

117TH CONGRESS
2D SESSION

S. _____

To establish the Office of High-Risk AFO Disaster Mitigation and Enforcement in the Department of Agriculture, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. BOOKER introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To establish the Office of High-Risk AFO Disaster Mitigation and Enforcement in the Department of Agriculture, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Industrial Agriculture Accountability Act of 2022”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definition of Secretary.
- Sec. 3. Findings.

2

TITLE I—HIGH-RISK AFO DISASTER MITIGATION AND
ENFORCEMENT

Sec. 101. Definitions.

Subtitle A—Department of Agriculture

- Sec. 111. Office of High-Risk AFO Disaster Mitigation and Enforcement.
 Sec. 112. Registration of high-risk AFOs.
 Sec. 113. Covered industrial operator responsibilities and liabilities.
 Sec. 114. Restriction on certain methods of depopulation.
 Sec. 115. Reports.
 Sec. 116. Civil actions.

Subtitle B—Department of Labor

- Sec. 121. Definitions.
 Sec. 122. Minimum labor standards for covered workers and affected contract
 growers.
 Sec. 123. Prohibition on the use of incarcerated workers.

TITLE II—GRANT AND PILOT PROGRAMS

- Sec. 201. Definitions.
 Sec. 202. Controlled-atmosphere stunning transition program.
 Sec. 203. Pilot program for increased accessibility to inspection and technical
 assistance for eligible processing facilities.

TITLE III—HUMANE HANDLING REFORMS

Subtitle A—Transport

- Sec. 311. Transportation of livestock and poultry.
 Sec. 312. Higher-welfare transport research funding.

Subtitle B—Nonambulatory Livestock

- Sec. 321. Unlawful slaughter practices involving nonambulatory livestock.
 Sec. 322. Unlawful use of drugs contributing to nonambulatory conditions.
 Sec. 323. Inclusion of poultry in Humane Methods of Slaughter Act.

Subtitle C—Inspections

- Sec. 331. Definitions.
 Sec. 332. Ending dangerous higher-speed slaughter and self-inspection systems.
 Sec. 333. Funding for additional OSHA inspectors.
 Sec. 334. Funding for additional FSIS inspectors.

1 SEC. 2. DEFINITION OF SECRETARY.

2 In this Act, the term “Secretary” means the Sec-
3 retary of Agriculture.

4 SEC. 3. FINDINGS.

5 Congress finds that—

1 (iii) neighboring communities and the
2 environment, including through—

3 (I) flood waters overrunning ma-
4 nure lagoons resulting in ecological
5 degradation in the form of soil, sur-
6 face, and groundwater contamination;

7 (II) algae blooms; and

8 (III) wildlife population crashes;

9 (2)(A) since 2019, more than 60,000,000 poul-
10 try and 10,000,000 swine have been depopulated;
11 and

12 (B) those massive cullings are often conducted
13 using incredibly inhumane practices including ven-
14 tilation shutdown, ventilation shutdown plus, and
15 water-based foaming (as those terms are defined in
16 section 114(a));

17 (3) since 2019, industrial operators put slaugh-
18 terhouse workers in jeopardy and cost taxpayers mil-
19 lions of dollars;

20 (4) industrial operators continue to experience
21 record profits, including a 300-percent growth in
22 profits during the COVID–19 pandemic;

23 (5) industrial operators have created a system
24 that allows for the inhumane handling of non-
25 ambulatory livestock (as defined in section 3(a) of

1 Public Law 85–765 (commonly known as the “Hu-
2 mane Methods of Slaughter Act of 1958’’) that
3 causes needless suffering, unsafe working conditions,
4 and the spread of foodborne and zoonotic diseases;

5 (6) industrial operators have abused the use of
6 certain drugs that increase the risk of livestock be-
7 coming nonambulatory livestock (as so defined);

8 (7) slaughterhouse deregulation and decreased
9 Federal oversight of meat and poultry slaughter pose
10 significant risks to workers, consumers, and animals;

11 (8) Federal humane slaughter laws currently
12 exempt 98 percent of animals slaughtered for food;

13 (9) current Federal animal transport laws are
14 ineffective and inherently cruel; and

15 (10) Federal support is needed to create a level
16 playing field for farmers engaged in higher-welfare
17 practices who are struggling to compete in a highly
18 monopolized market controlled by industrial opera-
19 tors.

20 **TITLE I—HIGH-RISK AFO DIS-**
21 **ASTER MITIGATION AND EN-**
22 **FORCEMENT**

23 **SEC. 101. DEFINITIONS.**

24 In this title:

25 (1) ANIMAL FEEDING OPERATION; AFO.—

1 (A) IN GENERAL.—The term “animal feed-
2 ing operation” or “AFO” means a single lot or
3 facility at which—

4 (i) for not less than a total of 45 days
5 in any 12-month period, animals (other
6 than aquatic animals) are—

7 (I) stabled or confined; and

8 (II) fed or maintained; and

9 (ii) crops, vegetation, forage growth,
10 or postharvest residues are not sustained
11 in the normal growing season over any por-
12 tion of the lot or facility.

13 (B) MULTIPLE LOTS.—For purposes of
14 subparagraph (A), 2 or more lots or facilities
15 described in that subparagraph shall be consid-
16 ered to be a single animal feeding operation if
17 the lots or facilities—

18 (i) are located within 3 miles of each
19 other; and

20 (ii) are under common ownership or
21 control.

22 (C) EXCLUSION.—The term “animal feed-
23 ing operation” or “AFO” does not include a
24 pasture-based livestock or poultry production
25 system in which animals—

1 (i) are primarily raised on pasture,
2 grassland, or other vegetative environ-
3 ments;

4 (ii) have the ability to exercise spe-
5 cies-specific natural behaviors; and

6 (iii) have access to appropriate shel-
7 ter, healthy vegetation, potable water, and
8 adequate protection from predators.

9 (2) COVERED INDUSTRIAL OPERATOR.—The
10 term “covered industrial operator” means an indi-
11 vidual or entity that owns or controls not less than
12 the following number of livestock or poultry, as ap-
13 plicable, that are housed in an AFO at a single point
14 in time:

15 (A) 2,500 swine.

16 (B) 30,000 turkeys or ducks.

17 (C) 82,000 laying hens or broilers.

18 (3) DEPOPULATION.—The term “depopulation”
19 means the rapid destruction of a population of ani-
20 mals in response to urgent circumstances.

21 (4) DISASTER EVENT.—The term “disaster
22 event” means—

23 (A) a public health emergency declared by
24 the Secretary of Health and Human Services

1 under section 319 of the Public Health Service
2 Act (42 U.S.C. 247d);

3 (B) a major disaster declared by the Presi-
4 dent under section 401 of the Robert T. Staf-
5 ford Disaster Relief and Emergency Assistance
6 Act (42 U.S.C. 5170);

7 (C) a disaster designated by the Secretary
8 pursuant to part 759 of title 7, Code of Federal
9 Regulations (or successor regulations); and

10 (D) a quarantine designated by the Sec-
11 retary pursuant to the Plant Protection Act (7
12 U.S.C. 7701 et seq.) or animal quarantine laws.

13 (5) HIGH-RISK AFO.—The term “high-risk
14 AFO” means an AFO that houses livestock or poul-
15 try owned or controlled by a covered industrial oper-
16 ator.

17 (6) OFFICE.—The term “Office” means the Of-
18 fice of High-Risk AFO Disaster Mitigation and En-
19 forcement established under section 111.

20 **Subtitle A—Department of**
21 **Agriculture**

22 **SEC. 111. OFFICE OF HIGH-RISK AFO DISASTER MITIGA-**
23 **TION AND ENFORCEMENT.**

24 The Secretary shall establish an office within the De-
25 partment of Agriculture, to be known as the “Office of

1 High-Risk AFO Disaster Mitigation and Enforcement”,
2 which shall carry out or enforce, as applicable, sections
3 112 through 115.

4 **SEC. 112. REGISTRATION OF HIGH-RISK AFOS.**

5 (a) REGISTRATION REQUIREMENT.—

6 (1) IN GENERAL.—A covered industrial oper-
7 ator shall be required to register with the Office
8 prior to selling, buying, or transferring livestock,
9 poultry, or any product derived from livestock or
10 poultry across State lines.

11 (2) INFORMATION.—In registering with the Of-
12 fice under paragraph (1), a covered industrial oper-
13 ator shall submit to the Office—

14 (A) identifying information about the cov-
15 ered industrial operator, including the location,
16 animal type, and peak inventory animal totals
17 for all high-risk AFOS owned or controlled by
18 the covered industrial operator; and

19 (B) a standard disaster mitigation plan
20 that includes—

21 (i) a description of the type, location,
22 and extent of all potential disaster events
23 that can affect livestock or poultry housed
24 in a high-risk AFO, including information
25 on previous occurrences of disaster events

1 and the probability of future disaster
2 events;

3 (ii) a plan to ensure that animals do
4 not go without necessary resources such as
5 shelter, food, and water during an extreme
6 weather event;

7 (iii) a plan to increase flexibility and
8 resiliency, including—

9 (I) identifying ways to house ani-
10 mals past their intended slaughter
11 date; and

12 (II) alternative slaughter and
13 processing arrangements, including
14 contracting with small-scale Depart-
15 ment of Agriculture, State-certified,
16 or mobile operations with existing ca-
17 pacity, in the event of supply chain
18 disruptions;

19 (iv) a plan for accessing necessary re-
20 sources, personal protective equipment,
21 and labor to carry out depopulation in
22 ways that most rapidly render animals un-
23 conscious in the event that depopulation is
24 unavoidable;

1 (v) a plan for disposal of any deceased
2 animals that—

3 (I) satisfies requirements under
4 all relevant Federal, State, and local
5 environmental and public health laws;
6 and

7 (II) does not rely on unlined bur-
8 ial or onsite incineration; and

9 (vi) other information, as determined
10 appropriate by the Secretary.

11 (3) ANNUAL SUBMISSION.—A covered industrial
12 operator that is registered with the Office pursuant
13 to this subsection shall submit to the Office the in-
14 formation described in paragraph (2) on an annual
15 basis.

16 (4) RESTRICTED FUNDS FOR PLAN.—A covered
17 industrial operator shall not, in developing a stand-
18 ard disaster mitigation plan described in paragraph
19 (2)(B), use any Federal funds, including funds pro-
20 vided under the environmental quality incentive pro-
21 gram under subchapter A of chapter 4 of subtitle D
22 of title XII of the Food Security Act of 1985 (16
23 U.S.C. 3839aa et seq.).

24 (b) DISASTER MITIGATION MAINTENANCE FEE.—

1 (1) IN GENERAL.—A covered industrial oper-
2 ator registered under subsection (a) shall pay to the
3 Office an annual fee by January 15 of each year for
4 each high-risk AFO owned or controlled by the cov-
5 ered industrial operator.

6 (2) TOTAL AMOUNT OF FEES.—The amount of
7 the fee required under paragraph (1)—

8 (A) shall be determined by the Secretary in
9 a manner that will ensure that the total amount
10 of fees collected for each fiscal year shall suffi-
11 ciently fund the activities of the Office for that
12 fiscal year; but

13 (B) shall not be less than \$1 per animal
14 unit (as defined by the Administrator of the
15 Environmental Protection Agency) for each fis-
16 cal year.

17 (3) RESTRICTION.—A covered industrial oper-
18 ator may not reduce wages or grower payments in
19 order to derive the amount of the fee required under
20 paragraph (1).

21 (c) HIGH-RISK AFO DISASTER MITIGATION AND EN-
22 FORCEMENT FUND.—

23 (1) ESTABLISHMENT.—There is established in
24 the Treasury of the United States a fund, to be
25 known as the “High-Risk AFO Disaster Mitigation

1 and Enforcement Fund” (referred to in this sub-
2 section as the “Fund”).

3 (2) SOURCE; USE.—All moneys derived from
4 fees collected by the Office under subsection (b)
5 shall be deposited in the Fund and made available
6 to the Secretary, without fiscal year limitation, to
7 offset costs relating to—

8 (A) the administrative costs associated
9 with operating the Office and technical assist-
10 ance offered by staff of the Office;

11 (B) creating the national stockpile pursu-
12 ant to section 114(c)(2);

13 (C) enforcement actions against covered
14 industrial operators that do not comply with
15 this subtitle; and

16 (D) any other activities determined by the
17 Secretary.

18 **SEC. 113. COVERED INDUSTRIAL OPERATOR RESPONSIBIL-**
19 **ITIES AND LIABILITIES.**

20 A covered industrial operator shall be responsible and
21 liable for, with respect to each high-risk AFO owned or
22 controlled by the covered industrial operator, all costs as-
23 sociated with activities related to disaster events or de-
24 population of livestock or poultry, including—

1 (1) procuring resources for depopulation of live-
2 stock or poultry, including from the national stock-
3 pile described in section 114(c)(2);

4 (2) disposal of deceased animals that—

5 (A) satisfies requirements under all rel-
6 evant Federal, State, and local environmental
7 and public health laws; and

8 (B) does not rely on unlined burial or on-
9 site incineration;

10 (3) compensation for contract growers and
11 workers, as provided in subtitle B;

12 (4) compensation for any adverse health im-
13 pacts, property value diminution, and loss of use and
14 enjoyment of property suffered by neighboring resi-
15 dents of the high-risk AFO; and

16 (5) other costs determined by the Secretary.

17 **SEC. 114. RESTRICTION ON CERTAIN METHODS OF DE-**
18 **POPULATION.**

19 (a) DEFINITIONS.—In this section:

20 (1) RESTRICTED PRACTICE.—The term “re-
21 stricted practice” means—

22 (A) ventilation shutdown;

23 (B) ventilation shutdown plus;

24 (C) water-based foaming; and

1 (D) any other method identified by the
2 Secretary.

3 (2) VENTILATION SHUTDOWN.— The term
4 “ventilation shutdown” means a method of animal
5 depopulation that involves sealing a building in
6 which animals are confined, shutting inlets, and
7 turning off fans in order to raise the temperature in
8 the building until the animals die from hyperthermia
9 or hypoxia, including ventilation shutdown plus.

10 (3) VENTILATION SHUTDOWN PLUS.—The term
11 “ventilation shutdown plus” means a ventilation
12 shutdown method that involves the use of additional
13 heat or carbon dioxide.

14 (4) WATER-BASED FOAMING.—The term
15 “water-based foaming” means a method of animal
16 depopulation that involves pumping foam con-
17 centrate combined with water into a building in
18 which animals are confined until the animals die
19 from hypoxia.

20 (b) RESTRICTIONS; CIVIL PENALTY.—Notwith-
21 standing any other provision of law, beginning 1 year after
22 the date of enactment of this Act, a covered industrial op-
23 erator that uses 1 or more restricted practices for any
24 event of depopulation of livestock or poultry on a high-

1 risk AFO owned or controlled by the covered industrial
2 operator, as determined by the Office—

3 (1) shall not be eligible for any Federal contract
4 for a period of 10 years beginning on that date;

5 (2) shall not be eligible for inspection of any fa-
6 cility owned or controlled by the covered industrial
7 operator pursuant to the Federal Meat Inspection
8 Act (21 U.S.C. 601 et seq.) or the Poultry Products
9 Inspection Act (21 U.S.C. 451 et seq.), as applica-
10 ble, for a period of 10 years beginning on that date;
11 and

12 (3) shall be assessed a civil penalty of up to
13 \$1,000 per animal per act of depopulation, with con-
14 sideration given to the appropriateness of the pen-
15 alty with respect to the gravity of the violation and
16 the good faith of the covered industrial operator.

17 (c) STANDARDS AND RESOURCES.—Not later than 1
18 year after the date of enactment of this Act, the Secretary
19 shall issue a final rule—

20 (1) to establish depopulation standards that
21 rapidly induce unconsciousness and death with mini-
22 mal pain and distress; and

23 (2) to coordinate a national stockpile of re-
24 sources—

1 (A) to carry out depopulation activities
2 during a disaster event in a way that rapidly in-
3 duces unconsciousness and death of the animals
4 with minimal pain and distress; and

5 (B) using funds from the High-Risk AFO
6 Disaster Mitigation and Enforcement Fund es-
7 tablished by section 112(c)(1).

8 **SEC. 115. REPORTS.**

9 (a) **REPORTS TO SECRETARY.**—Not later than 3
10 business days after completing any depopulation of any
11 animals, a covered industrial operator performing or re-
12 quiring such depopulation shall submit to the Secretary
13 a report on that depopulation instance that specifies—

14 (1) the 1 or more dates on which, and location
15 at which, the depopulation and disposal of the ani-
16 mals occurred;

17 (2) the total number, species, breed, and in-
18 tended product of the depopulated animals;

19 (3) the depopulation and disposal methods uti-
20 lized;

21 (4) any monitoring, testing, or sampling pro-
22 tocol put in place to monitor releases of environ-
23 mental contaminants from the disposal location;

1 (5) a summary of any assets utilized or received
2 from the national stockpile established pursuant to
3 section 114(c)(2), as applicable;

4 (6) documentation of compliance or noncompli-
5 ance with the standard disaster mitigation plan de-
6 scribed in section 112(a)(2)(B) of the covered indus-
7 trial operator; and

8 (7) the cost associated with the depopulation
9 and disposal, including labor.

10 (b) **PUBLICLY SEARCHABLE DATABASE.**—The Sec-
11 retary, acting through the Office, shall develop and make
12 publicly available an electronically searchable and sortable
13 online database that contains information—

14 (1) reported under subsection (a); and

15 (2) submitted by covered industrial operators
16 registering under section 112.

17 **SEC. 116. CIVIL ACTIONS.**

18 (a) **IN GENERAL.**—Any person may—

19 (1) bring a civil action against a covered indus-
20 trial operator or the Secretary in an appropriate
21 court to redress any violation of this subtitle or any
22 other law relating to the activities described in this
23 subtitle; and

1 (2) obtain appropriate relief in that civil action,
2 including equitable relief and compensatory dam-
3 ages.

4 (b) ATTORNEY’S FEES FOR PLAINTIFF.—The court
5 shall award a reasonable attorney’s fee as part of the costs
6 to a prevailing plaintiff in a civil action described in sub-
7 section (a).

8 **Subtitle B—Department of Labor**

9 **SEC. 121. DEFINITIONS.**

10 In this subtitle:

11 (1) AFFECTED CONTRACT GROWER.—The term
12 “affected contract grower” means an owner of an
13 AFO—

14 (A) that raises livestock or poultry pursu-
15 ant to a written contract, marketing arrange-
16 ment, or other arrangement, with a covered in-
17 dustrial operator; and

18 (B) whose AFO is impacted by a disaster
19 mitigation event.

20 (2) AFFECTED CONTRACTOR.—The term “af-
21 fected contractor” means an individual or entity that
22 supplies, either with or without a contract, a covered
23 industrial operator with a worker to perform labor
24 directly or indirectly related to a disaster mitigation
25 event.

1 (3) COVERED WORKER.—

2 (A) IN GENERAL.—The term “covered
3 worker”—

4 (i) means an employee who performs
5 labor in connection with a disaster mitiga-
6 tion event for a covered industrial oper-
7 ator; and

8 (ii) includes any employee of an af-
9 fected contract grower, or of another af-
10 fected contractor, of a covered industrial
11 operator.

12 (B) ADDITIONAL TERMS.—In this para-
13 graph, the term “employee” means an indi-
14 vidual performing any labor for a covered in-
15 dustrial operator, including through an affected
16 contract grower or other affected contractor,
17 unless—

18 (i) the individual is free from control
19 and direction in connection with the per-
20 formance of the labor, both under the con-
21 tract for the performance of labor and in
22 fact;

23 (ii) the labor is performed outside the
24 usual course of the business of the covered
25 industrial operator; and

1 (iii) the individual is customarily en-
2 gaged in an independently established
3 trade, occupation, profession, or business
4 of the same nature as that involved in the
5 labor performed.

6 (4) DISASTER MITIGATION EVENT.—The term
7 “disaster mitigation event” means a disaster event
8 affecting a covered industrial operator that triggers
9 activities described in the disaster mitigation plan
10 submitted by the covered industrial operator under
11 section 112(a)(2)(B).

12 **SEC. 122. MINIMUM LABOR STANDARDS FOR COVERED**
13 **WORKERS AND AFFECTED CONTRACT GROW-**
14 **ERS.**

15 (a) APPLICABILITY.—A covered industrial operator
16 that employs or contracts with covered workers, affected
17 contract growers, or other affected contractors related to
18 a disaster mitigation event shall comply with the labor
19 standards described in subsection (b).

20 (b) LABOR STANDARDS.—The labor standards de-
21 scribed in this subsection are the following:

22 (1) WHISTLEBLOWER PROTECTIONS.—A cov-
23 ered industrial operator shall not discharge, cause to
24 be discharged, or in any other manner discriminate
25 against any covered worker or affected contract

1 grower because such covered worker or affected con-
2 tract grower—

3 (A) has filed any complaint or instituted or
4 caused to be instituted any proceeding under or
5 related to this section; or

6 (B) has testified or is about to testify in
7 any such proceeding.

8 (2) HEALTH INSURANCE REQUIREMENT.—Dur-
9 ing a disaster mitigation event and for a period of
10 not less than 2 years following the disaster mitiga-
11 tion event, the covered industrial operator shall offer
12 each covered worker and affected contract grower of
13 the covered industrial operator a health plan that
14 provides coverage that is at least equivalent to cov-
15 erage provided by an essential health benefits pack-
16 age (as defined in subsection (a) of section 1302 of
17 the Patient Protection and Affordable Care Act (42
18 U.S.C. 18022)) at the silver level of coverage (as de-
19 fined in subsection (d)(1)(B) of such section), re-
20 gardless of their employment status or contract with
21 the covered industrial operator. Such covered indus-
22 trial operator shall pay the full premium amount for
23 such health plan for each such covered worker or af-
24 fected contract grower who elects to enroll in such
25 plan.

1 (3) SEVERANCE PAY FOR COVERED WORK-
2 ERS.—In the case of a disaster mitigation event, the
3 covered industrial operator shall provide any covered
4 worker terminated by the covered industrial oper-
5 ator, or by an affected contract grower or other af-
6 fected contractor of the covered industrial operator
7 impacted by the disaster mitigation event, during
8 the 60-day period following the disaster mitigation
9 event with 12 weeks of severance pay, at a weekly
10 rate equal to the average weekly earnings of the cov-
11 ered worker during the disaster mitigation event.

12 (4) LOST REVENUE FOR AFFECTED CONTRACT
13 GROWERS.—In any case in which a covered indus-
14 trial operator terminates the contract of an affected
15 contract grower following a disaster mitigation
16 event, the covered industrial operator shall provide
17 an amount of lost revenue to the affected contract
18 grower equal to the affected contract grower's rev-
19 enue from the covered operator during the preceding
20 180 days.

21 (c) ENFORCEMENT BY THE SECRETARY OF
22 LABOR.—

23 (1) GENERAL AUTHORITY.—The Secretary of
24 Labor shall receive, investigate, and attempt to re-
25 solve complaints of violations of this section in the

1 same manner that the Secretary of Labor receives,
2 investigates, and attempts to resolve complaints of
3 violations of sections 6, 7, and 15(a)(3) of the Fair
4 Labor Standards Act of 1938 (29 U.S.C. 206, 207,
5 and 215(a)(3)), including such Secretary's authority
6 to supervise payment of wages and compensation
7 under section 16(c) of such Act (29 U.S.C. 216(c)).

8 (2) CIVIL PENALTIES.—The Secretary of Labor
9 may assess a civil penalty against a covered indus-
10 trial operator that violates any provision of this sec-
11 tion.

12 (3) MONITORING COMPLIANCE.—Not later than
13 90 days after the date of enactment of this Act, the
14 Secretary of Labor shall—

15 (A) develop a process to monitor compli-
16 ance with the standards under this section that
17 requires covered industrial operators to provide
18 information to demonstrate such compliance;
19 and

20 (B) issue rules to determine penalties for
21 noncompliance with this section.

22 (4) NOTIFICATION OF OFFICE.—The Secretary
23 of Labor shall notify the Office of any covered in-
24 dustrial operator that is determined to be non-
25 compliant with the requirements of this section.

1 (d) RIGHT OF ACTION FOR VIOLATIONS.—

2 (1) PRIVATE RIGHT OF ACTION FOR VIOLA-
3 TIONS.—An action to recover damages or obtain re-
4 lief prescribed in paragraph (2) may be maintained
5 against any covered industrial operator in any Fed-
6 eral or State court of competent jurisdiction by 1 or
7 more covered workers or affected contract growers
8 for and on behalf of themselves and other similarly
9 situated covered workers or affected contract grow-
10 ers.

11 (2) LIABILITY.—

12 (A) IN GENERAL.—A covered industrial
13 operator who violates this section shall be liable
14 to each covered worker or affected contract
15 grower that is aggrieved by the violation for—

16 (i) damages in the amount of unpaid
17 wages, salary, overtime compensation, or
18 other compensation denied or lost by rea-
19 son of the violation; and

20 (ii) an additional equal amount as liq-
21 uidated damages.

22 (B) ATTORNEY'S FEES AND COSTS.—In a
23 civil action brought under paragraph (1) in
24 which the plaintiff prevails, the court shall

1 award the plaintiff reasonable attorney's fees
2 and costs of the action.

3 (3) ENFORCEMENT BY THE SECRETARY OF
4 LABOR.—The Secretary of Labor may bring an ac-
5 tion in any court of competent jurisdiction to recover
6 damages or obtain relief described in paragraph (2)
7 on behalf of a covered worker or affected contract
8 grower aggrieved by a violation of this section.

9 **SEC. 123. PROHIBITION ON THE USE OF INCARCERATED**
10 **WORKERS.**

11 Notwithstanding any other provision of law, a covered
12 industrial operator that the Secretary of Labor determines
13 entered into a contract, on or after the date of enactment
14 of this Act, with any entity to utilize incarcerated workers
15 to perform labor related to a disaster mitigation event
16 shall not be eligible for—

17 (1) any Federal contracts for a period of 10
18 years beginning on the date of the determination;
19 and

20 (2) inspection of any facility owned or con-
21 trolled by the covered industrial operator pursuant
22 to the Federal Meat Inspection Act (21 U.S.C. 601
23 et seq.) or the Poultry Products Inspection Act (21
24 U.S.C. 451 et seq.), as applicable, for a period of 10
25 years beginning on that date.

1 **TITLE II—GRANT AND PILOT**
2 **PROGRAMS**

3 **SEC. 201. DEFINITIONS.**

4 In this title:

5 (1) CONTROLLED-ATMOSPHERE STUNNING.—

6 The term “controlled-atmosphere stunning” means
7 rendering poultry unconscious through exposure to a
8 mixture of gas (nitrogen and argon or concentra-
9 tions of carbon dioxide) before slaughter.

10 (2) ELIGIBLE PROCESSING FACILITY.—The
11 term “eligible processing facility” means an eligible
12 facility described in section 764 of division N of the
13 Consolidated Appropriations Act, 2021 (21 U.S.C.
14 473), that has a labor peace agreement in place.

15 (3) LABOR PEACE AGREEMENT.—The term
16 “labor peace agreement” means an agreement—

17 (A) between an employer and a labor orga-
18 nization that represents, or is actively seeking
19 to represent as of the date on which the labor
20 peace agreement is entered, the employees of
21 the employer; and

22 (B) under which such employer and such
23 labor organization agree that—

24 (i) the employer will not—

1 (I) hinder any effort of an em-
2 ployee to join a labor organization; or

3 (II) take any action that directly
4 or indirectly indicates or implies any
5 opposition to an employee joining a
6 labor organization;

7 (ii) the labor organization will refrain
8 from picketing, work stoppages, or boy-
9 cotts against the employer;

10 (iii) the employer will—

11 (I) provide the labor organization
12 with employee contact information;
13 and

14 (II) facilitate or permit labor or-
15 ganization access to employees at the
16 workplace, including facilitating or
17 permitting the labor organization to
18 meet with employees to discuss joining
19 the labor organization; and

20 (iv) the employer will, upon the re-
21 quest of the labor organization, recognize
22 the labor organization as the bargaining
23 representative of the employees if a major-
24 ity of the employees choose the labor orga-
25 nization as their bargaining representative.

1 **SEC. 203. PILOT PROGRAM FOR INCREASED ACCESSIBILITY**
2 **TO INSPECTION AND TECHNICAL ASSIST-**
3 **ANCE FOR ELIGIBLE PROCESSING FACILI-**
4 **TIES.**

5 (a) **IN GENERAL.**—The Secretary shall carry out a
6 5-year pilot program within the Meat and Poultry Inspec-
7 tion Division of the Food Safety and Inspection Service—

8 (1) to expand the availability of processing in-
9 spectors, technical assistance, and onsite inspection
10 for eligible processing facilities, including no-cost
11 overtime inspections; and

12 (2) to identify and train part-time inspectors
13 and technical assistance providers.

14 (b) **PROFESSIONAL EXPERIENCE.**—The Secretary
15 shall determine the appropriate professional experience of
16 inspectors and providers described in subsection (a)(2),
17 which shall include individuals with expertise in veterinary
18 medicine, public health, food service management, and
19 animal science, as applicable.

20 (c) **FUNDING.**—There is authorized to be appro-
21 priated to the Secretary not less than \$50,000,000 to
22 carry out this section.

1 **TITLE III—HUMANE HANDLING**
2 **REFORMS**

3 **Subtitle A—Transport**

4 **SEC. 311. TRANSPORTATION OF LIVESTOCK AND POULTRY.**

5 (a) TRANSPORTATION LASTING MORE THAN 8
6 HOURS.—

7 (1) IN GENERAL.—Section 80502 of title 49,
8 United States Code, is amended—

9 (A) in subsection (a)(1), by striking “a rail
10 carrier” and all that follows through “territory
11 or possession,” and inserting “a covered pro-
12 vider of transportation”;

13 (B) in subsection (b)—

14 (i) in paragraph (3), by striking “sub-
15 section (a) of this section” and inserting
16 “subsection (b)”;

17 (ii) by redesignating paragraphs (1)
18 through (3) as subparagraphs (A) through
19 (C), respectively, and indenting appro-
20 priately;

21 (iii) in the matter preceding subpara-
22 graph (A) (as so redesignated), in the
23 third sentence—

24 (I) by striking “the rail carrier”
25 and all that follows through “a ves-

1 sel” and inserting “the covered pro-
2 vider of transportation”; and

3 (II) by striking “When the ani-
4 mals” and inserting the following:

5 “(3) RESPONSIBILITY OF COVERED PROVIDER
6 OF TRANSPORTATION.—When the animals”;

7 (iv) in the matter preceding para-
8 graph (3) (as so designated), in the second
9 sentence, by striking “The owner” and in-
10 serting the following:

11 “(2) RESPONSIBILITY OF OWNER OR PERSON
12 HAVING CUSTODY.—The owner”; and

13 (v) in the matter preceding paragraph
14 (2) (as so designated), by striking “Ani-
15 mals being” and inserting the following:

16 “(1) IN GENERAL.—Animals being”;

17 (C) in subsection (d)—

18 (i) in the second sentence, by striking
19 “On learning” and inserting the following:

20 “(2) CIVIL ACTION.—On learning”; and

21 (ii) in the first sentence, by striking
22 “A rail carrier” and all that follows
23 through “a vessel” and inserting the fol-
24 lowing:

1 “(1) IN GENERAL.—A covered provider of
2 transportation”;

3 (D) by redesignating subsections (a)
4 through (d) as subsections (b), (c), (g), and (f),
5 respectively, and moving the subsections so as
6 to appear in alphabetical order;

7 (E) by inserting before subsection (b) (as
8 so redesignated) the following:

9 “(a) DEFINITIONS.—In this section:

10 “(1) COVERED INDUSTRIAL OPERATOR.—

11 “(A) IN GENERAL.—The term ‘covered in-
12 dustrial operator’ means an individual or entity
13 that owns or controls a quantity of livestock or
14 poultry that is not less than the quantity de-
15 scribed in subparagraph (B) for the applicable
16 livestock or poultry.

17 “(B) QUANTITY OF LIVESTOCK OR POUL-
18 TRY IN AFOS.—The quantity of livestock or
19 poultry referred to in subparagraph (A) is 1 or
20 more of the following quantities of livestock or
21 poultry housed in 1 or more Animal Feeding
22 Operations at a single point in time:

23 “(i) 2,500 swine.

24 “(ii) 30,000 turkeys or ducks.

25 “(iii) 82,000 laying hens or broilers.

1 “(2) COVERED PROVIDER OF TRANSPOR-
2 TATION.—

3 “(A) IN GENERAL.—The term ‘covered
4 provider of transportation’ means an individual
5 or entity described in subparagraph (B) that is
6 transporting animals from a place in a State,
7 the District of Columbia, or a territory or pos-
8 session of the United States through or to a
9 place in another State, the District of Colum-
10 bia, or a territory or possession of the United
11 States.

12 “(B) INDIVIDUALS AND ENTITIES DE-
13 SCRIBED.—An individual or entity referred to
14 in subparagraph (A) is—

15 “(i) a rail carrier, express carrier, or
16 common carrier (except by air or water);

17 “(ii) a receiver, trustee, or lessee of a
18 carrier described in clause (i); or

19 “(iii) an owner or master of a vessel.

20 “(3) SECRETARY.—The term ‘Secretary’ means
21 the Secretary of Agriculture.”; and

22 (F) by inserting after subsection (c) (as so
23 redesignated) the following:

24 “(d) TRANSPORTATION LASTING MORE THAN 8
25 HOURS.—

1 “(1) IN GENERAL.—In any case in which ani-
2 animals are transported by a covered provider of trans-
3 portation on behalf of a covered industrial operator
4 for a period lasting, or expected to last, more than
5 8 consecutive hours, the covered provider of trans-
6 portation transporting the animals shall ensure
7 that—

8 “(A) the means of transport provides ade-
9 quate protection of the animals from high
10 winds, rain, and snow;

11 “(B) any livestock or poultry are provided
12 with appropriate bedding or equivalent material
13 that—

14 “(i) prevents slipping;

15 “(ii) ensures a level of comfort appro-
16 priate to—

17 “(I) the species of the livestock
18 or poultry;

19 “(II) the number of animals
20 being transported;

21 “(III) the duration of the period
22 of transportation; and

23 “(IV) the weather; and

24 “(iii) provides adequate absorption of
25 urine and feces;

1 “(C) the animals are not overcrowded dur-
2 ing transport, including by complying with the
3 regulations promulgated under paragraph (2);

4 “(D) the means of transport is equipped
5 with a water supply that ensures that each ani-
6 mal has access to water in a manner and quan-
7 tity appropriate to the species and size of the
8 animal;

9 “(E) watering devices on the means of
10 transport are—

11 “(i) in good working order;

12 “(ii) appropriately designed; and

13 “(iii) positioned appropriately for the
14 species of animal to be watered during
15 transport; and

16 “(F) the animals are not transported when
17 the temperature within the means of transport
18 cannot be maintained between 40 degrees Fahr-
19 enheit and 86 degrees Fahrenheit.

20 “(2) RULEMAKING.—

21 “(A) IN GENERAL.—The Secretary shall
22 promulgate regulations setting species-specific
23 space allowances during periods of transpor-
24 tation lasting more than 8 hours.

1 “(B) REQUIREMENTS.—The regulations
2 promulgated under subparagraph (A) shall en-
3 sure that each species of animal has enough
4 space—

5 “(i) to turn around;

6 “(ii) to lie down; and

7 “(iii) to fully extend the limbs of the
8 animal.

9 “(e) RECORDKEEPING.—

10 “(1) IN GENERAL.—Each covered industrial op-
11 erator shall maintain records of all livestock trans-
12 ported by the covered industrial operator.

13 “(2) PRODUCTION OF RECORDS.—A covered in-
14 dustrial operator shall provide the records main-
15 tained under paragraph (1) to the Secretary on re-
16 quest.”.

17 “(2) EFFECTIVE DATE.—The amendments made
18 by paragraph (1) take effect on the date that is 1
19 year after the date of enactment of this Act.

20 “(3) RULEMAKING.—Not later than 1 year after
21 the date of enactment of this Act, the Secretary
22 shall promulgate final regulations to implement the
23 amendments made by paragraph (1).

24 (b) MODIFICATION OF 28-HOUR RULE.—

1 (1) IN GENERAL.—Section 80502 of title 49,
2 United States Code (as amended by subsection (a)),
3 is amended—

4 (A) in subsection (b)—

5 (i) in paragraph (1)—

6 (I) by striking “(1) Except as
7 provided” and inserting the following:

8 “(1) IN GENERAL.—Except as otherwise pro-
9 vided”; and

10 (II) by striking “28” and insert-
11 ing “8”;

12 (ii) by striking paragraph (2) and in-
13 serting the following:

14 “(2) EXCEPTIONS.—

15 “(A) IN GENERAL.—Animals may be con-
16 fined for more than 8 hours when the animals
17 cannot be unloaded because of accidental or un-
18 avoidable causes that could not have been an-
19 ticipated or avoided when being careful.

20 “(B) SHEEP.—Sheep may be confined for
21 an additional 8 consecutive hours without being
22 unloaded when the 8-hour period of confine-
23 ment described in paragraph (1) ends at
24 night.”; and

1 (iii) in paragraph (3), by striking “(3)
2 Time” and inserting the following:

3 “(3) LOADING AND UNLOADING.—Time”; and
4 (B) by striking subsection (g).

5 (2) EFFECTIVE DATE.—The amendments made
6 by paragraph (1) take effect on the date that is 10
7 years after the date of enactment of this Act.

8 **SEC. 312. HIGHER-WELFARE TRANSPORT RESEARCH FUND-**
9 **ING.**

10 (a) DEFINITIONS.—In this section:

11 (1) ELIGIBLE RESEARCH INSTITUTION.—The
12 term “eligible research institution” means—

13 (A) an 1862 Institution (as defined in sec-
14 tion 2 of the Agricultural Research, Extension,
15 and Education Reform Act of 1998 (7 U.S.C.
16 7601));

17 (B) an 1890 Institution (as defined in that
18 section);

19 (C) a 1994 Institution (as defined in sec-
20 tion 532 of the Equity in Educational Land-
21 Grant Status Act of 1994 (7 U.S.C. 301 note;
22 Public Law 103–382));

23 (D) a non-land-grant college of agriculture
24 (as defined in section 1404 of the National Ag-
25 ricultural Research, Extension, and Teaching

1 Policy Act of 1977 (7 U.S.C. 3103)) that has
2 a demonstrable capacity to conduct livestock or
3 poultry research, as determined by the Sec-
4 retary;

5 (E) Hispanic-serving agricultural colleges
6 and universities (as defined in that section);
7 and

8 (F) a center of excellence recognized under
9 section 1673 of the Food, Agriculture, Con-
10 servation, and Trade Act of 1990 (7 U.S.C.
11 5926).

12 (2) HIGHER-WELFARE TRANSPORT.—The term
13 “higher-welfare transport” means the handling,
14 loading, and transport mechanisms by which live-
15 stock and poultry are transported, at any time,
16 which take into account animal welfare and species-
17 specific requirements to ensure that—

18 (A) animal welfare is maintained through-
19 out transport; and

20 (B) animals are spared unnecessary dis-
21 tress or injury.

22 (b) GRANT PROGRAM.—The Secretary shall establish
23 a program to provide grants to eligible research institu-
24 tions to study higher-welfare transport.

1 (c) APPLICATIONS.—To be eligible for a grant under
2 this section, an eligible research institution shall submit
3 to the Secretary an application at such time, in such man-
4 ner, and containing such information as the Secretary may
5 require.

6 (d) REQUIREMENTS.—In carrying out the program
7 established under subsection (b), the Secretary shall en-
8 sure that none of the grant funding may be used to per-
9 form any experiment that would not comply with current
10 transport law.

11 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
12 authorized to be appropriated to the Secretary to carry
13 out this section \$50,000,000 for each of fiscal years 2023
14 through 2025.

15 **Subtitle B—Nonambulatory** 16 **Livestock**

17 **SEC. 321. UNLAWFUL SLAUGHTER PRACTICES INVOLVING** 18 **NONAMBULATORY LIVESTOCK.**

19 (a) IN GENERAL.—Public Law 85–765 (commonly
20 known as the “Humane Methods of Slaughter Act of
21 1958”) is amended by inserting after section 2 (7 U.S.C.
22 1902) the following:

23 **“SEC. 3. NONAMBULATORY LIVESTOCK.**

24 “(a) DEFINITIONS.—In this section:

1 “(1) COVERED ENTITY.—The term ‘covered en-
2 tity’ means—

3 “(A) a stockyard;

4 “(B) a market agency;

5 “(C) a packer (as defined in section 201 of
6 the Packers and Stockyards Act, 1921 (7
7 U.S.C. 191));

8 “(D) a dealer (as defined in section 301 of
9 the Packers and Stockyards Act, 1921 (7
10 U.S.C. 201));

11 “(E) a slaughter facility; and

12 “(F) an establishment.

13 “(2) ESTABLISHMENT.—The term ‘establish-
14 ment’ means an establishment that is subject to in-
15 spection pursuant to the Federal Meat Inspection
16 Act (21 U.S.C. 601 et seq.).

17 “(3) HUMANELY EUTHANIZE.—The term ‘hu-
18 manely euthanize’ means to immediately render an
19 animal unconscious by mechanical, chemical, or
20 other means, with the unconscious state remaining
21 until the death of the animal.

22 “(4) NONAMBULATORY LIVESTOCK.—The term
23 ‘nonambulatory livestock’ means any cattle, sheep,
24 swine, goats, or horses, mules, or other equines who
25 cannot stand or walk unassisted.

1 “(5) SECRETARY.—The term ‘Secretary’ means
2 the Secretary of Agriculture.

3 “(b) HUMANE TREATMENT, HANDLING, AND DIS-
4 POSITION.—The Secretary shall promulgate regulations to
5 provide for the humane treatment, handling, and disposi-
6 tion of all nonambulatory livestock by covered entities, in-
7 cluding requirements for covered entities—

8 “(1) to immediately humanely euthanize non-
9 ambulatory livestock when the livestock becomes
10 nonambulatory livestock, subject to subsection (c);
11 and

12 “(2)(A) to have written policies and procedures
13 in place, and proper equipment, relating to the hu-
14 mane handling, euthanization, and disposition of all
15 nonambulatory livestock;

16 “(B) to maintain records of all nonambulatory
17 livestock; and

18 “(C) to electronically submit those written poli-
19 cies and procedures and records to the Adminis-
20 trator of the Food Safety and Inspection Service.

21 “(c) HUMANE EUTHANASIA.—

22 “(1) IN GENERAL.—The Secretary shall pro-
23 mulgate regulations specifying—

24 “(A) the methods of euthanasia that shall
25 be acceptable for the humane disposition of

1 nonambulatory livestock required under the reg-
2 ulations promulgated under subsection (b); and

3 “(B) processes for ensuring effective en-
4 forcement of the use of those methods.

5 “(2) DISEASE TESTING.—The regulations pro-
6 mulgated under subsection (b) shall not limit the
7 ability of the Secretary to test nonambulatory live-
8 stock for a disease.

9 “(d) TRANSACTING OR PROCESSING.—A covered en-
10 tity shall not—

11 “(1) buy or sell a nonambulatory animal; or

12 “(2) process, butcher, or sell meat or products
13 of nonambulatory livestock.

14 “(e) RECORDS.—The Administrator of the Food
15 Safety and Inspection Service shall maintain all docu-
16 ments submitted by covered entities pursuant to the regu-
17 lations under subsection (b).”.

18 (b) INSPECTION OF NONAMBULATORY LIVESTOCK;
19 LABELING.—Section 6 of the Federal Meat Inspection Act
20 (21 U.S.C. 606) is amended by adding at the end the fol-
21 lowing:

22 “(c) INSPECTION OF NONAMBULATORY LIVESTOCK;
23 LABELING.—

24 “(1) DEFINITION OF NONAMBULATORY LIVE-
25 STOCK.—In this subsection, the term ‘non-

1 ambulatory livestock’ means any cattle, sheep, swine,
2 goats, or horses, mules, or other equines who cannot
3 stand or walk unassisted.

4 “(2) INSPECTION.—It shall be unlawful for an
5 inspector at an establishment subject to inspection
6 under this Act to pass through inspection any non-
7 ambulatory livestock or carcass (including parts of a
8 carcass) of nonambulatory livestock.

9 “(3) LABELING.—An inspector or other em-
10 ployee of an establishment described in paragraph
11 (2) shall label, mark, stamp, or tag as ‘inspected
12 and condemned’ any carcass (including parts of a
13 carcass) of nonambulatory livestock.”.

14 (c) EFFECTIVE DATE.—

15 (1) IN GENERAL.—Except as provided in para-
16 graph (2), the amendments made by subsections (a)
17 and (b) shall take effect on the date that is 1 year
18 after the date of enactment of this Act.

19 (2) REGULATIONS.—Not later than 1 year after
20 the date of enactment of this Act, the Secretary
21 shall promulgate final regulations to implement the
22 amendments made by subsections (a) and (b).

1 **SEC. 322. UNLAWFUL USE OF DRUGS CONTRIBUTING TO**
2 **NONAMBULATORY CONDITIONS.**

3 The Animal Health Protection Act is amended by in-
4 serting after section 10409A (7 U.S.C. 8308a) the fol-
5 lowing:

6 **“SEC. 10409B. UNLAWFUL USE OF DRUGS ON CERTAIN ANI-**
7 **MALS.**

8 “Any use of a beta-agonist drug, including
9 ractopamine, zilpaterol, and lubabegron, in an animal in
10 the absence of disease, including use for growth promotion
11 or feed efficiency, is prohibited.”.

12 **SEC. 323. INCLUSION OF POULTRY IN HUMANE METHODS**
13 **OF SLAUGHTER ACT.**

14 (a) IN GENERAL.—Public Law 85–765 (commonly
15 known as the “Humane Methods of Slaughter Act of
16 1958”) (7 U.S.C. 1901 et seq.) is amended by adding
17 “and poultry” after the term “livestock” each place it ap-
18 pears, except as provided in subsection (b).

19 (b) OTHER CONFORMING AMENDMENT.—Section
20 2(a) of Public Law 85–765 (commonly known as the “Hu-
21 mane Methods of Slaughter Act of 1958”) (7 U.S.C.
22 1902) is amended by striking “and other livestock,” and
23 inserting “other livestock, and poultry”.

24 (c) EFFECTIVE DATE.—The amendments made by
25 subsections (a) and (b) shall take effect on the date that
26 is 10 years after the date of enactment of this Act.

1 **Subtitle C—Inspections**

2 **SEC. 331. DEFINITIONS.**

3 In this subtitle:

4 (1) COVERED ESTABLISHMENT.—The term
5 “covered establishment” means—

6 (A) an official establishment (as defined in
7 section 301.2 of title 9, Code of Federal Regu-
8 lations (or successor regulations)) that is sub-
9 ject to inspection under the Federal Meat In-
10 spection Act (21 U.S.C. 601 et seq.); and

11 (B) an official establishment (as defined in
12 section 381.1 of title 9, Code of Federal Regu-
13 lations (or successor regulations)) that is sub-
14 ject to inspection under the Poultry Products
15 Inspection Act (21 U.S.C. 451 et seq.).

16 (2) EMPLOYEE.—The term “employee” has the
17 meaning given the term in section 3 of the Occupa-
18 tional Safety and Health Act of 1970 (29 U.S.C.
19 652).

20 **SEC. 332. ENDING DANGEROUS HIGHER-SPEED SLAUGHTER**
21 **AND SELF-INSPECTION SYSTEMS.**

22 (a) DEFINITION OF COVERED PROGRAM.—

23 (1) IN GENERAL.—The term “covered pro-
24 gram” means any waiver, program, or regulation
25 that—

1 (A) allows covered establishments to oper-
2 ate at slaughter speeds that exceed existing lim-
3 its required by regulations of the Department
4 of Agriculture as of the date of enactment of
5 this Act;

6 (B) reduces the number of Federal inspec-
7 tors in covered establishments; or

8 (C) replaces Federal inspectors at covered
9 establishments with employees of the covered
10 establishments for purposes of inspection.

11 (2) INCLUSIONS.—The term “covered program”
12 includes—

13 (A) the New Swine Slaughter Inspection
14 System described in the final rule entitled
15 “Modernization of Swine Slaughter Inspection”
16 (84 Fed. Reg. 52300 (October 1, 2019));

17 (B) the New Poultry Inspection System
18 described in the final rule entitled “Moderniza-
19 tion of Poultry Slaughter Inspection” (79 Fed.
20 Reg. 49566 (August 21, 2014)); and

21 (C) any waiver issued under an inspection
22 system described in subparagraph (A) or (B).

23 (b) TERMINATION OF COVERED PROGRAMS.—The
24 Secretary, acting through the Administrator of the Food
25 Safety and Inspection Service, shall terminate or suspend

1 implementation of or conversion to, as applicable, all cov-
2 ered programs.

3 **SEC. 333. FUNDING FOR ADDITIONAL OSHA INSPECTORS.**

4 There is authorized to be appropriated \$60,000,000
5 for each of fiscal years 2023 through 2032 for the hiring
6 of additional inspectors to carry out inspections under sec-
7 tion 8 of the Occupational Safety and Health Act of 1970
8 (29 U.S.C. 657) in covered establishments.

9 **SEC. 334. FUNDING FOR ADDITIONAL FSIS INSPECTORS.**

10 (a) IN GENERAL.—There is authorized to be appro-
11 priated to the Secretary \$50,000,000 for each of fiscal
12 years 2023 through 2032 to hire additional full-time
13 equivalent positions within the Food Safety and Inspection
14 Service relating to inspections conducted pursuant to, and
15 the enforcement of, Public Law 85–765 (commonly known
16 as the “Humane Methods of Slaughter Act of 1958”) (7
17 U.S.C. 1901 et seq.).

18 (b) PRIORITY FOR HIRING.—In carrying out sub-
19 section (a), priority shall be given to hiring personnel—

20 (1) to inspect processing facilities (as described
21 by the term “eligible facility” in section 764 of divi-
22 sion N of the Consolidated Appropriations Act, 2021
23 (21 U.S.C. 473)); and

1 (2) in regions with the highest number of va-
2 cancies within the Food Safety and Inspection Serv-
3 ice.