

117TH CONGRESS
1ST SESSION

S. 2036

To amend the Packers and Stockyards Act, 1921, to establish the Office of the Special Investigator for Competition Matters, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 10, 2021

Mr. TESTER (for himself, Mr. GRASSLEY, and Mr. ROUNDS) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To amend the Packers and Stockyards Act, 1921, to establish the Office of the Special Investigator for Competition Matters, 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 “Meat Packing Special
5 Investigator Act”.

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

3 The Packers and Stockyards Act, 1921, is amended
4 by inserting after section 210 (7 U.S.C. 197c) the fol-
5 lowing:

6 **“SEC. 211. OFFICE OF THE SPECIAL INVESTIGATOR FOR**
7 **COMPETITION MATTERS.**

8 “(a) ESTABLISHMENT.—There is established within
9 the Packers and Stockyards Division of the Department
10 of Agriculture an office, to be known as the ‘Office of the
11 Special Investigator for Competition Matters’ (referred to
12 in this section as the ‘Office’).

13 “(b) SPECIAL INVESTIGATOR FOR COMPETITION
14 MATTERS.—The Office shall be headed by the Special In-
15 vestigator for Competition Matters (referred to in this sec-
16 tion as the ‘Special Investigator’), who shall be appointed
17 by the Secretary.

18 “(c) DUTIES.—The Special Investigator shall—

19 “(1) use all available tools, including subpoenas,
20 to investigate and prosecute violations of this Act by
21 packers;

22 “(2) serve as a Department of Agriculture liai-
23 son to, and act in consultation with, the Department
24 of Justice and the Federal Trade Commission with
25 respect to competition and trade practices in the
26 food and agricultural sector;

1 “(3) act in consultation with the Department of
2 Homeland Security with respect to national security
3 and critical infrastructure security in the food and
4 agricultural sector; and

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

7 “(d) PROSECUTORIAL AUTHORITY.—Notwithstand-
8 ing title 28, United States Code, the Special Investigator
9 shall have the authority to bring any civil or administra-
10 tive action authorized under this Act against a packer.”.

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