

## Union Calendar No. 270

117<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 7606

[Report No. 117-357]

To establish the Office of the Special Investigator for Competition Matters  
within the Department of Agriculture.

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### 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 *italie*]

[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.

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 “Meat and Poultry Spe-*  
5 *cial Investigator Act of 2022”.*

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

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

11 **“SEC. 217. OFFICE OF THE SPECIAL INVESTIGATOR FOR**  
12 **COMPETITION MATTERS.**

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

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

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

23                *“(1) use all available tools, including subpoenas,*  
24                *to investigate and prosecute violations of the Packers*  
25                *and Stockyards Act, 1921 (7 U.S.C. 181 et seq.), by*

1       *packers and live poultry dealers with respect to com-*  
2       *petition and trade practices in the food and agri-*  
3       *culture sector;*

4               “(2) *serve as a Department liaison to, and act*  
5       *in consultation with, the Department of Justice and*  
6       *the Federal Trade Commission with respect to com-*  
7       *petition and trade practices in the food and agricul-*  
8       *tural sector;*

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

13               “(4) *maintain a staff of attorneys and other pro-*  
14       *essionals with appropriate expertise; and*

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

19       “(d) *PROSECUTORIAL AUTHORITY.—*

20               “(1) *IN GENERAL.—Notwithstanding title 28,*  
21       *United States Code, the Special Investigator shall*  
22       *have the authority to bring any civil or administra-*  
23       *tive action authorized under the Packers and Stock-*  
24       *yards Act, 1921 (7 U.S.C. 181 et seq.), against a*  
25       *packer.*

1           “(2) *EFFECT.*—Nothing in this section alters the  
2           *authority of the Secretary to issue a subpoena pursu-*  
3           *ant to the Packers and Stockyards Act, 1921 (7*  
4           *U.S.C. 181 et seq.).*

5           “(3) *NOTIFICATION.*—With respect to any of the  
6           *actions brought under this subsection in Federal dis-*  
7           *trict court, the Special Investigator shall notify the*  
8           *Attorney General.”.*

9           (b) *CONFORMING AMENDMENT.*—Section 296(b) of the  
10          *Department of Agriculture Reorganization Act of 1994 (7*  
11          *U.S.C. 7014(b)) is amended by adding at the end the fol-*  
12          *lowing:*

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

15          (c) *TECHNICAL AMENDMENT.*—Subtitle A of the De-  
16          *partment of Agriculture Reorganization Act of 1994 is*  
17          *amended by redesignating the first section 225 (relating to*  
18          *Food Access Liaison) (7 U.S.C. 6925) as section 224A.*

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