

116TH CONGRESS
2D SESSION

S. _____

To reauthorize the United States Grain Standards Act, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. ROBERTS (for himself and Ms. STABENOW) introduced the following bill;
which was read twice and referred to the Committee on

A BILL

To reauthorize the United States Grain Standards Act, 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 “United States Grain
5 Standards Reauthorization Act of 2020”.

6 **SEC. 2. NOTIFICATION OF DISCONTINUANCE OF SERVICES**
7 **BY STATE AGENCIES.**

8 Section 7 of the United States Grain Standards Act
9 (7 U.S.C. 79) is amended—

1 (1) in subsection (e)(2)(C)(i), by inserting “and
2 affected customers or applicants for service of offi-
3 cial inspection or weighing services provided by the
4 State agency” after “notify the Secretary”; and

5 (2) in subsection (j)(5), in the first sentence, by
6 striking “2020” and inserting “2025”.

7 **SEC. 3. WEIGHING AUTHORITY.**

8 Section 7A(1)(4) of the United States Grain Stand-
9 ards Act (7 U.S.C. 79a(1)(4)) is amended in the first sen-
10 tence by striking “2020” and inserting “2025”.

11 **SEC. 4. LIMITATION ON ADMINISTRATIVE AND SUPER-**
12 **VISORY COSTS.**

13 Section 7D of the United States Grain Standards Act
14 (7 U.S.C. 79d) is amended by striking “2020” and insert-
15 ing “2025”.

16 **SEC. 5. REPORTING REQUIREMENTS.**

17 Section 17B of the United States Grain Standards
18 Act (7 U.S.C. 87f-2) is amended by adding at the end
19 the following:

20 “(d) ENHANCEMENT OF CURRENT REPORTING.—

21 “(1) INCREASED FREQUENCY OF INSPECTION
22 PROGRAM DATA REPORTING.—

23 “(A) IN GENERAL.—Beginning not later
24 than 1 year after the date of enactment of this
25 subsection, the Secretary shall publish quarterly

1 reports describing data from the tests and in-
2 spections for intrinsic quality factors (including
3 protein, oil, and starch) and food safety factors,
4 as reported, in the aggregate, for fiscal years
5 2014 through 2018 in the tables in section V
6 (relating to providing official grain inspection
7 and weighing services) of the 2016 through
8 2018 annual reports to Congress by the Federal
9 Grain Inspection Service.

10 “(B) DELINEATION.—The data from the
11 tests and inspections under subparagraph (A)
12 shall be delineated to reflect whether the tests
13 and inspections were requested of or performed
14 by—

15 “(i) the Secretary; or

16 “(ii) a State agency delegated author-
17 ity under section 7 or 7A or an official
18 agency.

19 “(2) EXCEPTIONS AND WAIVERS.—Beginning
20 not later than 1 year after the date of enactment of
21 this subsection, the Secretary shall publish quarterly
22 reports describing—

23 “(A) the number of exceptions requested
24 under section 7(f)(2)(B);

1 “(B) the number of exceptions granted
2 under section 7(f)(2)(B);

3 “(C) the number of waivers requested
4 under section 5(a)(1); and

5 “(D) the number of waivers granted under
6 section 5(a)(1).

7 “(e) ADDITIONAL REPORTING; CONSULTATION.—
8 The Secretary may, to the extent determined appropriate
9 by the Secretary, in consultation with State agencies dele-
10 gated authority under sections 7 and 7A, official agencies,
11 and the grain industries described in the second sentence
12 of section 21(a), publish—

13 “(1) data relating to testing for other intrinsic
14 quality or food safety factors; and

15 “(2) other data collected from inspection and
16 weighing activities conducted under this Act.

17 “(f) PROTECTION OF CONFIDENTIAL BUSINESS IN-
18 FORMATION.—Any trade secrets or information described
19 in section 552(b)(4) of title 5, United States Code, that
20 is provided to or collected by the Secretary in carrying
21 out subsection (d) or (e) shall not be included in a report
22 under subsection (d) or (e) or otherwise publicly dis-
23 closed.”.

1 **SEC. 6. APPROPRIATIONS.**

2 Section 19 of the United States Grain Standards Act
3 (7 U.S.C. 87h) is amended—

4 (1) by striking the section heading and designa-
5 tion and all that follows through “There are hereby”
6 and inserting the following:

7 **“SEC. 19. FUNDING.**

8 “(a) AUTHORIZATION OF APPROPRIATIONS.—There
9 are”;

10 (2) in subsection (a) (as so designated), by
11 striking “2020” and inserting “2025”; and

12 (3) by adding at the end the following:

13 “(b) LIMITATIONS ON USES OF USER FEES.—

14 “(1) DEFINITIONS.—In this subsection:

15 “(A) OFFICIAL INSPECTION OR WEIGHING
16 SERVICE.—The term ‘official inspection or
17 weighing service’ means official inspection, offi-
18 cial weighing, supervision of weighing, super-
19 vision of agency personnel, supervision of the
20 field office personnel of the Secretary, testing of
21 equipment or instruments, other services, or
22 registration, the cost to the Secretary of which
23 is authorized to be covered by the collection of
24 a user fee pursuant to section 7, 7A, 7B, 16,
25 or 17A, as applicable.

1 “(B) USER FEE.—The term ‘user fee’
2 means a fee collected by the Secretary under
3 section 7, 7A, 7B, 16, or 17A.

4 “(2) REQUIREMENT.—A user fee—

5 “(A) shall be used solely to cover—

6 “(i) the cost to the Secretary for car-
7 rying out official inspection or weighing
8 services; and

9 “(ii) administrative costs to the Sec-
10 retary directly relating to official inspec-
11 tion or weighing services; and

12 “(B) shall not be used for—

13 “(i) activities relating to the develop-
14 ment or maintenance of grain standards;
15 or

16 “(ii) any other activity that is not di-
17 rectly related to the performance of official
18 inspection or weighing services.”.

19 **SEC. 7. ADVISORY COMMITTEE.**

20 Section 21 of the United States Grain Standards Act
21 (7 U.S.C. 87j) is amended—

22 (1) in subsection (a), in the last sentence, by
23 striking “successive terms” and inserting “succes-
24 sively for more than 2 terms”; and

1 (2) in subsection (e), by striking “2020” and
2 inserting “2025”.

3 **SEC. 8. REVIEW OF GEOGRAPHIC BOUNDARIES FOR OFFI-**
4 **CIAL AGENCIES.**

5 (a) DEFINITIONS.—In this section:

6 (1) GRAIN HANDLING FACILITY.—The term
7 “grain handling facility” means a grain elevator,
8 warehouse, or other storage or handling facility.

9 (2) OFFICIAL AGENCY GEOGRAPHIC AREA.—
10 The term “official agency geographic area” means a
11 geographic area for an official agency, as defined by
12 the Secretary under section 7(f)(2)(A) or
13 7A(i)(2)(A) of the United States Grain Standards
14 Act (7 U.S.C. 79(f)(2)(A), 79a(i)(2)(A)).

15 (3) UNITED STATES GRAIN STANDARDS ACT
16 TERMS.—The terms “grain”, “official agency”, “of-
17 ficial inspection”, “officially inspected”, “official
18 weighing”, “supervision of weighing”, and “Sec-
19 retary” have the meanings given the terms in section
20 3 of the United States Grain Standards Act (7
21 U.S.C. 75).

22 (b) REVIEW.—

23 (1) IN GENERAL.—The Secretary shall conduct
24 a comprehensive nationwide review of the official
25 agency geographic areas.

1 (2) CONSIDERATIONS.—In conducting the re-
2 view under paragraph (1), the Secretary shall take
3 into consideration—

4 (A) the number of grain handling facilities,
5 both within the official agency geographic areas
6 and in areas that are not official agency geo-
7 graphic areas, that currently use, or, during the
8 5-year period preceding the date of submission
9 of the report under subsection (c), received
10 service from, an official agency that provides of-
11 ficial inspection, official weighing, supervision of
12 weighing, or other services under the United
13 States Grain Standards Act (7 U.S.C. 71 et
14 seq.);

15 (B) the volume of grain for which official
16 agencies provide services at grain handling fa-
17 cilities within the official agency geographic
18 areas;

19 (C) the number of official inspections of
20 vessels and other carriers within the official
21 agency geographic areas;

22 (D) other related services performed by of-
23 ficial agencies at grain handling facilities within
24 the official agency geographic areas;

1 (E) the timeliness, accuracy, and appro-
2 priateness of services performed by official
3 agencies at grain handling facilities within the
4 official agency geographic areas;

5 (F) fees charged by official agencies for
6 services performed under the United States
7 Grain Standards Act (7 U.S.C. 71 et seq.), in-
8 cluding grading, weighing, sampling, stowage
9 examination, and certification; and

10 (G) any implications of modifications to
11 the official agency geographic areas on enhanc-
12 ing official inspection, official weighing, and su-
13 pervision of weighing in the domestic market.

14 (c) REPORT.—Not later than 18 months after the
15 date of enactment of this Act, the Secretary shall submit
16 to the Committee on Agriculture of the House of Rep-
17 resentatives and the Committee on Agriculture, Nutrition,
18 and Forestry of the Senate a report containing—

19 (1) the results of the review completed under
20 subsection (b); and

21 (2) any recommendations with respect to those
22 results that the Secretary determines appropriate.

1 SEC. 9. TECHNICAL CORRECTION.

2 Section 4(a)(1) of the United States Grain Standards
3 Act (7 U.S.C. 76(a)(1)) is amended by striking “soybeans
4 mixed” and inserting “soybeans, mixed”.