

106TH CONGRESS  
2D SESSION

# H. R. 5367

To require the implementation of the recommendations of the General Accounting Office on improving the administration of the Packers and Stockyards Act, 1921, by the Department of Agriculture.

---

## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 3, 2000

Mr. GANSKE (for himself and Mr. GUTKNECHT) introduced the following bill;  
which was referred to the Committee on Agriculture

---

## A BILL

To require the implementation of the recommendations of the General Accounting Office on improving the administration of the Packers and Stockyards Act, 1921, by 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 “Packers and Stock-  
5       yards Enforcement Improvement Act of 2000”.

1 **SEC. 2. IMPROVED INVESTIGATIVE AND ENFORCEMENT AC-**  
2 **TIVITIES UNDER THE PACKERS AND STOCK-**  
3 **YARDS ACT, 1921.**

4 (a) IMPLEMENTATION OF GENERAL ACCOUNTING  
5 OFFICE RECOMMENDATIONS.—Not later than 1 year after  
6 the date of the enactment of this Act, the Secretary of  
7 Agriculture shall implement the recommendations con-  
8 tained in the report issued by the General Accounting Of-  
9 fice entitled “Packers and Stockyards Programs: Actions  
10 Needed to Improve Investigations of Competitive Prac-  
11 tices”, GAO/RCED–00–242, dated September 21, 2000.

12 (b) CONSULTATION.—During the implementation pe-  
13 riod referred to in subsection (a), and for such an addi-  
14 tional time period as needed to assure effective implemen-  
15 tation of the recommendations contained in the report re-  
16 ferred to in such subsection, the Secretary of Agriculture  
17 shall consult and work with the Department of Justice and  
18 the Federal Trade Commission in order to—

19 (1) implement the recommendations in the re-  
20 port regarding investigation management, oper-  
21 ations, and case methods development processes; and

22 (2) effectively identify and investigate com-  
23 plaints of unfair and anti-competitive practices in  
24 violation of the Packers and Stockyards Act, 1921  
25 (7 U.S.C. 181 et seq.), and enforce the Act.

1           (c) TRAINING.—Not later than 1 year after the date  
2 of the enactment of this Act, the Secretary of Agriculture  
3 shall develop and implement a training program for staff  
4 of the Department of Agriculture engaged in the investiga-  
5 tion of complaints of unfair and anti-competitive activity  
6 in violation of the Packers and Stockyards Act, 1921. In  
7 developing the training program, the Secretary of Agri-  
8 culture shall draw on existing training materials and pro-  
9 grams available at the Department of Justice and the Fed-  
10 eral Trade Commission, to the extent practicable.

11           (d) IMPLEMENTATION REPORT.—Not later than 1  
12 year after the date of the enactment of this Act, the Sec-  
13 retary of Agriculture shall submit to Congress a report  
14 describing the actions taken to comply with this section.

15 **SEC. 3. ANNUAL REPORT.**

16           Title IV of the Packers and Stockyards Act, 1921,  
17 is amended—

18                   (1) by redesignating section 415 (7 U.S.C. 229)  
19           as section 416; and

20                   (2) by inserting after section 414 the following  
21           new section:

1 **“SEC. 415. ANNUAL ASSESSMENT OF CATTLE AND HOG IN-**  
2 **DUSTRIES.**

3 “Not later than March 1 of each year, the Secretary  
4 shall submit to Congress and make publicly available a  
5 report that—

6 “(1) assesses the general economic state of the  
7 cattle and hog industries; and

8 “(2) identifies business practices or market op-  
9 erations or activities in those industries that rep-  
10 resent possible violations of this Act or are incon-  
11 sistent with the goals of this Act.”.

○