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

Mr. Tester (for himself, Mr. Grassley, and Mr. Rounds) introduced the following bill; which was read twice and referred to the Committee on

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 Representatives of the United States of America in Congress assembled,

2 SECTION 1. SHORT TITLE.

3 This Act may be cited as the “Meat Packing Special Investigator Act”.


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

The Packers and Stockyards Act, 1921, is amended by inserting after section 210 (7 U.S.C. 197c) the following:

"SEC. 211. OFFICE OF THE SPECIAL INVESTIGATOR FOR COMPETITION MATTERS.

“(a) Establishment.—There is established within the Packers and Stockyards Division of the Department of Agriculture 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 Investigator for Competition Matters (referred to in this section 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 this Act by packers;

“(2) serve as a Department of Agriculture liaison to, and act in consultation with, the Department of Justice and the Federal Trade Commission with respect to competition and trade practices in the food and agricultural 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.—Notwithstanding title 28, United States Code, the Special Investigator shall have the authority to bring any civil or administrative action authorized under this Act against a packer.”.