

116TH CONGRESS
2D SESSION

S. 4054

AN ACT

To reauthorize the United States Grain Standards Act, and
for other purposes.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “United States Grain
3 Standards Reauthorization Act of 2020”.

4 **SEC. 2. NOTIFICATION OF DISCONTINUANCE OF SERVICES**
5 **BY STATE AGENCIES.**

6 Section 7 of the United States Grain Standards Act
7 (7 U.S.C. 79) is amended—

8 (1) in subsection (e)(2)(C)(i), by inserting “and
9 affected customers or applicants for service of offi-
10 cial inspection or weighing services provided by the
11 State agency” after “notify the Secretary”; and

12 (2) in subsection (j)(5), in the first sentence, by
13 striking “2020” and inserting “2025”.

14 **SEC. 3. WEIGHING AUTHORITY.**

15 Section 7A(1)(4) of the United States Grain Stand-
16 ards Act (7 U.S.C. 79a(1)(4)) is amended in the first sen-
17 tence by striking “2020” and inserting “2025”.

18 **SEC. 4. LIMITATION ON ADMINISTRATIVE AND SUPER-**
19 **VISORY COSTS.**

20 Section 7D of the United States Grain Standards Act
21 (7 U.S.C. 79d) is amended by striking “2020” and insert-
22 ing “2025”.

23 **SEC. 5. REPORTING REQUIREMENTS.**

24 Section 17B of the United States Grain Standards
25 Act (7 U.S.C. 87f–2) is amended by adding at the end
26 the following:

1 “(d) ENHANCEMENT OF CURRENT REPORTING.—

2 “(1) INCREASED FREQUENCY OF INSPECTION
3 PROGRAM DATA REPORTING.—

4 “(A) IN GENERAL.—Beginning not later
5 than 1 year after the date of enactment of this
6 subsection, the Secretary shall publish quarterly
7 reports describing data from the tests and in-
8 spections for intrinsic quality factors (including
9 protein, oil, and starch) and food safety factors,
10 as reported, in the aggregate, for fiscal years
11 2014 through 2018 in the tables in section V
12 (relating to providing official grain inspection
13 and weighing services) of the 2016 through
14 2018 annual reports to Congress by the Federal
15 Grain Inspection Service.

16 “(B) DELINEATION.—The data from the
17 tests and inspections under subparagraph (A)
18 shall be delineated to reflect whether the tests
19 and inspections were requested of or performed
20 by—

21 “(i) the Secretary; or

22 “(ii) a State agency delegated author-
23 ity under section 7 or 7A or an official
24 agency.

1 “(2) EXCEPTIONS AND WAIVERS.—Beginning
2 not later than 1 year after the date of enactment of
3 this subsection, the Secretary shall publish quarterly
4 reports describing—

5 “(A) the number of exceptions requested
6 under section 7(f)(2)(B);

7 “(B) the number of exceptions granted
8 under section 7(f)(2)(B);

9 “(C) the number of waivers requested
10 under section 5(a)(1); and

11 “(D) the number of waivers granted under
12 section 5(a)(1).

13 “(e) ADDITIONAL REPORTING; CONSULTATION.—
14 The Secretary may, to the extent determined appropriate
15 by the Secretary, in consultation with State agencies dele-
16 gated authority under sections 7 and 7A, official agencies,
17 and the grain industries described in the second sentence
18 of section 21(a), publish—

19 “(1) data relating to testing for other intrinsic
20 quality or food safety factors; and

21 “(2) other data collected from inspection and
22 weighing activities conducted under this Act.

23 “(f) PROTECTION OF CONFIDENTIAL BUSINESS IN-
24 FORMATION.—Any trade secrets or information described
25 in section 552(b)(4) of title 5, United States Code, that

1 is provided to or collected by the Secretary in carrying
 2 out subsection (d) or (e) shall not be included in a report
 3 under subsection (d) or (e) or otherwise publicly dis-
 4 closed.”.

5 **SEC. 6. APPROPRIATIONS.**

6 Section 19 of the United States Grain Standards Act
 7 (7 U.S.C. 87h) is amended—

8 (1) by striking the section heading and designa-
 9 tion and all that follows through “There are hereby”
 10 and inserting the following:

11 **“SEC. 19. FUNDING.**

12 “(a) AUTHORIZATION OF APPROPRIATIONS.—There
 13 are”;

14 (2) in subsection (a) (as so designated)—

15 (A) by striking “such sums as are nec-
 16 essary” and inserting “\$23,000,000”; and

17 (B) by striking “1988 through 2020” and
 18 inserting “2021 through 2025”; and

19 (3) by adding at the end the following:

20 “(b) LIMITATIONS ON USES OF USER FEES.—

21 “(1) DEFINITIONS.—In this subsection:

22 “(A) OFFICIAL INSPECTION OR WEIGHING
 23 SERVICE.—The term ‘official inspection or
 24 weighing service’ means official inspection, offi-
 25 cial weighing, supervision of weighing, super-

1 vision of agency personnel, supervision of the
2 field office personnel of the Secretary, testing of
3 equipment or instruments, other services, or
4 registration, the cost to the Secretary of which
5 is authorized to be covered by the collection of
6 a user fee pursuant to section 7, 7A, 7B, 16,
7 or 17A, as applicable.

8 “(B) USER FEE.—The term ‘user fee’
9 means a fee collected by the Secretary under
10 section 7, 7A, 7B, 16, or 17A.

11 “(2) REQUIREMENT.—A user fee—

12 “(A) shall be used solely to cover—

13 “(i) the cost to the Secretary for car-
14 rying out official inspection or weighing
15 services; and

16 “(ii) administrative costs to the Sec-
17 retary directly relating to official inspec-
18 tion or weighing services; and

19 “(B) shall not be used for—

20 “(i) activities relating to the develop-
21 ment or maintenance of grain standards;
22 or

23 “(ii) any other activity that is not di-
24 rectly related to the performance of official
25 inspection or weighing services.”.

1 **SEC. 7. ADVISORY COMMITTEE.**

2 Section 21 of the United States Grain Standards Act
3 (7 U.S.C. 87j) is amended—

4 (1) in subsection (a), in the last sentence, by
5 striking “successive terms” and inserting “succe-
6 sively for more than 2 terms”; and

7 (2) in subsection (e), by striking “2020” and
8 inserting “2025”.

9 **SEC. 8. REVIEW OF GEOGRAPHIC BOUNDARIES FOR OFFI-
10 CIAL AGENCIES.**

11 (a) DEFINITIONS.—In this section:

12 (1) GRAIN HANDLING FACILITY.—The term
13 “grain handling facility” means a grain elevator,
14 warehouse, or other storage or handling facility.

15 (2) OFFICIAL AGENCY GEOGRAPHIC AREA.—
16 The term “official agency geographic area” means a
17 geographic area for an official agency, as defined by
18 the Secretary under section 7(f)(2)(A) or
19 7A(i)(2)(A) of the United States Grain Standards
20 Act (7 U.S.C. 79(f)(2)(A), 79a(i)(2)(A)).

21 (3) UNITED STATES GRAIN STANDARDS ACT
22 TERMS.—The terms “grain”, “official agency”, “of-
23 ficial inspection”, “officially inspected”, “official
24 weighing”, “supervision of weighing”, and “Sec-
25 retary” have the meanings given the terms in section

1 3 of the United States Grain Standards Act (7
2 U.S.C. 75).

3 (b) REVIEW.—

4 (1) IN GENERAL.—The Secretary shall conduct
5 a comprehensive nationwide review of the official
6 agency geographic areas.

7 (2) CONSIDERATIONS.—In conducting the re-
8 view under paragraph (1), the Secretary shall take
9 into consideration—

10 (A) the number of grain handling facilities,
11 both within the official agency geographic areas
12 and in areas that are not official agency geo-
13 graphic areas, that currently use, or, during the
14 5-year period preceding the date of submission
15 of the report under subsection (c), received
16 service from, an official agency that provides of-
17 ficial inspection, official weighing, supervision of
18 weighing, or other services under the United
19 States Grain Standards Act (7 U.S.C. 71 et
20 seq.);

21 (B) the volume of grain for which official
22 agencies provide services at grain handling fa-
23 cilities within the official agency geographic
24 areas;

1 (C) the number of official inspections of
2 vessels and other carriers within the official
3 agency geographic areas;

4 (D) other related services performed by of-
5 ficial agencies at grain handling facilities within
6 the official agency geographic areas;

7 (E) the timeliness, accuracy, and appro-
8 priateness of services performed by official
9 agencies at grain handling facilities within the
10 official agency geographic areas;

11 (F) fees charged by official agencies for
12 services performed under the United States
13 Grain Standards Act (7 U.S.C. 71 et seq.), in-
14 cluding grading, weighing, sampling, stowage
15 examination, and certification; and

16 (G) any implications of modifications to
17 the official agency geographic areas on enhanc-
18 ing official inspection, official weighing, and su-
19 pervision of weighing in the domestic market.

20 (c) REPORT.—Not later than 18 months after the
21 date of enactment of this Act, the Secretary shall submit
22 to the Committee on Agriculture of the House of Rep-
23 resentatives and the Committee on Agriculture, Nutrition,
24 and Forestry of the Senate a report containing—

1 (1) the results of the review completed under
2 subsection (b); and

3 (2) any recommendations with respect to those
4 results that the Secretary determines appropriate.

5 **SEC. 9. TECHNICAL CORRECTION.**

6 Section 4(a)(1) of the United States Grain Standards
7 Act (7 U.S.C. 76(a)(1)) is amended by striking “soybeans
8 mixed” and inserting “soybeans, mixed”.

Passed the Senate November 16, 2020.

Attest:

Secretary.

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