

## Calendar No. 484

116TH CONGRESS  
2D SESSION

# S. 4054

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

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IN THE SENATE OF THE UNITED STATES

JUNE 24, 2020

Mr. ROBERTS, from the Committee on Agriculture, Nutrition, and Forestry, reported the following original bill; which was read twice and placed on the calendar

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## 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”.

1 **SEC. 2. NOTIFICATION OF DISCONTINUANCE OF SERVICES**  
 2 **BY STATE AGENCIES.**

3 Section 7 of the United States Grain Standards Act  
 4 (7 U.S.C. 79) is amended—

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

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

11 **SEC. 3. WEIGHING AUTHORITY.**

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

15 **SEC. 4. LIMITATION ON ADMINISTRATIVE AND SUPER-**  
 16 **VISORY COSTS.**

17 Section 7D of the United States Grain Standards Act  
 18 (7 U.S.C. 79d) is amended by striking “2020” and insert-  
 19 ing “2025”.

20 **SEC. 5. REPORTING REQUIREMENTS.**

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

24 “(d) ENHANCEMENT OF CURRENT REPORTING.—

25 “(1) INCREASED FREQUENCY OF INSPECTION  
 26 PROGRAM DATA REPORTING.—

1           “(A) IN GENERAL.—Beginning not later  
2           than 1 year after the date of enactment of this  
3           subsection, the Secretary shall publish quarterly  
4           reports describing data from the tests and in-  
5           spections for intrinsic quality factors (including  
6           protein, oil, and starch) and food safety factors,  
7           as reported, in the aggregate, for fiscal years  
8           2014 through 2018 in the tables in section V  
9           (relating to providing official grain inspection  
10          and weighing services) of the 2016 through  
11          2018 annual reports to Congress by the Federal  
12          Grain Inspection Service.

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

18                 “(i) the Secretary; or

19                 “(ii) a State agency delegated author-  
20                 ity under section 7 or 7A or an official  
21                 agency.

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

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

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

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

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

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

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

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

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



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