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

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 Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

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

SEC. 2. OFFICE OF THE SPECIAL INVESTIGATOR FOR COMPETITION MATTERS.

(a) IN GENERAL.—The Department of Agriculture Reorganization Act of 1994 is amended by inserting after section 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
Department 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
Matters.—The Office shall be headed by the Special In-
vestigator for Competition Matters (referred to in this sec-
tion as the ‘Special Investigator’), who shall be appointed
by the Secretary.

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

“(1) use all available tools, including subpoenas,
to investigate and prosecute violations of the Pack-
ers and Stockyards Act, 1921 (7 U.S.C. 181 et
seq.), by packers and live poultry dealers with re-
spect 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 com-
petition and trade practices in the food and agricul-
tural 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; and

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

“(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.).”.

(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.