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 italic]

[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.
Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

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

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

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

“SEC. 217. OFFICE OF THE SPECIAL INVESTIGATOR FOR

COMPETITION MATTERS.

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

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

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

“(1) use all available tools, including subpoenas,
to investigate and prosecute violations of the Packers
and Stockyards Act, 1921 (7 U.S.C. 181 et seq.), by
packers and live poultry dealers with respect to competition and trade practices in the food and agriculture sector;

“(2) serve as a Department liaison to, and act in consultation with, the Department of Justice and the Federal Trade Commission with respect to competition and trade practices in the food and agricultural sector;

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

“(4) maintain a staff of attorneys and other professionals with appropriate expertise; and

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

“(d) PROSECUTORIAL AUTHORITY.—

“(1) IN GENERAL.—Notwithstanding title 28, United States Code, the Special Investigator shall have the authority to bring any civil or administrative action authorized under the Packers and Stockyards Act, 1921 (7 U.S.C. 181 et seq.), against a packer.
“(2) EFFECT.—Nothing in this section alters the authority of the Secretary to issue a subpoena pursuant to the Packers and Stockyards Act, 1921 (7 U.S.C. 181 et seq.).

“(3) NOTIFICATION.—With respect to any of the actions brought under this subsection in Federal district court, the Special Investigator shall notify the Attorney General.”.

(b) CONFORMING AMENDMENT.—Section 296(b) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 7014(b)) is amended by adding at the end the following:

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

(c) TECHNICAL AMENDMENT.—Subtitle A of the Department of Agriculture Reorganization Act of 1994 is amended by redesignating the first section 225 (relating to Food Access Liaison) (7 U.S.C. 6925) as section 224A.
A BILL

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JUNE 7, 2022