

TO AMEND THE DEPARTMENT OF AGRICULTURE REORGANIZATION ACT
OF 1994 TO ESTABLISH AN AGRICULTURAL AND FOOD SYSTEM SUPPLY
CHAIN RESILIENCE AND CRISIS RESPONSE TASK FORCE, AND FOR
OTHER PURPOSES

JUNE 15, 2022.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. DAVID SCOTT of Georgia, from the Committee on Agriculture,
submitted the following

R E P O R T

[To accompany H.R. 7675]

[Including cost estimate of the Congressional Budget Office]

The Committee on Agriculture, to whom was referred the bill (H.R. 7675) to amend the Department of Agriculture Reorganization Act of 1994 to establish an Agricultural and Food System Supply Chain Resilience and Crisis Response Task Force, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. AGRICULTURAL AND FOOD SYSTEM SUPPLY CHAIN RESILIENCE AND CRISIS RESPONSE TASK FORCE.

(a) IN GENERAL.—Subtitle B of title II of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6931 et seq.) is amended by adding at the end the following:

“SEC. 229. AGRICULTURAL AND FOOD SYSTEM SUPPLY CHAIN RESILIENCE AND CRISIS RESPONSE TASK FORCE.

“(a) ESTABLISHMENT.—Not later than 60 days after the date of the enactment of this section, the Secretary shall establish in the Department an Agricultural and Food System Supply Chain Resilience and Crisis Response Task Force (in this section referred to as the ‘Task Force’).

“(b) MISSION.—The mission of the Task Force shall be the following:

“(1) Help to promote the leadership of the United States with respect to the stability of the agriculture and food system supply chain.

“(2) Encourage a Government-wide approach through partnerships and collaboration with the private sector, labor organizations, the governments of countries that are allies or key international partners of the United States, States or political subdivisions thereof, and Tribal governments in order to—

“(A) promote the resilience of the agriculture and food system supply chain; and

- “(B) identify, prepare for, and respond to shocks to the agricultural and food system supply chain.
- “(3) Monitor the resilience, diversity, security, and strength of the agricultural and food system supply chain.
- “(4) Support the availability of agricultural and food system supply chain goods for domestic manufacturers, domestic producers, and domestic enterprises in the United States and in countries that are allies or key international partners.
- “(5) Assist the Federal Government in preparing for and responding to shocks to the agricultural and food system supply chain.
- “(6) Support the creation of jobs with competitive wages in the United States agricultural and food system sector.
- “(7) Coordinate executive branch actions necessary to carry out the functions described in paragraphs (1) through (6).
- “(c) SPECIAL ADVISOR ON SUPPLY CHAIN RESILIENCE AND CRISIS RESPONSE.—The head of the Task Force shall be the Special Advisor on Supply Chain Resilience and Crisis Response (in this section, referred to as the ‘Special Advisor’) who shall be appointed by the Secretary.
- “(d) AGRICULTURE AND FOOD SYSTEM SUPPLY CHAIN EVALUATION AND REPORT.—
- “(1) EVALUATION.—The Special Advisor, in consultation with the Secretary of Commerce and the Secretary of Transportation, shall conduct an evaluation of the stability and reliability of the agriculture and food system supply chain. The evaluation shall focus on the items listed in subsection (b).
- “(2) REPORT TO CONGRESS.—Not later than 270 days after the date of the enactment of this section, the Special Advisor shall submit to the Committee on Agriculture, the Committee on Energy and Commerce, and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry and the Committee on Commerce, Science, and Transportation of the Senate a report on the evaluation conducted under subsection (a) that includes the following:
- “(A) An evaluation of—
- “(i) the strengths of the agriculture and food system supply chain;
 - “(ii) the weaknesses of the agriculture and food system supply chain;
 - “(iii) current and potential future critical bottlenecks in the agriculture and food system supply chain, including transportation bottlenecks in the distribution of agricultural inputs, processed and unprocessed food and food input products, and consumer-ready food products;
 - “(iv) workforce challenges and opportunities in the agriculture and food system supply chain; and
 - “(v) the overall stability and reliability of the agriculture and food system supply chain.
- “(B) An evaluation of Federal, State, and local laws and regulations that—
- “(i) increase the stability and reliability of the agriculture and food system supply chain; or
 - “(ii) decrease or otherwise negatively impact the stability and reliability of the agriculture and food system supply chain.
- “(C) Specific recommendations to improve the security, safety, and resilience of the agriculture and food system supply chain, including recommendations that address challenges identified under paragraph (1) and that also address—
- “(i) long-term strategies;
 - “(ii) industry best practices;
 - “(iii) risk-mitigation actions to prevent future bottlenecks and vulnerabilities at all levels of the agriculture and food system supply chain; and
 - “(iv) legislative and regulatory actions that would positively impact the security and resilience of the agriculture and food system supply chain.
- “(e) TERMINATION.—The Task Force shall terminate on the earlier of—
- “(1) the date on which the report required by subsection (d) is submitted; or
 - “(2) September 30, 2023.”.
- (b) TECHNICAL AMENDMENT.—Section 296(b) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 7014(b)) is amended by adding at the end the following:
- “(11) The authority of the Secretary to establish in the Department the Agricultural and Food System Supply Chain Resilience and Crisis Response Task Force in accordance with section 229.”.

BRIEF EXPLANATION

H.R. 7675 would amend the Department of Agriculture Reorganization Act of 1994 to establish an Agricultural and Food System Supply Chain Resilience and Crisis Response Task Force at the U.S. Department of Agriculture. The Task Force would be responsible for evaluating the stability and reliability of the agriculture and food system as well as identifying specific recommendations to improve the security, safety and resilience of the supply chain. The Task Force would be required to submit a report detailing its work and recommendations to Congress no later than 270 days after the enactment of the bill. The Task Force would also wind down after the earlier of September 30, 2023, or submission of the report to Congress. This bill is additive to complimentary ongoing and planned programs that the Department of Agriculture is carrying out under existing authorities and funding. The Committee's intent behind passage of this bill is in no way intended to limit or pause those programs and efforts.

PURPOSE AND NEED FOR LEGISLATION

The Novel Coronavirus 2019 (COVID-19) pandemic altered nearly every facet of daily life and rapidly and dramatically transformed how food and agricultural products are consumed and, by necessity, how they are produced and delivered. As consumers panic-bought food at the retail level and demand shifted away from commercial, institutional, and restaurant purchasing, the entire food supply chain struggled to adjust to accommodate the new market conditions. These changes stressed many supply chains, and an uneven recovery that continues to disrupt supply chains has been exacerbated by Russia's war against Ukraine. The pandemic amplified the importance of having a durable and adaptable supply chain. While mass food shortages have been avoided in the United States, the entire supply chain is encountering raw material shortages, higher costs of production, higher prices for goods, delays, and an inability to predict demand for operational planning. This phenomenon is being experienced in most countries and sectors at varying scales.

Global supply chain disruptions have led to increases in the cost of food and fuel in the United States. The other factors that play into higher prices are the increased costs of shipping and labor, which get passed through onto consumers, and changes in consumption dynamics. This confluence of challenges has led to inflation—where the purchasing power of the dollar is reduced relative to the cost of goods.

On February 24, 2021, the President signed Executive Order 14017 on "America's Supply Chains," directing a whole-of-government approach to assessing vulnerabilities in, and strengthening the resilience of, critical supply chains. The President also established a new Supply Chain Disruptions Task Force led by the Secretaries of Commerce, Transportation, and Agriculture.

Such complex problems require a comprehensive approach from USDA to develop solutions. H.R. 7675 establishes a USDA taskforce and special advisor that would coordinate various agency equities dealing with supply chain to ensure a comprehensive approach. In addition to monitoring and evaluating the food and agri-

culture supply chain's strength, weaknesses, and resilience, the Task Force would liaise with private-sector stakeholders and the Federal Government interagency. It would also facilitate Congressional oversight and cooperation by requiring the taskforce to report out to Congress on evaluation findings and recommendations. In short, this Task Force would help streamline and augment existing supply chain efforts at USDA and hold the Department accountable for these activities.

H.R. 7675, TO AMEND THE DEPARTMENT OF AGRICULTURE REORGANIZATION ACT OF 1994 TO ESTABLISH AN AGRICULTURAL AND FOOD SYSTEM SUPPLY CHAIN RESILIENCE AND CRISIS RESPONSE TASK FORCE, AND FOR OTHER PURPOSES

SECTION-BY-SECTION

Section 1. Agricultural and Food System Supply Chain Resilience and Crisis Response Task Force

Section 1 amends the Department of Agriculture Reorganization Act of 1994, to establish an Agricultural and Food System Supply Chain Resilience and Crisis Response Task Force in the U.S. Department of Agriculture.

The goals of the task force are to promote stability and resiliency within agriculture and food system supply chains, as well as ensure availability of goods and inputs from domestic producers and key allies of the United States.

The task force shall engage in a government-wide approach, and in collaboration with the private-sector, monitor the resilience, diversity, security and strength of the food and agriculture supply chain, assist the Federal Government in preparing for and responding to shocks, and support the creation of jobs with competitive wages in the U.S. agriculture and food sector.

A Special Advisor on Supply Chain Resilience and Crisis Response, appointed by the Secretary, will head the task force. The task force shall coordinate Executive Branch actions to carry out these functions.

The Special Advisor is required to conduct an evaluation of the stability and reliability of the food system and supply chain and submit a report on the food system's strengths and weaknesses, an evaluation of related current laws and regulations, and recommendations to address supply chain challenges to Congress no later than 270 days after the implementation of this statute.

COMMITTEE CONSIDERATION

I. HEARING

The Committee on Agriculture held one hearing in the 117th Congress in anticipation of related supply chain legislation.

On November 3, 2021, the full Committee on Agriculture held a hearing entitled "The Immediate Challenges to our Nation's Food Supply Chain" where the following witnesses testified on supply chain issues, which are addressed, in part in H.R. 7675:

- Mr. Jon Schwalls, Executive Officer, Southern Valley Fruit and Vegetable, Inc., on behalf of Georgia Fruit and Vegetable Growers Association, Norman Park, GA

- Mr. Ed Cinco, Director of Purchasing, Schwebel's Baking Company, on behalf of the American Bakers Association, Youngstown, OH
- Mr. Greg Ferrara, President and Chief Executive Officer, National Grocers Association, Washington, D.C.
- Mr. Mike Durkin, President and Chief Executive Officer, Leprino Foods Company, on behalf of International Dairy Foods Association, Denver, CO
- Mr. Jon Samson, Vice President of Conferences and Executive Director, Agricultural & Food Transporters Conference, American Trucking Association, Arlington, VA
- Mr. Rod Wells, Chief Supply Chain Officer, GROWMARK, Inc., on behalf of the Agricultural Retailers Association, Bloomington, IL

This hearing examined the broad and complex challenges facing the food and agriculture supply chain. Witnesses offered perspectives on the impact of the COVID-19 pandemic on the economy, transportation and logistics, the workforce, farm-level production challenges such as rising input costs, ingredient, and raw material sourcing.

II. FULL COMMITTEE

On May 17, 2022, the Committee on Agriculture met pursuant to notice, with a quorum present, to consider H.R. 7675, To amend the Department of Agriculture Reorganization Act of 1994 to establish an Agricultural and Food System Supply Chain Resilience and Crisis Response Task Force, and for other purposes. Chairman Scott made an opening statement as did Ranking Member Thompson. Chairman Scott requested other Members submit their opening statements for the record. Without objection, H.R. 7675 was placed before the Committee for consideration, a first reading of the bill was waived. The bill was considered en bloc.

Discussion occurred and counsel for the Committee answered Member questions. After discussion, Chairman Scott made a single motion for unanimous consent to adopt and order favorably reported H.R. 7675, with an amendment in the nature of a substitute as filed by Ms. Craig. The motion for unanimous consent was adopted without objection.

At the conclusion of the meeting, Chairman Scott advised Members that pursuant to the Rules of the House of Representatives, Members had until May 20 at 12:00 p.m. to file any supplemental, additional, dissenting, or minority views with the Committee. Without objection, staff was given permission to make any necessary technical, clarifying, or conforming changes to reflect the intent of the Committee. Chairman Scott thanked all the Members and adjourned the meeting.

COMMITTEE VOTES

In compliance with clause 3(b) of rule XIII of the House of Representatives, H.R. 7675 was reported by unanimous consent with a majority quorum present.

COMMITTEE OVERSIGHT FINDINGS

Pursuant to clause 3(d)(2) of rule XIII of the Rules of the House of Representatives, the Committee report incorporates the cost estimate prepared by the Direction of the Congressional Office pursuant to sections 402 and 423 of the Congressional Budget Act of 1974.

COST OF LEGISLATION AND CONGRESSIONAL BUDGET ACT

The provisions of clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a)(1) of the Congressional Budget Act of 1974 (relating to estimates of new budget authority, new spending authority, new credit authority, or increased or decreased revenues or tax expenditures) are not considered applicable. The estimate and comparison required to be prepared by the Director of the Congressional Budget Office under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and sections 402 and 423 of the Congressional Budget Act of 1974 submitted to the Committee prior to the filing of this report are as follows:

U.S. CONGRESS,
CONGRESS BUDGET OFFICE,
Washington, DC, May 27, 2022.

Hon. DAVID SCOTT,
*Chairman, Committee on Agriculture,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 7675, a bill to amend the Department of Agriculture Reorganization Act of 1994 to establish an Agricultural and Food System Supply Chain Resilience and Crisis Response Task Force, and for other purposes.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Tiffany Arthur.

Sincerely,

PHILLIP L. SWAGEL,
Director.

Enclosure.

H.R. 7675, a bill to amend the Department of Agriculture Reorganization Act of 1994 to establish an Agricultural and Food System Supply Chain Resilience and Crisis Response Task Force, and for other purposes			
As ordered reported by the House Committee on Agriculture on May 17, 2022			
By Fiscal Year, Millions of Dollars	2022	2022-2027	2022-2032
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	0	*	not estimated
Statutory pay-as-you-go procedures apply?	No	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2033?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
* = between zero and \$500,000.			

H.R. 7675 would establish a task force in the Department of Agriculture to evaluate the stability and reliability of the nation's agriculture and food system supply chain. Under the bill, the Secretary of Agriculture would appoint a special advisor to head the task force and consult with the Secretaries of Commerce and Transportation as part of the evaluation. The bill also would require the advisor to report the task force's findings to the Congress and recommend ways to improve the supply chain's safety, security, and resilience. The task force's authority would end on September 30, 2023.

Using information about the costs of similar activities, CBO estimates that implementing the bill would cost less than \$500,000; any spending would be subject to the availability of appropriated funds.

The CBO staff contact for this estimate is Tiffany Arthur. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

CONSTITUTIONAL AUTHORITY STATEMENT

The Committee finds the Constitutional authority for this legislation in Article I, section 8, clause 18, that grants Congress the power to make all laws necessary and proper for carrying out the powers vested by Congress in the consideration of the United States or in any department or officer thereof. The Committee further finds the Constitutional authority for this legislation in Article I, section 8, clause 3, that grants Congress the authority to regulate foreign and interstate commerce.

PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII of the House of Representatives, the performance goals and objectives of this measure are to strengthen the agriculture and food system supply chain and re-

duce the associated costs of supply chain disruptions for American farmers, ranchers, and consumers.

COMMITTEE COST ESTIMATE

Pursuant to clause 3(d)(2) of rule XIII of the Rules of the House of Representatives, the Committee report incorporates the cost estimate prepared by the Director of the Congressional Budget Office pursuant to sections 402 and 423 of the Congressional Budget Act of 1974.

ADVISORY COMMITTEE STATEMENT

No advisory committee within the meaning of section 5(b) of the Federal Advisory Committee Act was created by this legislation.

APPLICABILITY TO THE LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act (Public Law 104–1).

FEDERAL MANDATES STATEMENT

The Committee adopted as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act (Public Law 104–4).

EARMARK STATEMENT

This measure does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of rule XXI of the House of Representatives.

DUPLICATION OF FEDERAL PROGRAMS

This measure does not establish or reauthorize a program of the Federal Government known to be duplicative of another Federal program, a program that was included in any report from Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program in the most recent Catalog of Federal Domestic Assistance.

DISCLOSURE OF DIRECTED RULEMAKINGS

The Committee does not believe that the legislation directs an Executive Branch official to conduct any specific rule making proceedings within the meaning of 5 U.S.C. 551.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (new matter is printed in italics and existing law in which no change is proposed is shown in roman):

**DEPARTMENT OF AGRICULTURE REORGANIZATION ACT
OF 1994**

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**TITLE II—DEPARTMENT OF
AGRICULTURE REORGANIZATION**

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**Subtitle B—Farm Production and
Conservation**

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SEC. 229. AGRICULTURAL AND FOOD SYSTEM SUPPLY CHAIN RESILIENCE AND CRISIS RESPONSE TASK FORCE.

(a) *ESTABLISHMENT.*—Not later than 60 days after the date of the enactment of this section, the Secretary shall establish in the Department an Agricultural and Food System Supply Chain Resilience and Crisis Response Task Force (in this section referred to as the “Task Force”).

(b) *MISSION.*—The mission of the Task Force shall be the following:

(1) *Help to promote the leadership of the United States with respect to the stability of the agriculture and food system supply chain.*

(2) *Encourage a Government-wide approach through partnerships and collaboration with the private sector, labor organizations, the governments of countries that are allies or key international partners of the United States, States or political subdivisions thereof, and Tribal governments in order to—*

(A) *promote the resilience of the agriculture and food system supply chain; and*

(B) *identify, prepare for, and respond to shocks to the agricultural and food system supply chain.*

(3) *Monitor the resilience, diversity, security, and strength of the agricultural and food system supply chain.*

(4) *Support the availability of agricultural and food system supply chain goods for domestic manufacturers, domestic producers, and domestic enterprises in the United States and in countries that are allies or key international partners.*

(5) *Assist the Federal Government in preparing for and responding to shocks to the agricultural and food system supply chain.*

(6) *Support the creation of jobs with competitive wages in the United States agricultural and food system sector.*

(7) *Coordinate executive branch actions necessary to carry out the functions described in paragraphs (1) through (6).*

(c) *SPECIAL ADVISOR ON SUPPLY CHAIN RESILIENCE AND CRISIS RESPONSE.*—The head of the Task Force shall be the Special Advisor on Supply Chain Resilience and Crisis Response (in this section, referred to as the “Special Advisor”) who shall be appointed by the Secretary.

(d) *AGRICULTURE AND FOOD SYSTEM SUPPLY CHAIN EVALUATION AND REPORT.*—

(1) *EVALUATION.*—*The Special Advisor, in consultation with the Secretary of Commerce and the Secretary of Transportation, shall conduct an evaluation of the stability and reliability of the agriculture and food system supply chain. The evaluation shall focus on the items listed in subsection (b).*

(2) *REPORT TO CONGRESS.*—*Not later than 270 days after the date of the enactment of this section, the Special Advisor shall submit to the Committee on Agriculture, the Committee on Energy and Commerce, and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry and the Committee on Commerce, Science, and Transportation of the Senate a report on the evaluation conducted under subsection (a) that includes the following:*

(A) *An evaluation of—*

(i) *the strengths of the agriculture and food system supply chain;*

(ii) *the weaknesses of the agriculture and food system supply chain;*

(iii) *current and potential future critical bottlenecks in the agriculture and food system supply chain, including transportation bottlenecks in the distribution of agricultural inputs, processed and unprocessed food and food input products, and consumer-ready food products;*

(iv) *workforce challenges and opportunities in the agriculture and food system supply chain; and*

(v) *the overall stability and reliability of the agriculture and food system supply chain.*

(B) *An evaluation of Federal, State, and local laws and regulations that—*

(i) *increase the stability and reliability of the agriculture and food system supply chain; or*

(ii) *decrease or otherwise negatively impact the stability and reliability of the agriculture and food system supply chain.*

(C) *Specific recommendations to improve the security, safety, and resilience of the agriculture and food system supply chain, including recommendations that address challenges identified under paragraph (1) and that also address—*

(i) *long-term strategies;*

(ii) *industry best practices;*

(iii) *risk-mitigation actions to prevent future bottlenecks and vulnerabilities at all levels of the agriculture and food system supply chain; and*

(iv) *legislative and regulatory actions that would positively impact the security and resilience of the agriculture and food system supply chain.*

(e) *TERMINATION.*—*The Task Force shall terminate on the earlier of—*

(1) *the date on which the report required by subsection (d) is submitted; or*

(2) *September 30, 2023.*

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Subtitle K—Miscellaneous Reorganization Provisions

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SEC. 296. TERMINATION OF AUTHORITY.

(a) **IN GENERAL.**—Subject to subsection (b), the authority delegated to the Secretary by this title to reorganize the Department shall terminate on the date that is 2 years after the date of enactment of this Act.

(b) **FUNCTIONS.**—Subsection (a) shall not affect:

(1) The authority of the Secretary to continue to carry out a function that the Secretary performs on the date that is 2 years after the date of enactment of this Act.

(2) The authority delegated to the Secretary under Reorganization Plan No. 2 of 1953 (5 U.S.C. App.; 7 U.S.C. 2201 note).

(3) The authority of an agency, office, officer, or employee of the Department to continue to perform all functions delegated or assigned to the entity or person as of that termination date.

(4) The authority of the Secretary to establish in the Department the position of Under Secretary of Agriculture for Marketing and Regulatory Programs under section 285.

(5) The authority of the Secretary to establish within the Department the position of Assistant Secretary of Agriculture for Civil Rights, and delegate duties to the Assistant Secretary, under section 218.

(6) The authority of the Secretary to establish in the Department, under section 251—

(A) the position of Under Secretary of Agriculture for Research, Education, and Economics;

(B) the Office of the Chief Scientist; and

(C) the National Institute of Food and Agriculture.

(7) The authority of the Secretary to establish in the Department the Office of Advocacy and Outreach in accordance with section 226B.

(8) The authority of the Secretary to carry out amendments made to this title by the Agricultural Act of 2014.

(9) The authority of the Secretary to carry out the amendments made to this title by section 772 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2018.

(10) The authority of the Secretary to carry out the amendments made to this title by the Agriculture Improvement Act of 2018.

(11) *The authority of the Secretary to establish in the Department the Agricultural and Food System Supply Chain Resil-*

ience and Crisis Response Task Force in accordance with section 229.

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