPherson U/A Janet R. McPherson.

I will not participate personally and substantially in any particular matter that will have a direct and predictable effect upon the holdings of these trusts.

My spouse is a salaried employee of the Highland Park Independent School District Education Foundation. Pursuant to 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter that would have a direct and predictable effect on her salary or on her continued employment with the Highland Park Independent School District Education Foundation, unless I first obtain a waiver or qualify for a regulatory exemption. Moreover, in accordance with 5 C.F.R. § 2635.502, I will not participate in any particular matter involving specific parties in which the Highland Park Independent School District Education Foundation is a party or represents a party, unless I am authorized to participate.

Sincerely,



Edward R. McPherson



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

September 17, 2001

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

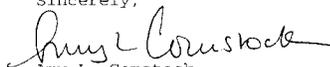
Dear Mr. Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Edward R. McPherson, who has been nominated by President Bush for the position of Chief Financial Officer, 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 August 16, 2001, from Mr. McPherson to the Department ethics official, outlining the steps 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. McPherson is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,

  
Amy L. Comstock  
Director

Enclosures

**Questionnaire for United States Department of Agriculture Nominees**

8/16/01

## BIOGRAPHICAL INFORMATION (PUBLIC)

1. Full name, (including any former names used), and City and State where you currently reside.

Edward Russell McPherson, Dallas, Texas

2. Date and place of birth.

September 18, 1945, Baltimore, Maryland

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

Married. Wife's maiden name is Sally Curtis Thompson. She is Executive Director, Highland Park Independent School District Education Foundation, 4201 Grassmere Lane, Dallas, Texas 75205.

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

- Harvard University Graduate School of Business Administration, July 8-24, 1984, certificate of completion of Corporate Financial Management, an Executive Education Program.
  - Southern Methodist University, Southwestern Graduate School of Banking, two weeks each of three summers July 1976 through July 1978, diploma, July 28, 1978.
  - George Washington University Graduate School of Business Administration, September 1969-August 1971, Master of Science in Administration, September 1971.
  - University of Virginia, Darden Graduate School of Business Administration, September 1967-June 1968. No degree received.
  - Williams College, September 1963- June 1967, Bachelor of Arts, June 1967.
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.
- Present - 1992: InterSolve Group, Inc., Dallas, Texas. President and Chief Executive Officer and Director. Provide management consulting and implementation services for clients.
  - 1991: Broad, Inc., Los Angeles, California (now SunAmerica, owned by American International Group). Executive Vice President and Chief Financial Officer. Responsible for corporate controller, treasurer, tax, and financial planning functions.
  - 1990-1988: The McPherson Group, Dallas, Texas. President. Provide management consulting services for clients.
  - 1988-1973: First RepublicBank Corporation (now Bank of America). Executive Vice President and Chief Financial Officer. Responsible for corporate controller, treasury, tax, insurance, and investor relations functions.
  - 1973-1971: Booz Allen & Hamilton, Inc., Washington, D.C. Consultant. Provide management consulting services.
  - 1968: Klein & Saks, Inc., Washington, D.C. Consultant. Provide management consulting services.

- 1994-1987: Hockaday School, Dallas, Texas. Trustee. School for girls kindergarten through 12<sup>th</sup> grade.
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.

Yes, I served from September 1968 to May 1971 as an officer in the United States Navy with the rank of Lieutenant (junior grade) upon completion of active duty, and I received an honorable discharge. After graduating from Officer Candidate School in Newport, Rhode Island as a line officer, I was assigned to the Defense Intelligence Agency, receiving the Joint Service Commendation Medal in July 1971. My service number was B220348.

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.

No government service other than military.

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.

- Received Special Recognition in 2000 and 1999 as part of the Outsourcing World Achievement Award program conducted by Pricewaterhouse Coopers and the Outsourcing Institute for personal contributions to advancing outsourcing as a means of helping companies improve performance, profitability, and shareholder value.
- Nominated in 2000 for an Entrepreneur of the Year Award in Ernst & Young's Southwestern Region.
- Awarded a patent on the service mark JUST-IN-TIME TALENT™ in 1993.
- Received in 1988 an Award for Excellence in Corporate Reporting from the Financial Analysts Federation in New York City.

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

- Financial Executives International
- Williams Club (New York City)
- Dallas Country 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 have made during the past five years on issues involving agriculture, nutrition, forestry or commodity futures policy or related matters.

- Author of articles: "Asset Liability Management: A Practical Approach", *Journal of Commercial Lending*, 1983.

"How Planning is Used to Manage a Bank Holding Company's Assets and Liabilities", *ABA Banking Journal*, 1981.

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?

Upon confirmation I will place InterSolve Group, Inc. in an inactive status and sever all connections with my immediate past private sector employers, business firms, associations, and/or organizations.

2. List sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock options, incompleting contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients, or customers.
  - Bank of America Pension Plan (defined benefit plan; currently receiving no benefits; value not readily ascertainable.
  - Merrill Lynch Retirement Reserve Class II spousal 403B from Highland Park Independent School District Education Foundation; current principal amount is \$2,595; eligible to begin withdraw at age 59 ½.
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.)

Not at this time. However, upon confirmation I will place InterSolve Group, Inc. in an inactive status.

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.

There are none to my knowledge.

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.

There are no potential conflicts of interest to my knowledge. I will comply with the contents of the attached agreement.

Executive Branch Personnel PUBLIC FINANCIAL DISCLOSURE REPORT

1278 (Rev. 10/2/2001)  
CFR Part 2634  
U.S. Office of Government Ethics

Reporting Status (Check appropriate box)	Reporting Year Covered by Report	New Eminent, Nominee, or Candidate <input checked="" type="checkbox"/>	Termination <input type="checkbox"/>	Agency Use Only
Reporting Individual's Name Last Name McPherson	First Name and Middle Initial Edward R.	Department or Agency (If Applicable) Department of Agriculture	Telephone No. (Including Area Code) (214) 526-0431	Agency Use Only
Position for Which Filing Chief Franchiser Officer	Address (Number, Street, City, State, and ZIP Code) 300 Turtle Creek Centre, 3811 Turtle Creek Blvd., Dallas, TX 75219	Title of Position None	Name of Congressional Committee, Subcommittee, Subcommittee, or Other Designated Trust? Agriculture, Nutrition and Forestry	Agency Use Only
Location of Present Office (If not the same as above)	Residential Address (If Not Same as Above)	Signature of Reporting Individual Edward R. McPherson	Date (Month, Day, Year) August 16, 2001	Agency Use Only
Other Review (If desired by agency)	Signature of Designated Agency Ethics Reviewing Official John Quinn	Date (Month, Day, Year) 8/23/2001	Signature of Reviewing Official (If additional space is required, use the reverse side of this sheet) Edward R. McPherson	Agency Use Only
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 and there are no comments to be made in this box below.)	Office of Government Ethics USC OIG	Date (Month, Day, Year) 9-17-01	Agency Use Only	Agency Use Only

Form Approved OMB No. 3208-0081

Executive Branch Personnel PUBLIC FINANCIAL DISCLOSURE REPORT

1278 (Rev. 10/2/2001)  
CFR Part 2634  
U.S. Office of Government Ethics

Reporting Status (Check appropriate box)	Reporting Year Covered by Report	New Eminent, Nominee, or Candidate <input checked="" type="checkbox"/>	Termination <input type="checkbox"/>	Agency Use Only
Reporting Individual's Name Last Name McPherson	First Name and Middle Initial Edward R.	Department or Agency (If Applicable) Department of Agriculture	Telephone No. (Including Area Code) (214) 526-0431	Agency Use Only
Position for Which Filing Chief Franchiser Officer	Address (Number, Street, City, State, and ZIP Code) 300 Turtle Creek Centre, 3811 Turtle Creek Blvd., Dallas, TX 75219	Title of Position None	Name of Congressional Committee, Subcommittee, Subcommittee, or Other Designated Trust? Agriculture, Nutrition and Forestry	Agency Use Only
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Form Approved OMB No. 3208-0081

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1278 (Rev. 10/2/2001)  
CFR Part 2634  
U.S. Office of Government Ethics

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Reporting Individual's Name Last Name McPherson	First Name and Middle Initial Edward R.	Department or Agency (If Applicable) Department of Agriculture	Telephone No. (Including Area Code) (214) 526-0431	Agency Use Only
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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 and there are no comments to be made in this box below.)	Office of Government Ethics USC OIG	Date (Month, Day, Year) 9-17-01	Agency Use Only	Agency Use Only

Form Approved OMB No. 3208-0081

**SCHEDULE A**

Page Number: 2/14

**McPherson, Edward R.**

4728 (Rev. 03/2000)  
 C. R. Form 1041  
 U.S. Department of the Treasury  
 Opening Instructions Blank

**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 of more than \$200 at the beginning of the reporting period, together with such income.

For yourself, also report the sources and actual amount of income over \$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 amount of any nonrecurring over \$200 of your spouse).

None

Examples  
 Central America Company  
 Doe Jones & Smith, Hometown, State  
 Kemper Equity Fund  
 IBA - Heartland 500 Index Fund

**BLOCK B**

Valuation of Assets at close of reporting period

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
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**BLOCK C**

Income: type and amount. If "None (or less than \$20)" is checked, no other entry is needed in Block C for that item.

Type	Amount	Date (MM/YY)	Other Income (Specify Type & Amount)	Date (MM/YY) Only if Honorary
Dividends				
Interest				
Rent and Royalties				
Capital Gains				
None (or less than \$20)				
\$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				
Over \$5,000,000				
Over \$25,000,000				
Over \$50,000,000				

1 Merrill Lynch Cash Management Account Tax-Exempt Fund

2 Edward R. McPherson Trust held by Merrill Lynch - self

3 Cash Management Account Tax-Exempt Fund money market fund

4 AT & T Corp. common stock

5 End of Edward McPherson Trust

6 Edward R. McPherson Simplified Employee Pension

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.

Print Editions Cannot be Used



**SCHEDULE A continued**  
 (Use only if needed)

Page Number 4/14

Assets and Income BLOCK A	Valuation of Assets at close of reporting period BLOCK B										Income: Type and amount. If None for less than \$201*, is checked, no other entry is needed in Block C for that item. BLOCK C										Date (Mo., Day, Yr) Only if Honorary				
	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	Over \$1,000,000 - \$5,000,000	\$5,000,001 - \$25,000,000	Over \$25,000,000 - \$50,000,000	Over \$50,000,000	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	Over \$1,000,000 - \$5,000,000	Over \$5,000,000	Other Income (Specify Type & Actual Amount)
	Type										Amount														
	Dividends										Interest														
	Qualified Trust										Capital Gains														
	Excepted Investment Fund										Rental Income														
	None										Royalties														
1 None <input type="checkbox"/>																									
2 Sara Lee Corp. common stock	X																								
3 Metrex & Co., Inc. common stock		X																							
4 Ford Motor Co. common stock			X																						
5 Visteon Corp. common stock				X																					
6 Intel Corp. common stock					X																				
7 EMC Corp. Common stock						X																			
8 Automatic Data Processing, Inc. common stock							X																		
9 General Electric Co. common stock								X																	
10 E. I. Du Pont de Nemours & Co. common stock									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 category.  
 Prior Editions Cannot be Used.

**SCHEDULE A continued**  
(Use only if needed)

31278 (Rev. 01/2009)  
U.S. Office of Government Ethics  
Reporting Individual's Name  
McPherson, Edward R.

1	BLOCK A		BLOCK B										BLOCK C									
	Assets and Income	Valuation of Assets at close of reporting period	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 *	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 *	Over \$5,000,000		
2	Type	Dividends	Qualified Trust	Excepted Trust	Capital Gains	Interest	Rent and Royalties	Other Income (Type & Actual Amount)	Date Rec'd. (Mo., Day, Yr)	Only if Hometown												
None <input type="checkbox"/>																						
1	Chevron Corp. common stock	X																				
2	Citigroup, Inc. common stock	X																				
3	Wells Fargo & Co. common stock	X																				
4	Fleets Equity Income Fund II common trust fund				X																	
5	Galaxy Tax-Exempt Fund Trust Class				X																	
6	End of Janet McPherson Trust at FreeBoston																					
7	Merrill Lynch Bank USA Retirement Asset Saving Program - spousal IRFA money market fund				X																	
8	Merrill Lynch Retirement Reserve Class II - spousal 403B money market fund				X																	
9	Barclays America Investment Services Nations Municipal Reserves money market fund				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 category.  
Prior Editions Cannot be Used.





51278 (Rev. 07/01/09)  
 U.S. Form 1041  
 Instructions for Beneficiary of a Trust or Estate

McPherson, Edward R

Page Number 8/14

**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 (or less than \$100)	\$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	Over \$500,000.000	Over \$1,000,000.000	Over \$5,000,000.000	Over \$10,000,000.000	Over \$50,000,000.000	Over \$1,000,000.000	Over \$5,000,000.000			
	Type	Dividends	Qualified Trust	Exempt Trust	Capital Gains	Interest	Rents and Royalties	None (or less than \$201)	\$1,001 - \$1,500	\$1,501 - \$2,500	\$2,501 - \$5,000	\$5,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$500,000	Over \$500,000.000	Other Income (Specify Type and Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
<input type="checkbox"/> None																		
1. Legal R. McPherson Trust for the Benefit of Donald P. McPherson III dated 8/29/90 - Trustee, however, I do not have personal interest in trust.																		
2. AT & T Wireless Services common stock		X						X										
3. A T & T Corp. common stock		X						X										
4. Exxon Mobil Corp. common stock									X									
5. Integral Systems, Inc. common stock		X																
6. International Business Machines Corp. common stock																		
7. Inuit, Inc. common stock		X																
8. Lucent Technologies, Inc. common stock		X																
9. T. Rowe Price Group, Inc. common stock		X																

\* This category applies only if the asset/income is solely that of the filer, 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, track the other category.  
 Print Estimated. Cannot be Used.





SI-778 (Rev. 03/2009)  
 5 C.F.R. Part 3034  
 Form Approved for Public Use  
 Reporting Burden Estimate  
 McPherson, Edward R.

Page Number  
 11/14

**SCHEDULE A continued**  
 (Use only if needed)

Assets and Income BLOCK A	Valuation of Assets at close of reporting period BLOCK B		BLOCK C		Date (Mo., Day, Yr.) Only if Hypothetical
	Type	Amount	Type	Amount	
None <input type="checkbox"/>					
1 Gateway Trust Fund - Gateway Fund	None (or less than \$1,001)		None (or less than \$201)		
2 United States Treasury Notes	\$1,001 - \$15,000		Interest		
3 Bond of Scott McPherson, J/A Janet R. McPherson	\$15,001 - \$50,000		Capital Gains		
	\$50,001 - \$100,000		Dividends		
	\$100,001 - \$250,000		Rent and Royalties		
	\$250,001 - \$500,000		Other Income		
	\$500,001 - \$1,000,000		Capital Gains		
	\$1,000,001 - \$2,500,000		Interest		
	\$2,500,001 - \$5,000,000		Capital Gains		
	\$5,000,001 - \$25,000,000		Other Income		
	\$25,000,001 - \$50,000,000		Capital Gains		
	Over \$50,000,000		Other Income		
	None (or less than \$1,001)		None (or less than \$201)		
	\$1,001 - \$15,000		None (or less than \$201)		
	\$15,001 - \$50,000		None (or less than \$201)		
	\$50,001 - \$100,000		None (or less than \$201)		
	\$100,001 - \$250,000		None (or less than \$201)		
	\$250,001 - \$500,000		None (or less than \$201)		
	\$500,001 - \$1,000,000		None (or less than \$201)		
	\$1,000,001 - \$2,500,000		None (or less than \$201)		
	\$2,500,001 - \$5,000,000		None (or less than \$201)		
	\$5,000,001 - \$25,000,000		None (or less than \$201)		
	\$25,000,001 - \$50,000,000		None (or less than \$201)		
	Over \$50,000,000		None (or less than \$201)		
	None (or less than \$1,001)		None (or less than \$201)		
	\$1,001 - \$15,000		None (or less than \$201)		
	\$15,001 - \$50,000		None (or less than \$201)		
	\$50,001 - \$100,000		None (or less than \$201)		
	\$100,001 - \$250,000		None (or less than \$201)		
	\$250,001 - \$500,000		None (or less than \$201)		
	\$500,001 - \$1,000,000		None (or less than \$201)		
	\$1,000,001 - \$2,500,000		None (or less than \$201)		
	\$2,500,001 - \$5,000,000		None (or less than \$201)		
	\$5,000,001 - \$25,000,000		None (or less than \$201)		
	\$25,000,001 - \$50,000,000		None (or less than \$201)		
	Over \$50,000,000		None (or less than \$201)		

\* This schedule 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 filer's name in the column.



754 (Rev. 03-2006)  
 U.S. Form 284  
 Office of Government Ethics  
 Reporting Individual's Name  
 cPherson, Edward R.

PAGE NUMBER  
 13/14

**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, 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.

Creditor (Name and Address)  
 First Direct Bank, Washington, DC  
 John Jones, 723 31, Washington, DC

Type of Liability  
 Mortgage or rental property advance  
 Promissory note

Date Incurred  
 1994  
 1996

Interest Rate  
 4 1/2%  
 10%

Term if applicable  
 None  21 yrs.  
 or defined

Category of Amount or Value(s)	None <input checked="" type="checkbox"/>
\$10,001 - \$15,000	
\$15,001 - \$20,000	
\$20,001 - \$25,000	
\$25,001 - \$30,000	
\$30,001 - \$35,000	
\$35,001 - \$40,000	
\$40,001 - \$45,000	
\$45,001 - \$50,000	
\$50,001 - \$55,000	
\$55,001 - \$60,000	
\$60,001 - \$65,000	
\$65,001 - \$70,000	
\$70,001 - \$75,000	
\$75,001 - \$80,000	
\$80,001 - \$85,000	
\$85,001 - \$90,000	
\$90,001 - \$95,000	
\$95,001 - \$100,000	
Over \$100,000	

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 and 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.

Example: Pursuant to partnership agreement, will receive lump sum payment of capital account & partnership share calculated on service performed through 1/90.

1 Bank of America Pension Plan (defined benefit pension plan) - I am currently vested and eligible to receive a pension through Bank of America. If I choose to activate this pension at age 65, I would receive approximately \$3,108.47 per month.

Street and Terms of any Agreement or Arrangement  
 Doc Jones & Smith, Hometown, State  
 Bank of America

Date  
 7/83  
 5/73

Note: Editions Cannot Be Used

Form 278E (Rev. 07/2006)

U.S. Office of Management and Enterprise Services

Page Number 14/14

**SCHEDULE D**

**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 affiliations and those solely of an honorary nature.

Organization (Name and Address)	Type of Organization	Position Held	From (Mo., Yr.)	To (Mo., Yr.)
Examples: 1. <u>North West of West College, NY, NY</u> <u>Doc Jones &amp; Smith, Hamilton, N.Y.</u> 2. <u>InterSolve Group, Inc.</u> <u>Dallas, Texas</u> 3. <u>Scott McPherson U/A Janet R. McPherson dated 8/29/80</u> 4. <u>Janet R. McPherson Trust for the Benefit of Donald P. McPherson III</u> <u>dated 8/29/80</u> 5. <u>Edward R. McPherson Trust held by Merrill Lynch</u> 6.	 Non-profit organization  Non-profit organization  Management Consultancy and  Implementation Services  Trust for Brother  Trust for Brother  Personal Trust	 President  Partner  President, CEO and Director  Trustee  Trustee  Trustee	 6/92  7/83  01/92  12/99  08/99  7/99	 Present  Present  Present  Present  Present  Present

**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.

Source (Name and Address)	Brief Description of Duties
Examples: 1. <u>Doc Jones &amp; Smith, Hamilton, N.Y.</u> <u>Metro University (client of Doc Jones &amp; Smith), Monroeville, Pa.</u> 2. <u>Herbstson Financial Group</u> <u>Boston, Massachusetts</u> 3. <u>Guaranty Bank</u> <u>Dallas, Texas</u> 4. <u>RGR Corp.</u> <u>Dayton, Ohio</u> 5. <u>Discover Financial Services</u> <u>Chicago, Illinois</u> 6. <u>Ecotree</u> <u>Irving, Texas</u> 7. <u>Source: InterSolve Group, Inc., Dallas, Texas</u> (C) Services provided in 1995.	 Legal services  Legal services in connection with university construction  Management Consultancy and Implementation Services  Management Consultancy and Implementation Services  Management Consultancy and Implementation Services  Consultancy Services*  Consultancy Services  Management Consultancy - clients listed above.

\*Prior Editions Cannot Be Used



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Buyers Up • Congress Watch • Critical Mass • Global Trade Watch • Health Research Group • Litigation Group  
Joan Claybrook, President

August 15, 2001

Senator Richard Lugar  
SH-306  
Washington, DC 20510

Dear Senator Lugar:

I am writing concerning the nomination of Elsa Murano to be the Under Secretary for Food Safety at the United States Department of Agriculture.

You will find enclosed a letter that Public Citizen and a number of other organizations sent to Senator Tom Harkin, Chairman of the Senate Agriculture, Nutrition and Forestry Committee outlining the reasons why we believe her nomination should be rejected.

There are candidates who are more qualified to hold this important position, and Dr. Murano's close association with the food irradiation industry raises questions concerning the direction she will take food safety policy within the USDA.

We urge you to oppose her nomination when it comes up for consideration before the Senate Agriculture Committee. Should you have any questions regarding our position, please feel free to contact me at (202) 454-5150.

Sincerely,

Wenonah Hauter, Director  
Critical Mass Energy and Environment Program

enclosure





Buyers Up • Congress Watch • Critical Mass • Health Research Group • Litigation Group

Joan Claybrook, President

July 16, 2001

Senator Tom Harkin, Chairman  
Senate Agriculture, Nutrition and Forestry Committee  
328-A Russell Senate Office Building  
Washington, DC 20510

Dear Chairman Harkin:

We are writing concerning the nomination of Elsa Murano to the position of Under Secretary for Food Safety for the United States Department of Agriculture.

As you know, the role of the Under Secretary for Food Safety is a very important one. The Under Secretary is responsible for enforcing many key laws and administering many key programs intended to maintain the safety and wholesomeness of our food supply. Among these are Federal Meat Inspection Act, the Poultry Products Inspection Act, the Egg Products Inspection Act, the Talmadge-Aiken Act, the Humane Slaughter Act and the Food Safety Research Program.

A microbiologist by training, Murano is the director of the Center for Food Safety at Texas A&M University. On its face, Murano would seem a good fit for the position. However, we have become concerned with the nature of her work at Texas A&M, her ties to industry, and the distorted image of food irradiation that she has presented to the public.

Murano has used her position at Texas A&M to advocate for food irradiation in a manner that we believe has been less than fully responsible. During her presentations at conferences and other events, and in her public statements, she has not presented a complete or balanced view of irradiation. We are concerned that this may be due to the financial ties between her university and the food irradiation industry.

In a Texas A&M press release last June, for example, Murano erroneously compared food irradiation with microwaving. Nothing could be further from the truth. An individual with her level of training and experience should be fully aware that microwaves are non-ionizing, while irradiation uses ionizing radiation, which has far more disrupting effects on food.

One month after Murano made these comments, Texas A&M signed a 10-year research and development deal with the Titan Corporation, a leading food irradiation company that, it should

Ralph Nader, Founder

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be noted, frequently makes the same erroneous comparison to microwaving. Titan provided the school with millions of dollars worth of irradiation equipment — which Texas A&M employees operate at discounted wages or for free — and Titan enjoys the economic benefits. The company has stated that this arrangement is worth more than \$10 million.

This past April, during a presentation that was subsequently posted on the USDA's website, Murano stated that more than 1,000 research studies have revealed "no significant difference between irradiated and non-irradiated foods in terms of: toxigenicity, pathogenicity, or mutagenicity." Again, nothing could be further from the truth. Many studies — some of which were funded by the U.S. government — have revealed serious health problems in lab animals that ate irradiated food, including premature death, stillbirths, a rare form of cancer, genetic damage, fatal internal bleeding, organ malfunctions and vitamin deficiencies.

And, at a recent meeting of the USDA National Advisory Committee on Meat and Poultry Inspection, Murano suggested that the labels on irradiated eggs could tell consumers that they do not have to cook them as long as non-irradiated eggs. This suggestion deserves serious scrutiny, given the well-documented chemical and nutritional changes that occur in irradiated food. At the same meeting, Murano attempted to gauge the opinion of other panel members about allowing irradiated food in the school lunch program. Given the public outcry over a recent proposal to serve irradiated food to school children, it would appear that Murano's viewpoint on this issue is out of step with the prevailing opinion of Americans.

Murano is also a well-known proponent of the Hazard Analysis Critical Control Point (HACCP) program for meat inspection, serving as a HACCP trainer throughout the world. HACCP was originally promoted as a way to enhance traditional inspection by bringing more pathogen testing into the system. In reality, HACCP shifts the responsibility for ensuring a safe meat supply from government inspectors to the meat industry, and is being used by USDA as a step towards complete industry self-inspection. HACCP's testing program is seriously flawed and the program has curtailed inspectors' authority to the point that government meat inspection has been replaced with an industry honor system. Last year, the USDA's own Inspector General concluded that under HACCP, the agency has "reduced oversight beyond what was prudent and necessary for the protection of the consumer."

Murano's narrow point of view that irradiation is a panacea to food safety problems and her promotion of HACCP cause us to question her ability to make sound decisions on food policy. Irradiation and HACCP are not silver-bullets. The answer to many food safety challenges lies in slowing line-speeds in our slaughter and processing facilities, and hiring more government inspectors and training them adequately.

We realize, Senator Harkin, that you are a supporter of food irradiation. While we may disagree with your view, I trust that you would agree with our position that the person who becomes

Under Secretary for Food Safety should be someone who has the experience and the credibility to fill that job.

At a time when food safety problems cry out for creative, thoughtful solutions, it is extremely important that the American people have every confidence in the person who holds this position. Unfortunately, Murano's track record leaves us greatly concerned that her appointment would not engender this confidence.

Sincerely,

**Public Citizen**

**Community Nutrition Institute**

**United Poultry Concerns**

**Society for Animal Protective Legislation**

**Institute for Agriculture and Trade Policy**

**Dr. Samuel Epstein, Professor Emeritus, Environmental and Occupational Medicine,  
University of Illinois at Chicago and Chairman, Cancer Prevention Coalition**

**Organic Consumers Association**

**Government Accountability Project**