April 27, 2026 Response to: regulations.gov
Docket ID APHIS-2026-0133
Revision to and Extension of Approval of an Information Collection; Movement of Organisms Modified or Produced Through Genetic Engineering.[1]

I, Josh Wilson, submit the following comments on behalf of by-and-for-the-people [2]organization.

INTRODUCTION

The By and For the People Organization is a newly formed grassroots effort dedicated to preserving the integrity of our environment's biological future. As founder and president, I bring 15 years of experience and understanding of biotechnology regulation and have contributed over 37 public comments on proposed rules and policies regarding biotechnology, all regarding 7 CFR part 340 record keeping.

SYNOPSIS OF COMMENT.

This submission highlights concerns raised in multiple recent responses to federal agencies' proposed rules, specifically regarding deficiencies in record-keeping and transparency associated with biotechnology applications advanced under "restoration" initiatives. This comment identifies a broader pattern in the regulatory history of genetic engineering: key information and decision-making processes across cooperating agencies that have not been fully disclosed to the public.

Additionally, this comment will demonstrate that APHIS has fallen short of the requirements for Office of Management and Budget (OMB) control number 0579-0085, as set forth on May 15, 2023.

REGULATION HISTORY OVERVIEW

Legal and Regulatory Context, generally speaking (2000s–2010s):
During the 2000s and 2010s, USDA APHIS biotechnology oversight was repeatedly challenged in federal court for failing to meet its obligations under the National Environmental Policy Act (NEPA), particularly with respect to the adequacy, completeness, and transparency of its environmental analyses and administrative record. In cases such as Geertson Seed Farms v. USDA (2010) and Center for Food Safety v. Vilsack (2010–2012), courts determined that APHIS had not conducted sufficiently rigorous or well-documented environmental reviews prior to deregulating genetically engineered crops, requiring the preparation of full Environmental Impact Statements (EIS). These rulings highlighted deficiencies in the agency's record-keeping, including failures to fully account for indirect and cumulative impacts within the administrative record.

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[1] Agency Information Collection Activities; Proposals, Submissions, and Approvals: Introduction of Organisms and Products Altered or Produced Through Genetic Engineering
Posted by the Animal and Plant Health Inspection Service on Feb 26, 2026 - https://www.regulations.gov/document/APHIS-2026-0133-0001
[2] By and For The People - byandforthepeople.org

Concurrently, APHIS undertook rulemaking efforts in 2008 and 2017 to revise its biotechnology regulations; however, both regulation proposals were withdrawn following substantial public comment and stakeholder opposition. The volume and substance of these comments reflected ongoing concerns regarding the transparency, accessibility, and sufficiency of information used to support regulatory determinations.

In 2015, the USDA held public meetings on "coexistence,"[3] following earlier requests for public input under Docket No. APHIS-2013-0047, which sought feedback on how to foster communication and collaboration among diverse agricultural systems.
This period marked a notable shift in how APHIS valued stakeholder input, particularly regarding transparency and information collection. My comment from that request still reads true today.[4]

AC21 Findings and Recommendations:
The Advisory Committee on Biotechnology and 21st Century Agriculture (AC21), a federally chartered advisory body convened by the U.S. Department of Agriculture to provide recommendations on biotechnology policy and agricultural coexistence, recognized that the unintended presence of genetically engineered material can result in measurable economic harm.[5] The Committee recommended the development of a compensation mechanism, along with improved data collection and greater transparency regarding such incidents. However, these recommendations were not implemented through enforceable regulatory or record-keeping requirements, leaving critical gaps in tracking, accountability, and public accessibility of information.
Of course, this was a long time ago.
It is notable that in 2021, only nine comments were submitted on the biotechnology regulation proposed rule titled "Draft Guidance for Requesting a Regulatory Status Review under 7 CFR Part 340." My 3 submissions included substantial information that has largely been absent from the broader regulatory discussion.[6] My point being that such important regulatory changes with such limited response is concerning. That concern applies to this response count of 5.

PIOST-VACATUR AND STATUTORY IMPLEMENTATION CONCERNS;
While the December 2024 vacatur of the 2020 SECURE Rule restored the prior regulatory framework, APHIS's subsequent actions raise concerns under the Administrative Procedure Act. The agency's position that notice-and-comment procedures are unnecessary, along with its continued reliance on determinations made under a vacated rule, highlights deficiencies in the administrative record and limits transparency, increasing the risk of further litigation.

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[3] Meetings: Stakeholder Workshop on Coexistence; Workshop
posted by the Animal and Plant Health Inspection Service on Feb 3, 2015 - https://www.regulations.gov/document/APHIS-2013-0047-4167/
[4] Comment from Joshua Wilson Posted by the Animal and Plant Health Inspection Service on Mar 30, 2015 - https://www.regulations.gov/comment/APHIS-2013-0047-4179
[5] Enhancing Coexistence: A Report of the AC21 to the Secretary of Agriculture - https://www.usda.gov/advisory-committee-biotechnology-21st-century-agriculture-ac21-reports
[6]My response Comment from wilson, josh
Posted by the Animal and Plant Health Inspection Service on Oct 28, 2021, https://www.regulations.gov/comment/APHIS-2021-0062-0010 "APHIS-2021-0062-0010_attachment_1 .pdf

Under the Plant Protection Act (7 U.S.C. § 7701 et seq.), APHIS is granted broad, risk-based regulatory authority but is not required to maintain comprehensive record-keeping or public transparency systems. As a result, the validity of agency decisions depends heavily on the adequacy and accessibility of the administrative record… This requirement is where documentation is limited or unavailable to the public, and meaningful oversight is impaired, underscoring the need for consistent, transparent record-keeping to support informed decision-making and accountability.

GOOD CAUSE DETERMINATION CONCERNS:

APHIS's reliance on the "good cause" exception under 5 U.S.C. § 553(b)(B) to bypass notice-and-comment procedures is particularly concerning. Although characterized as a technical amendment, this action reflects agency decisions regarding the implementation of a court-ordered vacatur and the continued reliance on prior regulatory determinations. By concluding that public comment has "no material bearing," APHIS effectively limits the development of the administrative record and restricts opportunities for public participation, transparency, and accountability. Given the regulatory and environmental implications associated with this framework, the use of the good cause exception in this context appears overly broad and undermines the principles of informed decision-making and meaningful review.

CURRENT REGULATION CONCERNS ACROSS AGENCIES

I say current because all of my sighted info from here out has manifested within the last 2 years. The Council on Environmental Quality (CEQ) finalized its rewrite of the National Environmental Policy Act, called the "NEPA Phase 2" rule, which took effect July 1, 2024, expanding Categorical Exclusions (C.E.) [7] this rewrite also scliances american voices when it comes to science decisions. And I will speak more to that later in this comment. The C.E's are now also known in the HR1897[8] bill as "NEPA exemption for incidental take permits." APHIS allows for the use of "vaccines for animals" and "Development, production, and release of sterile insects," and projects will bypass full environmental review, public input, and oversight. It grants biotechnology companies and universities access to self-service restoration projects. Here is how it works.

On Jun 16, 2025, USDA/APHIS announced the "Final Rule" on biotechnology,[9] exempting massive amounts of genetically engineered plants from federal regulation.

In 2024, the FDA finalized its policy on Genomic Alterations (IGAs) in Animals, granting self-approval for genetically altered animals with limited transparency.[10]

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[7] List of Federal Agency Categorical Exclusions (CE LIST), May 2024 https://ceq.doe.gov/nepa-practice/categorical-exclusions.html

[8] Hr1897 tracking page, https://www.congress.gov/bill/119th-congress/house-bill/1897/all-actions

[9] Movement of Certain Genetically Engineered Organisms Posted by the Animal and Plant Health Inspection Service on Jun 16, 2025, Final Rule https://www.regulations.gov/document/APHIS-2018-0034-6199

[10] FDA IGA landing page, https://www.fda.gov/animal-veterinary/biotechnology-products-cvm-animals-and-animal-food/intentional-genomic-alterations-igas-animals Intentional Genomic Alterations (IGAs) in Animals _ FDA

Together, all agency actions will open the floodgates to reckless innovation hidden from the public… Its because the 2024 NEPA "phase 2" writes you out of a voice.

Let me show you how "they" want it to works... I have responded twice to USFWS last year and pinpointed how the agency has quietly tried to usher in biotechnology as resotation solutions. Comment from By and for the People Posted by the Fish and Wildlife Service on Dec 23, 2025 [11], RE Endangered and Threatened Wildlife and Plants Interagency Cooperation Regulation
And the very detailed response to ,
[12], comment_usfws_plants_and_animals_v2_may_2n

And then USforest request resopose[13] the US Forest Service requests and ge trees > FSM 2470, Silvicultural Practices #Directives-4178, and my response that

Nov 10th, 2025, Re: Rescission of Conservation and Landscape Health Rule[14] "the Bureau of Land Management (BLM) proposal regarding to rescind the Conservation and Landscape Health Rule, issued as a final rule on May 9, 2024. We solicit comment on all aspects of this rule"

EO 14154[15] secretly ushers in biotechnology

Congressman Paul Gosar of Arizona has introduced an energy bill HR1994[16] that would allocate 25% of revenues from public land energy projects to the U.S. Fish and Wildlife Service (USFWS) for so-called "conservation" efforts. Because biotechnology is a key component of USFWS's current strategic plan it is very likely that these funds could be used to advance biotechnology programs without direct public oversight. In effect, the bill would channel money into federal conservation and biotech initiatives while limiting the public's ability to see or influence how those funds are distributed or applied… and that is not American.

I am rushed to submit this comment, and I think this non-complete tree, that i have been working on, should be a part of this record… so, here it is.

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[11] please see the primary response attachment named RE Endangered and Threatened Wildlife and Plants Interagency Cooperation Regulation.pdf and Additional supporting documents to my submitted comment.pdf , https://www.regulations.gov/comment/FWS-HQ-ES-2025-0044-10294
[12] Comment_usfws_plants_and_animals_v2_may_2nd,
[13] RE_FSM_2470_Silvicultural_Practices_-Directives-4178_(1) and response; "FSM 2470, Silvicultural Practices #Directives-4178" - https://cara.fs2c.usda.gov/Public/ReadingRoom?project=Directives-4178
[14] 11/10/25, Rescission of Conservation and Landscape Health Rule, https://www.regulations.gov/document/BLM-2025-0001-0001,
[15] 6/20/2025, https://www.whitehouse.gov/presidential-actions/2025/01/unleashing-american-energy/
[16] HR1994, https://www.congress.gov/bill/119th-congress/house-bill/1994/text - BILLS-119hr1994ih.pdf

Biotechnology-related policy movement across agencies_ tree chart-past 2 years> rushed.

├── Executive branch

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│ ├── White House

│ │ └── Jan 20th 2025 Executive Order 14154—Unleashing American Energy

│ │ └── May 30, 2025, Trump Administration Launches Permitting Technology Action Plan

│ ├── Office of Management and Budget (OMB)

│ │ └── OIRA (Office of Information and Regulatory Affairs) may 15, 2023>

│ ├── the Council on Environmental Quality (CEQ)

│ │ └── NEPA Phase 2 rule (2024) (Bipartisan Permitting Reform Implementation Rule)

│ │ └── April 9, 2026, CEQ issued a memorandum to the heads of Federal departments and agencies (agencies) on establishing, revising, adopting, and applying categorical exclusions under the National Environmental Policy Act (NEPA)

│ │ └── April 15, 2026 White House CEQ Unveils Program to Partner with Private Sector on Modernizing Permitting Technology

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│ ├── DOI (Department of the Interior)

│ │ ├── BLM Sept 11th 2024 BLM Rescission of Conservation and Landscape Health Rule. (By and For the People's public response to the proposed rule)

│ │ └── USFWS May 19th 2025 Endangered and Threatened Wildlife and Plants

│ │ & Dec 23rd 2025 Endangered and Threatened Species: Interagency Cooperation

│ ├── USDA

│ │ ├── APHIS, Nov 13th 2024 Movement of Organisms Modified or Produced Through Genetic Engineering; Notice of Additional Modifications Exempt Plants Can Contain

│ │ └── US Forest Service, May 17th 2024 FSM 2470, Silvicultural Practices #Directives-4178

│ │ ├── APHIS June 21st 2025 Environmental Impact Statements; Availability, etc.: State University of New York College of Environmental Science and Forestry; Revised Petition, and

Draft Plant Pest Risk Assessment for Determination of Nonregulated Status for Blight-Tolerant Darling 54 American Chestnut (Castanea dentata) Developed Using Genetic Engineering

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│ └── FDA

│ └── (IGAs) May 19th, 2024 Intentional Genomic Alterations in Animals

│ └── there is more, i am just to busy to tell y'all about it

└── Securities and Exchange Commission (SEC) January 16th, 2024 Amend the NYSE Listed Company Manual to Adopt Listing Standards for Natural Asset Companies (withdrawn) - > https://www.sec.gov/files/rules/sro/nyse/2023/34-98665.pdf [17]

└── Legislative branch

├── SPEED Act (an upcoming bill on NEPA reform)

├── H.R.1994 - Mar 10th 2025 Public Land Renewable Energy Development Act of 2025 that will allow 25% of energy revenue to go directly to USFWS for "restoration"

└── Natural resource committee

├── H.R. 1897 Mar 6th 2025 (an upcoming bill, Endangered Species Act Reform bill)

└── A bunch of NEPA stuff… No time to document it for ya

FAILED OMB Control Number 0579-0085

I will demonstrate how APHIS has failed to meet the information collection standards associated with OMB Control Number 0579-0085, as outlined in the May 15, 2023 Federal Register notice[18]:

As stated, "the information collected through the permit process is intended to assess whether genetically engineered organisms pose risks to agriculture or the environment, and to ensure that such information is made available to State agencies and the public so that all sectors remain informed of potential risks associated with genetic engineering technologies".

However, the current implementation falls short of this stated purpose. Information related to permits, regulatory status determinations, exemptions, and associated environmental analyses

[17] SEC, srnyse202309-399639-957322, https://www.sec.gov/files/rules/sro/nyse/2023/34-98665.pdf & response PDF

[18] 2023-10231 PDF, May 15, 2023, OMB Control Number 0579-0085, https://www.govinfo.gov/content/pkg/FR-2023-05-15/pdf/2023-10231.pdf

is not consistently accessible, centralized, or presented in a manner that allows for meaningful public review. This limits the ability of stakeholders to evaluate potential risks, undermines transparency, and weakens the administrative record supporting agency decisions.

Given these deficiencies, the continued extension of this information collection without addressing these gaps would further entrench a system that does not fully meet its stated objectives of informing the public and ensuring accountability in the regulation of biotechnology applications.

CONCLUSION

Modern technological capabilities offer numerous avenues to improve the tracking, monitoring, and documentation of biotechnology applications. Tools such as satellite imaging, geospatial analysis, and remote sensing can be used to monitor species distribution, detect spread, and assess environmental impacts over time.(however, there needs to be a local record of new organism release) Given the availability of these technologies, the absence of robust, centralized tracking systems for genetically engineered organisms raises concerns regarding the adequacy of current record-keeping practices.

In addition to environmental monitoring, the potential for unintended transgenic spread carries implications for human health, including allergen exposure and associated healthcare costs. These risks underscore the need for comprehensive data collection and transparency to ensure that impacts are properly understood and communicated.

From a policy perspective, the cost of maintaining thorough record-keeping systems should be weighed against the significantly higher costs associated with responding to unintended or irreversible releases. Preventative tracking, documentation, and transparency measures represent a more efficient and responsible approach than attempting to mitigate impacts after they occur.

CLARITY AND PUBLIC ENGAGEMENT:

APHIS should provide a clear, easy-to-understand explanation of what constitutes “deregulated” biotechnology, as the current framework is difficult for the public to follow. Over the past 15 years, repeated and fragmented requests for comment have made it challenging for stakeholders to stay engaged, and many substantive comments risk being overlooked. Stakeholders should be notified of related future actions, and agencies should acknowledge how prior concerns have been addressed to improve transparency and accountability.

To show how effortless this process has been to soptlight, It required only a simple email to prompt my local Board of Supervisors to submit a comment, which they did.[19] This raises the question: why are these requests for comment not more engaging or accessible to the broader public?

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[19] Comment from Medina, Valerie, https://www.regulations.gov/comment/APHIS-2026-0133-0005
Posted by the Animal and Plant Health Inspection Service on Apr 21, 2026,
APHIS-2026-0133-0005_attachment_1 (2).pdf

I attended/crashed the “People vs. Poison” rally in Washington, D.C. today. Among those I spoke with, awareness of H.R. 1897 was extremely limited—only one individual was familiar with it. However, participants expressed broad concern about this request and a few submitted comments. Here is a selifie photo from the event attached for reference.[20]
Addishonally, and on par for my history of censorship, My presents has been photo shopped out of live video posed on scoal media from Childen health defence. see attachment. [21]. I dont see anyotherones attendance sign deleted!

This is a recent USDA APHIS publication that notes regulatory change commitments to food but not to environmental restoration. And i feel that is misleading.[22]
Streamlining Biotechnology Regulations (Animal and Plant Health Inspection Service):
“USDA is updating its biotechnology regulations to create exemptions for plants and microbes already subject to EPA's regulations, avoiding duplicative regulatory regimes and decreasing compliance costs. USDA is also considering a broader, more sweeping reform on its regulatory Authority related to biotechnology. In either case, such deregulation will enable farmers to obtain cutting edge technology quicker and more affordably, with those savings being passed through to consumers.”

I have built the position that has developed into trust issues and I feel it is warranted.
Please see the official link to my comments so that you can access my supporting documents.

I hope that the APHIS request is denied, and the proposed revisions are rejected, and any extension of the current information collection processes is rejected, and that APHIS is forced to find a more transparent way to achieve record-keeping goals.
Sincerly Josh Wilson, By and For the People, byandforthepeople.org

Extra Credit reading!!! Look into in yourself.
New Information that i know is impoortaint but i dont have time to digest it yet below .

The 22 scientists just got fired?
>https://www.washingtonpost.com/science/2026/04/25/national-science-board-members-dismissed/
And We canceled the open government partnership>[23]

I hosted a roundtable discussion in which participants were invited to share their perspectives on this request for comment. While I do not stand by all of my own remarks, the discussion

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[20] People vs. Poison Apr 27, 2026 selfie
[21] photoshoped out of picture social media viedo post, People vs. Poison on X_ Screenshot 2026-04-27 at 2.55.09 PM
[22] ADEREGULATORY AGENDA FOR AMERICAN AGRICULTURE & CONSUMERS, https://www.usda.gov/sites/default/files/documents/usda-de-reg-agenda.pdf
[23]Letter of Withdrawal – United States 15th January 2026, https://www.opengovpartnership.org/documents/letter-of-withdrawal-united-states/

includes valuable insights and alternative viewpoints from others. For transparency, the recorded conversation is available below, despite its informal and expedited production… here it is. https://youtu.be/97OiGgAFgjk

New NEPA stuff,
On April 9, 2026, the Council on Environmental Quality (CEQ) issued a memorandum to the heads of Federal departments and agencies (agencies) on establishing, revising, adopting, and applying categorical exclusions under the National Environmental Policy Act (NEPA). This guidance replaces initial guidance on the same subject issued on December 6, 2010.
https://public-inspection.federalregister.gov/2026-07115.pdf

These APHIS rule comments responded to,
https://www.regulations.gov/document/APHIS-2018-0034-6192

Recent NEPA CE
https://www.federalregister.gov/documents/2026/04/13/2026-07115/implementation-of-the-national-environmental-policy-act-guidance#dates
And,
https://advocacy.sba.gov/2026/04/14/white-house-issues-guidance-categorical-exclusions-under-nepa/

NOTE that i am late to submit this comment and my words are getting stressed.