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# Opinion

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## Our View

# Food chain infrastructure must be secured

Like many people, we weren't aware until two weeks ago that the nation's meatpacking industry was so technologically sophisticated and dependent that it could be hacked and shut down by bad actors.

The apparent vulnerability in these systems calls into question the security of the food supply chain in the United States — a clear and present danger if we've ever heard one.

On May 31, JBS USA, a subsidiary of JBS, the world's largest meat processing company, announced the company had been hit by an "organized cybersecurity attack" over the previous weekend.

According to the company's statement, JBS determined it was the target of a ransomware attack affecting



JBS  
JBS USA's beef processing facility in Greeley, Colo. After a cyberattack, JBS paid \$11 million in ransom.

some servers in its North American and Australian IT systems.

In response to the attack, JBS says it took immediate action, suspending all affected systems and calling on third-party experts to help resolve the problem. It also later admitted that it

paid \$11 million in bitcoin to its system's captors.

The damage, however brief, was real. Ranchers with regularly scheduled deliveries to JBS had to scramble to sell their livestock to other processors, at lower prices, and distributors with active orders had to buy from other vendors at a premium. So, another case where people selling live animals were short-changed and people buying processed product upstream had to pay higher prices.

JBS isn't the only large meat processing company that depends on computer technology, they all do. The problem is magnified because just a handful of companies control most of the production.

The truth is that just about everything in the food supply chain is con-

trolled in one way or another by computers, wonderfully useful technology that very few of the people who use it really understand.

The more complicated the plumbing, the easier it is to plug it up. The incident with JBS demonstrates how vulnerable vital infrastructure is to hacking.

After the hack, Secretary of Agriculture Tom Vilsack said food chain security was one of the things USDA would address with its share of President Biden's \$1 trillion infrastructure proposal. We would hope so, but no specifics were provided.

The federal government and the companies that depend on computer technology have to take security seriously, and must make the necessary investment to secure the infrastructure. If it is not safe, we are not safe.

## Our View



Capital Press File

The Biden administration is writing a third version of regulations governing the waters of the U.S.

# WOTUS once again

We have several problems with the Biden administration's plan to rewrite the Waters of the United States rule.

The most important: the regulatory cycle the folks in Washington, D.C., have created.

These days, many regulations are temporary. A change of administration opens the door to rewrite them in significant ways.

To us, this means the underlying laws are so poorly written that anyone can do nearly anything in the regulations putting them into effect.

The Clean Water Act and its progeny, WOTUS, are the poster children of bad legislation.

Under the Clean Water Act, the federal government is supposed to protect the "waters of the United States." The question: What does that mean?

Congress did not clearly define which waters should be protected under the Clean Water Act. Federal courts have disagreed over how to interpret the law, and two previous administrations have taken a crack at writing rules to carry it out.

Now the Biden administration is taking another shot at it.

Good luck.

The problem is the Clean Water Act is so full of ill-defined terms that lawyers, regulators and judges can't agree on what they mean. Instead of Congress defining the terms, unelected bureaucrats do it to fit the current administration's whims.

For example, after the U.S. Supreme Court punted on the meaning of WOTUS, the Obama administration included another fuzzy term in its regulations — "significant nexus." Those wiggly words gave regulators the ability to claim nearly any ponds, puddles, ditches or other bodies of water were in some way connected to a stream,

river or lake and qualified as waters of the U.S.

Any nexus would be determined by bureaucrats. That was bad enough, but the rules also failed to provide a means of appealing a determination to the federal government.

That set off even more lawsuits.

The Trump administration tossed out the Obama regulations and wrote its own, redefining WOTUS.

Now the cycle continues. The Biden administration will presumably toss out the Trump rules and write new ones.

No one can predict when the cycle will end.

WOTUS demonstrates to us the poor quality of work we are getting out of Congress. They issue laws that are little more than concepts — "We like clean water" — and leave it to bureaucrats to fill in the blanks.

The Food Safety Modernization Act is another example. Congress boldly legislated that "We want to stop food poisoning" and left the details to bureaucrats, who took more than a decade to come up with hundreds of pages of rules, some of which had nothing to do with food safety.

For example, we all remember one version that required distillers grains — the leftovers from brewing beer — to be treated like food instead of as livestock feed. Luckily, then-Rep. Greg Walden, R-Ore., intervened before the regulations were finalized.

But this is what happens, and it's why the federal government remains on a treadmill cycling through politically inspired regulations meant to implement poorly written laws.

At the very least, Congress should review new regulations to make sure they follow the intent of the law. Some state legislatures do that with regulations, and Congress should, too.

It would do much to end the cycle of regulations Congress now promotes.

# The Pacific Northwest agrees — keep your hands off our dams

There's been a lot of talk about our dams over the last few weeks, and I want to make it abundantly clear: Any "solution" for our salmon population that includes removing the dams on the Lower Snake River is a nonstarter.

Rep. Mike Simpson's proposed Columbia Basin Initiative seeks to breach the Lower Snake River dams in an attempt at boosting the native salmon population — while ignoring the very real issues, and solutions, that are impacting our fish populations.

Our native fish species and the Lower Snake River Dams can — and do — coexist. In Washington, our dams along the Snake and Columbia rivers have fish passage rates in the mid to upper 90 percentiles and utilize some of the most state-of-the-art fish passage technology ever developed.

At the Ice Harbor Dam, world-class scientists are not only in the process of replacing all of the dam's turbines with new fish-safe technology, but they are using this dam — one of the four dams proposed for breaching — to conduct critical research on fish passage that will shape the way the world builds and operates dams with the highest possible rates of fish survival.

It's not every day that Gov. Jay Inslee and I agree, but just recently the governor and Sen. Patty Murray came out with a joint statement rejecting Rep. Simpson's dam-breaching proposal.

Unfortunately, with all the hyperbolic rhetoric and misinformation surrounding dams, it's no wonder that people are concerned. In 1999, several environmental organizations put a full-page ad in the New York Times with the headline "Timeline to Extinction: If we don't act, Snake River salmon will disappear forever." The ad went on to claim that unless the four Lower Snake River dams were removed, wild Snake River spring chinook salmon would be extinct by 2017.

At the time, the numbers did look ominous. During that spring of 1999, only 3,296 Snake River spring chinook passed the Lower Granite Dam — the fourth of the Lower Snake River dams and the farthest east they pass through before they reach Idaho. Just last year, in 2020, 23,380 Snake River spring chi-

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nook passed that same dam — a more than 700% increase compared to 21 years prior.

Another oft-overlooked facet of the issue is that native salmon populations started declining before our dams were even built. In fact, the state of Idaho quite literally poisoned many of their lakes systematically in the 1940s, 1950s, and 1960s to effectively exterminate the species and eliminate fish runs. Today, Idaho's dams have no fish ladders, meaning that they have zero fish passage.

From the historic logging practices that destroyed spawning habitats to the many predation challenges our salmon face — be it orcas or sea lions or avian predators, it is no surprise our salmon population is struggling. Ocean conditions, disease challenges and the impacts of fishing and harvesting also play a role in the species' survival — not to mention the millions of gallons of raw sewage being dumped into the Puget Sound each year.

All of these issues collectively impact salmon populations, and, based upon the scientific information stemming from these actual impacts, the National Oceanic and Atmospheric Administration has already developed the strategic plans to address these historic impacts and the current challenges facing the species today. So why are we trying to reinvent the wheel when the guidebook is already in our hands?

We know that dams and fish can — and do — coexist, and if we are going to make real progress, we must focus on the comprehensive plans we have in place.

In Washington, our dams provide us with countless benefits — from clean, renewable energy to good-paying jobs, irrigation and transportation of our goods to market. Breaching these four dams is not only misguided, but it is dangerous — to our economy, to our environment, and to our way of life in the Pacific Northwest.

Rep. Dan Newhouse is a Republican member of the U.S. House from Washington state.