

Union Calendar No. 270

117TH CONGRESS
2^D SESSION

H. R. 7606

[Report No. 117-357]

To establish the Office of the Special Investigator for Competition Matters
within the Department of Agriculture.

IN THE HOUSE OF REPRESENTATIVES

APRIL 27, 2022

Ms. SPANBERGER (for herself and Mrs. MILLER-MEEKS) introduced the
following bill; which was referred to the Committee on Agriculture

JUNE 7, 2022

Additional sponsors: Ms. PORTER and Mrs. AXNE

JUNE 7, 2022

Reported with an amendment, committed to the Committee of the Whole
House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on April 27, 2022]

A BILL

To establish the Office of the Special Investigator for
Competition Matters within the Department of Agriculture.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Meat and Poultry Spe-*
5 *cial Investigator Act of 2022”.*

6 **SEC. 2. OFFICE OF THE SPECIAL INVESTIGATOR FOR COM-**
7 **PETITION MATTERS.**

8 *(a) IN GENERAL.—The Department of Agriculture Re-*
9 *organization Act of 1994 is amended by inserting after sec-*
10 *tion 216 (7 U.S.C. 6916) the following:*

11 **“SEC. 217. OFFICE OF THE SPECIAL INVESTIGATOR FOR**
12 **COMPETITION MATTERS.**

13 *“(a) ESTABLISHMENT.—There is established in the De-*
14 *partment an office, to be known as the ‘Office of the Special*
15 *Investigator for Competition Matters’ (referred to in this*
16 *section as the ‘Office’).*

17 *“(b) SPECIAL INVESTIGATOR FOR COMPETITION MAT-*
18 *TERS.—The Office shall be headed by the Special Investi-*
19 *gator for Competition Matters (referred to in this section*
20 *as the ‘Special Investigator’), who shall be a senior career*
21 *employee appointed by the Secretary.*

22 *“(c) DUTIES.—The Special Investigator shall—*

23 *“(1) use all available tools, including subpoenas,*
24 *to investigate and prosecute violations of the Packers*
25 *and Stockyards Act, 1921 (7 U.S.C. 181 et seq.), by*

1 *packers and live poultry dealers with respect to com-*
2 *petition and trade practices in the food and agri-*
3 *culture sector;*

4 “(2) *serve as a Department liaison to, and act*
5 *in consultation with, the Department of Justice and*
6 *the Federal Trade Commission with respect to com-*
7 *petition and trade practices in the food and agricul-*
8 *tural sector;*

9 “(3) *act in consultation with the Department of*
10 *Homeland Security with respect to national security*
11 *and critical infrastructure security in the food and*
12 *agricultural sector;*

13 “(4) *maintain a staff of attorneys and other pro-*
14 *essionals with appropriate expertise; and*

15 “(5) *in carrying out the requirements of this*
16 *subsection, coordinate with the Office of the General*
17 *Counsel and the Packers and Stockyards Division of*
18 *the Agricultural Marketing Service.*

19 “(d) *PROSECUTORIAL AUTHORITY.—*

20 “(1) *IN GENERAL.—Notwithstanding title 28,*
21 *United States Code, the Special Investigator shall*
22 *have the authority to bring any civil or administra-*
23 *tive action authorized under the Packers and Stock-*
24 *yards Act, 1921 (7 U.S.C. 181 et seq.), against a*
25 *packer.*

1 “(2) *EFFECT.*—Nothing in this section alters the
2 *authority of the Secretary to issue a subpoena pursu-*
3 *ant to the Packers and Stockyards Act, 1921 (7*
4 *U.S.C. 181 et seq.).*

5 “(3) *NOTIFICATION.*—With respect to any of the
6 *actions brought under this subsection in Federal dis-*
7 *trict court, the Special Investigator shall notify the*
8 *Attorney General.”.*

9 (b) *CONFORMING AMENDMENT.*—Section 296(b) of the
10 *Department of Agriculture Reorganization Act of 1994 (7*
11 *U.S.C. 7014(b)) is amended by adding at the end the fol-*
12 *lowing:*

13 “(11) *The authority of the Secretary to carry out*
14 *section 217.”.*

15 (c) *TECHNICAL AMENDMENT.*—Subtitle A of the De-
16 *partment of Agriculture Reorganization Act of 1994 is*
17 *amended by redesignating the first section 225 (relating to*
18 *Food Access Liaison) (7 U.S.C. 6925) as section 224A.*

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