

## 117TH CONGRESS 1ST SESSION

## H. R. 1815

To direct the Secretary of Agriculture to suspend increases in line speeds at meat and poultry establishments, and for other purposes.

## IN THE HOUSE OF REPRESENTATIVES

March 11, 2021

Ms. Delauro (for herself, Mr. Thompson of Mississippi, Ms. Schakowsky, Mr. Van Drew, Mr. Cooper, Ms. Barragán, Mrs. Napolitano, Mr. Rush, Mr. Lowenthal, Mr. Suozzi, Ms. Kaptur, Mr. Khanna, Ms. Pingree, Mr. Hastings, Mrs. Watson Coleman, Ms. Lee of California, Mr. García of Illinois, Ms. Pressley, Mr. Levin of Michigan, Mr. McGovern, Ms. Clark of Massachusetts, Ms. Tlaib, and Mr. Cleaver) introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committees on Education and Labor, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

## A BILL

To direct the Secretary of Agriculture to suspend increases in line speeds at meat and poultry establishments, 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 "Safe Line Speeds in
- 5 COVID-19 Act".

1	SEC. 2. SUSPENDING AUTHORITY TO INCREASE LINE
2	SPEEDS AT MEAT AND POULTRY ESTABLISH-
3	MENTS.
4	(a) In General.—The Secretary of Agriculture, act-
5	ing through the Administrator of the Food Safety and In-
6	spection Service, for the duration of the COVID-19 emer-
7	gency period, shall—
8	(1) suspend any waivers related to line speeds
9	in covered establishments and inspection staffing re-
10	quirements for covered establishments issued before
11	the date of the enactment of this Act, and not issue
12	any new waivers to such establishments, including
13	under sections 303.1(h) and 381.3(b) of title 9,
14	Code of Federal Regulations (or successor regula-
15	tions); and
16	(2) suspend implementation of, and conversion
17	to, the New Swine Slaughter Inspection System as
18	described in the final rule entitled "Modernization of
19	Swine Slaughter Inspection" issued by the Depart-
20	ment of Agriculture in the Federal Register on Octo-
21	ber 1, 2019 (84 Fed. Reg. 52300 et seq.).
22	(b) Limitation on Authority With Respect to
23	LINE SPEEDS.—None of the funds made available to the
24	Department of Agriculture during the COVID-19 emer-
25	gency period shall be used to develop, propose, finalize,
26	issue, amend, or implement any policy, regulation, direc-

- 1 tive, constituent update, or any other agency program that
- 2 would increase line speeds at covered establishments.
- 3 (c) Effect on State Law.—The provisions of this
- 4 section are in addition to, and not in lieu of, any other
- 5 laws protecting worker safety and animal welfare. This
- 6 section shall not be construed to preempt or limit any law
- 7 or regulation of a State or a political subdivision of a State
- 8 containing requirements that are more protective of work-
- 9 er safety or animal welfare than the requirements of this
- 10 section, or which create penalties for conduct regulated by
- 11 this section.
- 12 (d) GAO REPORT.—Upon termination of the
- 13 COVID-19 emergency period, the Comptroller General of
- 14 the United States shall conduct a review of actions taken
- 15 by the Secretary of Agriculture, the Secretary of Labor,
- 16 and the Secretary of Health and Human Services in re-
- 17 sponse to the COVID-19 pandemic to determine the effec-
- 18 tiveness of such actions in protecting animal, food, and
- 19 worker safety. Such review shall include an analysis of,
- 20 with respect to covered establishments—
- 21 (1) all policies and regulations relating to in-
- spections of such establishments implemented by the
- 23 Secretary of Agriculture, the Secretary of Labor,
- and the Secretary of Health and Human Services re-
- 25 lating to COVID-19;

- 1 (2) the pandemic emergency preparedness plans 2 of such establishments;
  - (3) the extent to which such facilities have implemented guidance and recommendations to space workers six feet apart on production lines, break rooms, locker rooms, and all other workspaces;
    - (4) the quantity and usage of personal protective equipment by workers at such establishments;
    - (5) any guidance provided to inspectors of such establishments by the Secretary of Agriculture, Secretary of Labor, and the Secretary of Health and Human Services during the COVID-19 emergency period;
    - (6) actions taken by the Secretary of Agriculture, the Secretary of Labor, and the Secretary of Health and Human Services to protect animals, food, and workers at covered establishments with reported cases of COVID-19;
    - (7) all humane handling reports issued, and enforcement actions taken, by the Department of Agriculture in accordance with the Humane Methods of Slaughter Act (7 U.S.C. 1901 et seq.) and the good commercial practices regulations under the Poultry Products Inspection Act (21 U.S.C. 451 et seq.) during the COVID–19 emergency period;

- 1 (8) the impact of faster line speeds on the abil-2 ity of such establishments to maintain protections 3 for employees; and
- (9) any interference by any other Federal agency with reviews of any such establishments experiencing outbreaks of COVID-19 conducted by personnel of the Centers for Disease Control and Prevention.
- 9 (e) Reports to Congress.—Not later than Decem-
- 10 ber 31, 2021, the Secretary of Agriculture, the Secretary
- 11 of Labor, and the Secretary of Health and Human Serv-
- 12 ices shall each submit to the Committee on Agriculture
- 13 and the Committee on Education and Labor of the House
- 14 of Representatives and the Committee on Health, Edu-
- 15 cation, Labor, and Pensions and the Committee on Agri-
- 16 culture, Nutrition, and Forestry of the Senate a report
- 17 on the actions taken by the Secretary of Agriculture, the
- 18 Secretary of Labor, and the Secretary of Health and
- 19 Human Services, respectively, in response to the COVID-
- 20 19 pandemic to protect animal, food, and worker safety.
- 21 Each such report shall include the respective Secretary's
- 22 analysis of, with respect to facilities operated by covered
- 23 processors, the matters specified in each (as applicable)
- 24 of paragraphs (1) through (8) of subsection (d).
- 25 (f) Definitions.—In this section:

1	(1) The term "covered establishment" means
2	an official meat or poultry establishment that is sub-
3	ject to inspection under the Federal Meat Inspection
4	Act (21 U.S.C. 601 et seq.) or the Poultry Products
5	Inspection Act (21 U.S.C. 451 et seq.).
6	(2) The term "COVID-19 emergency period"
7	means—
8	(A) the emergency period, as defined in
9	section 1135(g)(1)(B) of the Social Security
10	Act $(42 \text{ U.S.C. } 1320b-5(g)(1)(B));$ and
11	(B) the 90-day period that follows the end
12	of such emergency period.