

Calendar No. 231

114TH CONGRESS
1ST SESSION**H. R. 2051**

IN THE SENATE OF THE UNITED STATES

JUNE 10, 2015

Received; read twice and referred to the Committee on Agriculture, Nutrition,
and Forestry

SEPTEMBER 17, 2015

Reported by Mr. ROBERTS, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

AN ACT

To amend the Agricultural Marketing Act of 1946 to extend the livestock mandatory price reporting requirements, 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,*

3 **SECTION 1. SHORT TITLE .**

4 This Act may be cited as the “Mandatory Price Re-
5 porting Act of 2015”.

1 **SEC. 2. EXTENSION OF LIVESTOCK MANDATORY REPORT-**
2 **ING.**

3 (a) **EXTENSION OF AUTHORITY.**—Section 260 of the
4 Agricultural Marketing Act of 1946 (7 U.S.C. 1636i) is
5 amended by striking “September 30, 2015” and inserting
6 “September 30, 2020”.

7 (b) **EMERGENCY AUTHORITY.**—Section 212(12)(C)
8 of the Agricultural Marketing Act of 1946 (7 U.S.C.
9 1635a(12)(C)) is amended by inserting “, including any
10 day on which any Department employee is on shutdown
11 or emergency furlough as a result of a lapse in appropria-
12 tions” after “conduct business”.

13 (c) **CONFORMING AMENDMENT.**—Section 942 of the
14 Livestock Mandatory Reporting Act of 1999 (7 U.S.C.
15 1635 note; Public Law 106–78) is amended by striking
16 “September 30, 2015” and inserting “September 30,
17 2020”.

18 **SEC. 3. SWINE REPORTING.**

19 (a) **DEFINITIONS.**—Section 231 of the Agricultural
20 Marketing Act of 1946 (7 U.S.C. 1635i) is amended—

21 (1) by redesignating paragraphs (9) through
22 (22) as paragraphs (10) through (23), respectively;

23 (2) by inserting after paragraph (8) the fol-
24 lowing new paragraph:

25 “(9) **NEGOTIATED FORMULA PURCHASE.**—The
26 term ‘negotiated formula purchase’ means a pur-

1 chase of swine by a packer from a producer under
2 which—

3 “(A) the pricing mechanism is a formula
4 price for which the formula is determined by
5 negotiation on a lot-by-lot basis; and

6 “(B) the swine are scheduled for delivery
7 to the packer not later than 14 days after the
8 date on which the formula is negotiated and
9 swine are committed to the packer.”;

10 (3) in paragraph (12)(A) (as so redesignated),
11 by inserting “negotiated formula purchase,” after
12 “pork market formula purchase,”; and

13 (4) in paragraph (23) (as so redesignated)—

14 (A) in subparagraph (C), by striking
15 “and” at the end;

16 (B) by redesignating subparagraph (D) as
17 subparagraph (E); and

18 (C) by inserting after subparagraph (C)
19 the following new subparagraph:

20 “(D) a negotiated formula purchase; and”.

21 (b) DAILY REPORTING.—Section 232(e) of the Agri-
22 cultural Marketing Act of 1946 (7 U.S.C. 1635j(e)) is
23 amended—

24 (1) in paragraph (1)(D), by striking clause (ii)
25 and inserting the following new clause:

1 “(ii) PRICE DISTRIBUTIONS.—The in-
2 formation published by the Secretary
3 under clause (i) shall include—

4 “(I) a distribution of net prices
5 in the range between and including
6 the lowest net price and the highest
7 net price reported;

8 “(II) a delineation of the number
9 of barrows and gilts at each reported
10 price level or, at the option of the Sec-
11 retary, the number of barrows and
12 gilts within each of a series of reason-
13 able price bands within the range of
14 prices; and

15 “(III) the total number and
16 weighted average price of barrows and
17 gilts purchased through negotiated
18 purchases and negotiated formula
19 purchases.”; and

20 (2) in paragraph (3), by adding at the end the
21 following new subparagraph:

22 “(C) LATE IN THE DAY REPORT INFORMA-
23 TION.—The Secretary shall include in the
24 morning report and the afternoon report for the
25 following day any information required to be re-

1 ported under subparagraph (A) that is obtained
2 after the time of the reporting day specified in
3 such subparagraph.”.

4 **SEC. 4. LAMB REPORTING.**

5 Not later than 180 days after the date of the enact-
6 ment of this Act, the Secretary of Agriculture shall revise
7 section 59.300 of title 7, Code of Federal Regulations, so
8 that—

9 (1) the definition of the term “importer”—

10 (A) includes only those importers that im-
11 ported an average of 1,000 metric tons of lamb
12 meat products per year during the immediately
13 preceding 4 calendar years; and

14 (B) may include any person that does not
15 meet the requirement referred to in subpara-
16 graph (A), if the Secretary determines that the
17 person should be considered an importer based
18 on their volume of lamb imports; and

19 (2) the definition of the term “packer”—

20 (A) applies to any entity with 50 percent
21 or more ownership in a facility;

22 (B) includes a federally inspected lamb
23 processing plant which slaughtered or processed
24 the equivalent of an average of 35,000 head of

1 lambs per year during the immediately pre-
2 eeding 5 calendar years; and

3 (C) may include any other lamb processing
4 plant that did not meet the requirement re-
5 ferred to in subparagraph (B), if the Secretary
6 determines that the processing plant should be
7 considered a packer after considering its capac-
8 ity.

9 **SEC. 5. STUDY ON LIVESTOCK MANDATORY REPORTING.**

10 (a) IN GENERAL.—The Secretary of Agriculture, act-
11 ing through the Agricultural Marketing Service in con-
12 junction with the Office of the Chief Economist and in
13 consultation with cattle, swine, and lamb producers, pack-
14 ers, and other market participants, shall conduct a study
15 on the program of information regarding the marketing
16 of cattle, swine, lambs, and products of such livestock
17 under subtitle B of the Agricultural Marketing Act of
18 1946 (7 U.S.C. 1635 et seq.). Such study shall—

19 (1) analyze current marketing practices in the
20 cattle, swine, and lamb markets;

21 (2) identify legislative or regulatory rec-
22 ommendations made by cattle, swine, and lamb pro-
23 ducers, packers, and other market participants to
24 ensure that information provided under such pro-
25 gram—

1 (A) can be readily understood by pro-
2 ducers, packers, and other market participants;

3 (B) reflects current marketing practices;
4 and

5 (C) is relevant and useful to producers,
6 packers, and other market participants;

7 (3) analyze the price and supply information re-
8 porting services of the Department of Agriculture re-
9 lated to cattle, swine, and lamb; and

10 (4) address any other issues that the Secretary
11 considers appropriate.

12 (b) REPORT.—Not later than January 1, 2020, the
13 Secretary of Agriculture shall submit to the Committee on
14 Agriculture of the House of Representatives and the Com-
15 mittee on Agriculture, Nutrition, and Forestry of the

1 Senate a report containing the findings of the study con-
 2 ducted under subsection (a).

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) *SHORT TITLE.*—This Act may be cited as the “Ag-
 5 riculture Reauthorizations Act of 2015”.

6 (b) *TABLE OF CONTENTS.*—The table of contents for
 7 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—MANDATORY PRICE REPORTING

Sec. 101. Extension of livestock mandatory reporting.

Sec. 102. Swine reporting.

Sec. 103. Lamb reporting.

Sec. 104. Study on livestock mandatory reporting.

TITLE II—NATIONAL FOREST FOUNDATION ACT REAUTHORIZATION

Sec. 201. National Forest Foundation Act reauthorization.

*TITLE III—UNITED STATES GRAIN STANDARDS ACT
 REAUTHORIZATION*

Sec. 301. Reauthorization of United States Grain Standards Act.

Sec. 302. Report on disruption in Federal inspection of grain exports.

Sec. 303. Report on policy barriers to grain producers.

8 **TITLE I—MANDATORY PRICE**
 9 **REPORTING**

10 **SEC. 101. EXTENSION OF LIVESTOCK MANDATORY REPORT-**
 11 **ING.**

12 (a) *EXTENSION OF AUTHORITY.*—Section 260 of the
 13 *Agricultural Marketing Act of 1946* (7 U.S.C. 1636i) is
 14 amended by striking “September 30, 2015” and inserting
 15 “September 30, 2020”.

16 (b) *CONFORMING AMENDMENT.*—Section 942 of the
 17 *Livestock Mandatory Reporting Act of 1999* (7 U.S.C. 1635

1 *note; Public Law 106–78) is amended by striking “Sep-*
2 *tember 30, 2015” and inserting “September 30, 2020”.*

3 **SEC. 102. SWINE REPORTING.**

4 *(a) DEFINITIONS.—Section 231 of the Agricultural*
5 *Marketing Act of 1946 (7 U.S.C. 1635i) is amended—*

6 *(1) by redesignating paragraphs (9) through (22)*
7 *as paragraphs (10) through (23), respectively;*

8 *(2) by inserting after paragraph (8) the fol-*
9 *lowing:*

10 *“(9) NEGOTIATED FORMULA PURCHASE.—The*
11 *term ‘negotiated formula purchase’ means a swine or*
12 *pork market formula purchase under which—*

13 *“(A) the formula is determined by negotia-*
14 *tion on a lot-by-lot basis; and*

15 *“(B) the swine are scheduled for delivery to*
16 *the packer not later than 14 days after the date*
17 *on which the formula is negotiated and swine*
18 *are committed to the packer.”;*

19 *(3) in paragraph (12)(A) (as so redesignated),*
20 *by inserting “negotiated formula purchase,” after*
21 *“pork market formula purchase,”; and*

22 *(4) in paragraph (23) (as so redesignated)—*

23 *(A) in subparagraph (C), by striking “and”*
24 *at the end;*

1 (B) by redesignating subparagraph (D) as
2 subparagraph (E); and

3 (C) by inserting after subparagraph (C) the
4 following:

5 “(D) a negotiated formula purchase; and”.

6 (b) *DAILY REPORTING*.—Section 232(c) of the Agricul-
7 tural Marketing Act of 1946 (7 U.S.C. 1635j(c)) is amend-
8 ed—

9 (1) in paragraph (1)(D), by striking clause (ii)
10 and inserting the following:

11 “(ii) *PRICE DISTRIBUTIONS*.—The in-
12 formation published by the Secretary under
13 clause (i) shall include—

14 “(I) a distribution of net prices in
15 the range between and including the
16 lowest net price and the highest net
17 price reported;

18 “(II) a delineation of the number
19 of barrows and gilts at each reported
20 price level or, at the option of the Sec-
21 retary, the number of barrows and gilts
22 within each of a series of reasonable
23 price bands within the range of prices;
24 and

1 “(III) the total number and
2 weighted average price of barrows and
3 gilts purchased through negotiated pur-
4 chases and negotiated formula pur-
5 chases.”; and

6 (2) in paragraph (3), by adding at the end the
7 following:

8 “(C) LATE IN THE DAY REPORT INFORMA-
9 TION.—The Secretary shall include in the morn-
10 ing report and the afternoon report for the fol-
11 lowing day any information required to be re-
12 ported under subparagraph (A) that is obtained
13 after the time of the reporting day specified in
14 that subparagraph.”.

15 **SEC. 103. LAMB REPORTING.**

16 Not later than 180 days after the date of enactment
17 of this Act, the Secretary of Agriculture shall revise section
18 59.300 of title 7, Code of Federal Regulations, so that—

19 (1) the definition of the term “importer”—

20 (A) includes only those importers that im-
21 ported an average of 1,000 metric tons of lamb
22 meat products per year during the immediately
23 preceding 4 calendar years; and

24 (B) may include any person that does not
25 meet the requirement referred to in subpara-

1 *graph (A), if the Secretary determines that the*
2 *person should be considered an importer based*
3 *on their volume of lamb imports; and*

4 *(2) the definition of the term “packer”—*

5 *(A) applies to any entity with 50 percent or*
6 *more ownership in a facility;*

7 *(B) includes a federally inspected lamb*
8 *processing plant which slaughtered or processed*
9 *the equivalent of an average of 35,000 head of*
10 *lambs per year during the immediately pre-*
11 *ceding 5 calendar years; and*

12 *(C) may include any other lamb processing*
13 *plant that does not meet the requirement referred*
14 *to in subparagraph (B), if the Secretary deter-*
15 *mines that the processing plant should be consid-*
16 *ered a packer after considering the capacity of*
17 *the processing plant.*

18 **SEC. 104. STUDY ON LIVESTOCK MANDATORY REPORTING.**

19 *(a) STUDY REQUIRED.—*

20 *(1) IN GENERAL.—The Secretary of Agriculture,*
21 *acting through the Agricultural Marketing Service in*
22 *conjunction with the Office of the Chief Economist*
23 *and in consultation with cattle, swine, and lamb pro-*
24 *ducers, packers, and other market participants, shall*
25 *conduct a study on the program of information re-*

1 *garding the marketing of cattle, swine, lambs, and*
2 *products of such livestock under subtitle B of the Ag-*
3 *ricultural Marketing Act of 1946 (7 U.S.C. 1635 et*
4 *seq.).*

5 (2) *REQUIREMENTS.—The study shall—*

6 (A) *analyze current marketing practices in*
7 *the cattle, swine, and lamb markets;*

8 (B) *identify legislative or regulatory rec-*
9 *ommendations made by cattle, swine, and lamb*
10 *producers, packers, and other market partici-*
11 *pants to ensure that information provided under*
12 *the program—*

13 (i) *can be readily understood by pro-*
14 *ducers, packers, and other market partici-*
15 *pants;*

16 (ii) *reflects current marketing prac-*
17 *tices; and*

18 (iii) *is relevant and useful to pro-*
19 *ducers, packers, and other market partici-*
20 *pants;*

21 (C) *analyze the price and supply informa-*
22 *tion reporting services of the Department of Ag-*
23 *riculture related to cattle, swine, and lamb; and*

24 (D) *address any other issues that the Sec-*
25 *retary considers appropriate.*

1 (b) *REPORT.*—Not later than March 1, 2018, the Sec-
 2 retary of Agriculture shall submit to the Committee on Ag-
 3 riculture of the House of Representatives and the Committee
 4 on Agriculture, Nutrition, and Forestry of the Senate a re-
 5 port containing the findings of the study conducted under
 6 subsection (a).

7 **TITLE II—NATIONAL FOREST**
 8 **FOUNDATION ACT REAU-**
 9 **THORIZATION**

10 **SEC. 201. NATIONAL FOREST FOUNDATION ACT REAUTHOR-**
 11 **IZATION.**

12 (a) *EXTENSION OF AUTHORITY TO PROVIDE MATCH-*
 13 *ING FUNDS FOR ADMINISTRATIVE AND PROJECT EX-*
 14 *PENSES.*—Section 405(b) of the National Forest Founda-
 15 tion Act (16 U.S.C. 583j–3(b)) is amended by striking “for
 16 a period of five years beginning October 1, 1992” and in-
 17 serting “during fiscal years 2016 through 2018”.

18 (b) *AUTHORIZATION OF APPROPRIATIONS.*—Section
 19 410(b) of the National Forest Foundation Act (16 U.S.C.
 20 583j–8(b)) is amended by striking “during the five-year pe-
 21 riod” and all that follows through “\$1,000,000 annually”
 22 and inserting “there are authorized to be appropriated
 23 \$3,000,000 for each of fiscal years 2016 through 2018”.

24 (c) *TECHNICAL CORRECTIONS.*—

1 (1) *AGENT.*—Section 404 of the National Forest
2 *Foundation Act (16 U.S.C. 583j-2) is amended—*

3 (A) *in subsection (a)(4), by inserting “no-*
4 *tice or” after “authorized to accept”; and*

5 (B) *in subsection (b), by striking “under*
6 *this paragraph” and inserting “by subsection*
7 *(a)(4)”.*

8 (2) *ANNUAL REPORT.*—Section 407(b) of the Na-
9 *tional Forest Foundation Act (16 U.S.C. 583j-5(b)) is*
10 *amended by striking the comma after “The Founda-*
11 *tion shall”.*

12 **TITLE III—UNITED STATES**
13 **GRAIN STANDARDS ACT RE-**
14 **AUTHORIZATION**

15 **SEC. 301. REAUTHORIZATION OF UNITED STATES GRAIN**
16 **STANDARDS ACT.**

17 (a) *OFFICIAL INSPECTION AND WEIGHING REQUIRE-*
18 *MENTS.*—

19 (1) *DISCRETIONARY WAIVER AUTHORITY.*—Sec-
20 *tion 5(a)(1) of the United States Grain Standards*
21 *Act (7 U.S.C. 77(a)(1)) is amended in the first pro-*
22 *viso by striking “may waive the foregoing require-*
23 *ment in emergency or other circumstances which*
24 *would not impair the objectives of this Act” and in-*
25 *serting “shall waive the foregoing requirement in*

1 *emergency or other circumstances that would not im-*
2 *pair the objectives of this Act whenever the parties to*
3 *a contract for such shipment mutually agree to the*
4 *waiver and documentation of such agreement is pro-*
5 *vided to the Secretary prior to shipment”.*

6 (2) *WEIGHING REQUIREMENTS AT EXPORT ELE-*
7 *VATORS.—Section 5(a)(2) of the United States Grain*
8 *Standards Act (7 U.S.C. 77(a)(2)) is amended in the*
9 *proviso by striking “intracompany shipments of*
10 *grain into an export elevator by any mode of trans-*
11 *portation, grain transferred into an export elevator*
12 *by transportation modes other than barge,” and in-*
13 *serting “shipments of grain into an export elevator by*
14 *any mode of transportation”.*

15 (3) *DISRUPTION IN GRAIN INSPECTION OR*
16 *WEIGHING.—Section 5 of the United States Grain*
17 *Standards Act (7 U.S.C. 77) is amended by adding*
18 *at the end the following:*

19 *“(d) DISRUPTION IN GRAIN INSPECTION OR WEIGH-*
20 *ING.—In the case of a disruption in official grain inspec-*
21 *tions or weighings, including if the Secretary waives the*
22 *requirement for official inspection due to an emergency*
23 *under subsection (a)(1), the Secretary shall—*

1 “(1) *immediately take such actions as are nec-*
 2 *essary to address the disruption and resume inspec-*
 3 *tions or weighings;*

4 “(2) *not later than 24 hours after the start of the*
 5 *disruption in inspection or weighing, submit to the*
 6 *Committee on Agriculture of the House of Representa-*
 7 *tives and the Committee on Agriculture, Nutrition,*
 8 *and Forestry of the Senate a report that describes—*

9 “(A) *the disruption; and*

10 “(B) *any actions necessary to address the*
 11 *concerns of the Secretary relating to the disrup-*
 12 *tion so that inspections or weighings may re-*
 13 *sume; and*

14 “(3) *once the initial report in paragraph (2) has*
 15 *been made, provide daily updates until official in-*
 16 *spection or weighing services at the site of disruption*
 17 *have resumed.”.*

18 (b) *OFFICIAL INSPECTION AUTHORITY AND FUND-*
 19 *ING.—*

20 (1) *DELEGATION OF OFFICIAL INSPECTION AU-*
 21 *THORITY.—Section 7(e)(2) of the United States Grain*
 22 *Standards Act (7 U.S.C. 79(e)(2)) is amended—*

23 (A) *by striking “(2) If the Secretary” and*
 24 *inserting the following:*

1 “(2) *DELEGATION OF AUTHORITY TO STATE*
2 *AGENCIES.*—

3 “(A) *IN GENERAL.*—*If the Secretary*”;

4 “(B) *in the first sentence*—

5 *(i) by striking “and (A)” and insert-*
6 *ing “and (i)”;*

7 *(ii) by striking “or (B)(i)” and insert-*
8 *ing “or (ii)(I)”;*

9 *(iii) by striking “(i)” and inserting*
10 *“(II)”;* *and*

11 *(iv) by striking “(iii)” and inserting*
12 *“(III)”;* *and*

13 “(C) *by adding at the end the following:*

14 “(B) *CERTIFICATION.*—

15 “(i) *IN GENERAL.*—*Every 5 years, the*
16 *Secretary shall certify that each State agen-*
17 *cy with a delegation of authority is meeting*
18 *the criteria described in subsection*
19 *(f)(1)(A).*

20 “(ii) *PROCESS.*—*Not later than 1 year*
21 *after the date of enactment of the Agri-*
22 *culture Reauthorizations Act of 2015, the*
23 *Secretary shall establish a process for cer-*
24 *tification under which the Secretary shall—*

1 “(I) publish in the Federal Reg-
2 ister notice of intent to certify a State
3 agency and provide a 30-day period
4 for public comment;

5 “(II) evaluate the public com-
6 ments received and, in accordance with
7 paragraph (3), conduct an investiga-
8 tion to determine whether the State
9 agency is qualified;

10 “(III) make findings based on the
11 public comments received and inves-
12 tigation conducted; and

13 “(IV) publish in the Federal Reg-
14 ister a notice announcing whether the
15 certification has been granted and de-
16 scribing the basis on which the Sec-
17 retary made the decision.

18 “(C) STATE AGENCY REQUIREMENTS.—

19 “(i) IN GENERAL.—If a State agency
20 that has been delegated authority under this
21 paragraph intends to temporarily dis-
22 continue official inspection or weighing
23 services for any reason, except in the case of
24 a major disaster, the State agency shall no-
25 tify the Secretary in writing of the inten-

1 *tion of the State agency to do so at least 72*
2 *hours in advance of the discontinuation*
3 *date.*

4 “(i) *SECRETARIAL CONSIDERATION.—*
5 *The Secretary shall consider receipt of a no-*
6 *tice described in clause (i) as a factor in*
7 *administering the delegation of authority*
8 *under this paragraph.”.*

9 (2) *CONSULTATION.—Section 7(f)(1) of the*
10 *United States Grain Standards Act (7 U.S.C.*
11 *79(f)(1)) is amended—*

12 (A) *in subparagraph (A)(xi), by striking*
13 *“and” at the end;*

14 (B) *in subparagraph (B), by striking the*
15 *period at the end and inserting “; and”; and*

16 (C) *by adding at the end the following:*

17 “(C) *the Secretary—*

18 *“(i) periodically conducts a consulta-*
19 *tion with the customers of the applicant, in*
20 *a manner that provides opportunity for*
21 *protection of the identity of the customer if*
22 *desired by the customer, to review the per-*
23 *formance of the applicant with regard to the*
24 *provision of official inspection services and*
25 *other requirements of this Act; and*

1 “(ii) works with the applicant to ad-
2 dress any concerns identified during the
3 consultation process.”.

4 (3) *GEOGRAPHIC BOUNDARIES FOR OFFICIAL*
5 *AGENCIES.*—

6 (A) *OFFICIAL INSPECTION AUTHORITY.*—
7 Section 7(f)(2) of the United States Grain
8 Standards Act (7 U.S.C. 79(f)(2)) is amended by
9 striking “the Secretary may” and all that fol-
10 lows through the end of the paragraph and in-
11 serting the following: “the Secretary shall allow
12 a designated official agency to cross boundary
13 lines to carry out inspections in another geo-
14 graphic area if—

15 “(A) the current designated official agency
16 for that geographic area is unable to provide in-
17 spection services in a timely manner;

18 “(B) a person requesting inspection services
19 in that geographic area requests a probe inspec-
20 tion on a barge-lot basis; or

21 “(C) the current official agency for that geo-
22 graphic area agrees in writing with the adjacent
23 official agency to waive the current geographic
24 area restriction at the request of the applicant
25 for service.”.

1 (B) *WEIGHING AUTHORITY.*—Section
2 7A(i)(2) of the United States Grain Standards
3 Act (7 U.S.C. 79a(i)(2)) is amended by striking
4 “the Secretary may” and all that follows through
5 the end of the paragraph and inserting the fol-
6 lowing: “the Secretary shall allow a designated
7 official agency to cross boundary lines to carry
8 out weighing in another geographic area if—

9 “(A) the current designated official agency
10 for that geographic area is unable to provide
11 weighing services in a timely manner; or

12 “(B) the current official agency for that geo-
13 graphic area agrees in writing with the adjacent
14 official agency to waive the current geographic
15 area restriction at the request of the applicant
16 for service.”.

17 (4) *DURATION OF DESIGNATION AUTHORITY.*—
18 Section 7(g)(1) of the United States Grain Standards
19 Act (7 U.S.C. 79(g)(1)) is amended by striking “tri-
20 ennially” and inserting “every 5 years”.

21 (5) *FEEES.*—Section 7(j) of the United States
22 Grain Standards Act (7 U.S.C. 79(j)(1)) is amend-
23 ed—

24 (A) by striking “(j)(1) The Secretary” and
25 inserting the following:

1 “(j) FEES.—

2 “(1) INSPECTION FEES.—

3 “(A) IN GENERAL.—*The Secretary*”;

4 (B) in paragraph (1)—

5 (i) the second sentence, by striking

6 “The fees” and inserting the following:

7 “(B) AMOUNT OF FEES.—*The fees*”;

8 (ii) in the third sentence, by striking

9 “Such fees” and inserting the following:

10 “(C) USE OF FEES.—*Fees described in this*

11 *paragraph*”; and

12 (iii) by adding at the end the fol-

13 *lowing:*

14 “(D) EXPORT TONNAGE FEES.—*For an offi-*

15 *cial inspection at an export facility performed*

16 *by the Secretary, the portion of the fees based on*

17 *export tonnage shall be based on the rolling 5-*

18 *year average of export tonnage volumes.”;*

19 (C) by redesignating paragraph (4) as

20 *paragraph (5);*

21 (D) by inserting after paragraph (3) the fol-

22 *lowing:*

23 “(4) ADJUSTMENT OF FEES.—*In order to main-*

24 *tain an operating reserve of not less than 3 and not*

25 *more than 6 months, the Secretary shall adjust the*

1 *fees described in paragraphs (1) and (2) not less fre-*
 2 *quently than annually.”; and*

3 *(E) in paragraph (5) (as redesignated by*
 4 *subparagraph (C)), in the first sentence, by*
 5 *striking “2015” and inserting “2020”.*

6 *(c) WEIGHING AUTHORITY.—Section 7A of the United*
 7 *States Grain Standards Act (7 U.S.C. 79a) is amended—*

8 *(1) in subsection (c)(2), in the last sentence, by*
 9 *striking “subsection (g) of section 7” and inserting*
 10 *“subsections (e) and (g) of section 7”; and*

11 *(2) in subsection (l)—*

12 *(A) by striking “(l)(1) The Secretary” and*
 13 *inserting the following:*

14 *“(l) FEES.—*

15 *“(1) WEIGHING FEES.—*

16 *“(A) IN GENERAL.—The Secretary”;*

17 *(B) in paragraph (1)—*

18 *(i) the second sentence, by striking*
 19 *“The fees” and inserting the following:*

20 *“(B) AMOUNT OF FEES.—The fees”;*

21 *(ii) in the third sentence, by striking*
 22 *“Such fees” and inserting the following:*

23 *“(C) USE OF FEES.—Fees described in this*
 24 *paragraph”; and*

1 (iii) by adding at the end the fol-
2 lowing:

3 “(D) *EXPORT TONNAGE FEES.*—For an offi-
4 cial weighing at an export facility performed by
5 the Secretary, the portion of the fees based on ex-
6 port tonnage shall be based on the rolling 5-year
7 average of export tonnage volumes.”;

8 (C) by redesignating paragraph (3) as
9 paragraph (4);

10 (D) by inserting after paragraph (2) the fol-
11 lowing:

12 “(3) *ADJUSTMENT OF FEES.*—In order to main-
13 tain an operating reserve of not less than 3 and not
14 more than 6 months, the Secretary shall adjust the
15 fees described in paragraphs (1) and (2) not less fre-
16 quently than annually.”; and

17 (E) in paragraph (4) (as redesignated by
18 subparagraph (C)), in the first sentence, by
19 striking “2015” and inserting “2020”.

20 (d) *LIMITATION AND ADMINISTRATIVE AND SUPER-*
21 *VISORY COSTS.*—Section 7D of the United States Grain
22 Standards Act (7 U.S.C. 79d) is amended by striking
23 “2015” and inserting “2020”.

24 (e) *ISSUANCE OF AUTHORIZATION.*—Section 8(b) of
25 the United States Grain Standards Act (7 U.S.C. 84(b))

1 *is amended by striking “triennially” and inserting “every*
2 *5 years”.*

3 (f) *APPROPRIATIONS.—Section 19 of the United States*
4 *Grain Standards Act (7 U.S.C. 87h) is amended by striking*
5 *“2015” and inserting “2020”.*

6 (g) *ADVISORY COMMITTEE.—Section 21(e) of the*
7 *United States Grain Standards Act (7 U.S.C. 87j(e)) is*
8 *amended by striking “2015” and inserting “2020”.*

9 **SEC. 302. REPORT ON DISRUPTION IN FEDERAL INSPEC-**
10 **TION OF GRAIN EXPORTS.**

11 *Not later than 180 days after the date of enactment*
12 *of this Act, the Secretary of Agriculture shall submit to the*
13 *Committee on Agriculture, Nutrition, and Forestry of the*
14 *Senate, the Committee on Agriculture of the House of Rep-*
15 *resentatives, the Subcommittee on Agriculture, Rural Devel-*
16 *opment, Food and Drug Administration, and Related Agen-*
17 *cies of the Committee on Appropriations of the Senate, and*
18 *the Subcommittee on Agriculture, Rural Development, Food*
19 *and Drug Administration, and Related Agencies of the*
20 *Committee on Appropriations of the House of Representa-*
21 *tives a report that describes—*

22 (1) *the specific factors that led to disruption in*
23 *Federal inspection of grain exports at the Port of*
24 *Vancouver in the summer of 2014;*

1 (2) any factors that contributed to the disruption
2 referred to in paragraph (1) that were unique to the
3 Port of Vancouver, including a description of the port
4 facility, security needs and available resources for
5 that purpose, and any other significant factors as de-
6 termined by the Secretary; and

7 (3) any changes in policy that the Secretary has
8 implemented to ensure that a similar disruption in
9 Federal inspection of grain exports at the Port of
10 Vancouver or any other location does not occur in the
11 future.

12 **SEC. 303. REPORT ON POLICY BARRIERS TO GRAIN PRO-**
13 **DUCERS.**

14 Not later than 180 days after the date of enactment
15 of this Act, the Secretary of Agriculture, in consultation
16 with the United States Trade Representative, shall submit
17 to the Committee on Agriculture, Nutrition, and Forestry
18 of the Senate and the Committee on Agriculture of the
19 House of Representatives a report that describes—

20 (1) the policy barriers to United States grain
21 producers in countries the grain of which receives offi-
22 cial grading in the United States but which do not
23 offer official grading for United States grain or pro-
24 vide only the lowest designation for United States

1 *grain, including an analysis of possible inconsis-*
2 *encies with trade obligations; and*

3 *(2) any actions the Executive Branch is taking*
4 *to remedy the policy barriers so as to put United*
5 *States grain producers on equal footing with grain*
6 *producers in countries imposing the barriers.*

Calendar No. 231

114TH CONGRESS
1ST Session

H. R. 2051

AN ACT

To amend the Agricultural Marketing Act of 1946 to extend the livestock mandatory price reporting requirements, and for other purposes.

SEPTEMBER 17, 2015

Reported with an amendment