

SECTION-BY-SECTION FOR H.R. _____
TO AMEND THE UNITED STATES GRAIN STANDARDS ACT AND FOR OTHER PURPOSES.

Section 1. Short Title.

Section 1 of the bill designates the title of the bill as “United State Grain Standards Act Reauthorization Act of 2015”.

Section 2. Reauthorization of United States Grain Standards Act.

Subsection (a) amends the purposes of the Act, found in section 2(b) (7 U.S.C. 72(b)), by amending paragraph (1) and adding a new paragraph (4). Paragraph (1) is amended to provide that it is the policy of Congress to promote the marketing of high quality grain responsive to the purchase specifications of domestic and foreign buyers. Paragraph (4) provides that, it is the policy of Congress to provide an accurate, reliable, consistently available and cost-effective official grain inspection and weighing system.

Subsection (b) amends section 3 of the Act (7 U.S.C. 75) to include a new paragraph (aa) and to make technical and conforming amendments to section 3. Paragraph (aa) defines the term “major disaster”.

Subsection (c) amends section 5(a) of the Act (7 U.S.C. 77(a)(1)) to remove the Secretary’s discretionary waiver authority in emergency situations in paragraph (1) and amends paragraph (2) to provide that transfers of grain into an export elevator by any mode of transportation are not required to be officially weighed.

Subsection (d) amends section 7(e) of the Act (7 U.S.C. 79(e)) to revise the process that the Secretary uses to delegate authority to State agencies. The amended process includes an application process, public notice and comment period, investigation, and, ultimately, findings and decision by the Secretary. This section also provides for a 72-hour notice to the Secretary should any delegated State agency intend to temporarily discontinue official inspection services. In addition, this subsection provides that, should any delegated State agency fail to perform official inspection services, the Secretary is required to review the delegation of authority, make a finding as to whether or not the State agency should retain its delegated authority, and report this information to Congress within 90 days. A State agency delegated authority by the Secretary retains the ability to request a cancellation of authority for any reason upon 90-days advance notice to the Secretary. Subsection (d) further amends the term of delegation to a period not to exceed five years. Finally, subsection (d) provides for the review by the Secretary of all State agencies delegated authority within two years of the date of enactment of this Act.

Subsection (e) further amends section 7(e) (7 U.S.C. 79(e)) by providing that official inspection services are to be provided in an uninterrupted manner. Where official inspection services are interrupted, the Secretary has a period of time to reestablish services using USDA personnel or personnel from another delegated State agency. Where a delegated State agency gives advance notice, the Secretary has six hours to resume services. Where a delegated State agency does not give advance notice, the Secretary has twelve hours to resume service. Where the Secretary is unable to reestablish official inspection services within the time period allotted, the export elevator at the

export port location may request services from any other delegated or designated State agency. Should any other delegated or designated State agency agree to provide such services, such an agency may, at their own discretion, provide those services up to 90 days from the date such service is initiated. The Secretary is further required to maintain a list of such delegated State agencies and all official agencies contact information for such agencies on USDA's website.

Subsection (f) amends section 7(f)(2) of the Act (7 U.S.C. 79(f)(2)) by removing paragraphs (A) and (B)(ii); redesignating clauses (i) and (ii) as subparagraphs (A) and (B) and inserting a new subparagraph (C) and making other technical and conforming changes. New subparagraph (C) allows the Secretary to waive the geographic boundaries for designated agencies where an official agency and an adjacent official agency have agreed in writing to waive the geographic boundaries.

Subsection (g) amends Section 7(g)(1) of the Act (7 U.S.C. 79(g)(1)) by amending the duration of designations of official agencies from three to five years.

Subsection (h) amends Section 7(j)(1) of the Act (7 U.S.C. 79(j)(1)) to allow the portion of fees for official inspections and weighing that is based on export tonnage to be based on a rolling five-year average of export tonnage volumes and to allow for the adjustment of those fees on at least an annual basis. Section 7(j)(1) is also amended to allow for fees to be adjusted to maintain an operating reserve of three to six months and to extend until September 30, 2020, the application of fees to cover the administrative and supervisory costs related to the official inspection of grain.

Subsection (i) makes technical and conforming changes to Section 7A(c)(2) of the Act (7 U.S.C. 79a(c)(2)) to conform that section to the changes made by subsection (e).

Subsection (j) amends Section 7A(1)(3) of the Act (7 U.S.C. 79a(1)(2)) by extending until September 30, 2020, the collection of fees for weighing services.

Subsection (k) amends Section 7D of the Act (7 U.S.C. 79d) by extending until September 30, 2020, the limitation of administrative and supervisory costs.

Subsection (l) amends Section 8 of the Act (7 U.S.C. 84) by amending the duration of authorizations from three to five years and by amending the persons who may be hired as official inspection personnel.

Subsection (m) amends Section 19 of the Act (7 U.S.C. 87h) by extending until September 30, 2020, the authorization for appropriations.

Subsection (n) amends Section 21 of the Act (7 U.S.C. 87j(e)) by extending until September 30, 2020, the authorization of the advisory committee.