

# Congress of the United States

Washington, DC 20515

November 16, 2022

The Honorable Tom Vilsack  
Secretary  
U.S. Department of Agriculture  
1400 Independence Ave., S.W.  
Washington, D.C. 20250

**Re: Inclusive Competition and Market Integrity Under the Packers and Stockyards Act; Proposed Rule; RIN 0581-AE05; 87 Fed. Reg. 60010 (October 3, 2022).**

Dear Secretary Vilsack,

As representatives of districts with regional meat and poultry processing operations, we respectfully request that the U.S. Department of Agriculture's (USDA) Agricultural Marketing Service (AMS) grant a 180-day extension of the comment period for the above-referenced Proposed Rule. For the several reasons set forth below, we believe such an extension is warranted.

The *Inclusive Competition and Market Integrity Under the Packers and Stockyards Act* Proposed Rule ("the Proposed Rule") as written introduces novel regulatory concepts, which would have wide-ranging impacts on the contracting of poultry, cattle, and hogs, and would establish broad recordkeeping obligations on each of these sectors. Additionally, the lengthy preamble to the Proposed Rule poses 44 detailed, technical questions addressing many aspects of the proposal including potential definitions of terms that require careful consideration and feedback. To that end, it is appropriate that additional time is allotted to stakeholders and our constituents so that they may provide the most substantive comments possible.

Furthermore, the Proposed Rule is the latest installment in a three-part rulemaking announced last year. USDA has made it clear the rules will have significant changes to the meat and poultry supply chains. On June 8, 2022, USDA published a Proposed Rule entitled "Transparency in Poultry Grower Contracting and Tournaments" and an Advanced Notice of Proposed Rulemaking entitled "Poultry Growing Tournament Systems: Fairness and Related Concerns." In addition to these rulemakings, as well as the Proposed Rule referenced above, USDA has stated in press releases and in the 2022 Spring Regulatory Agenda its intent to promulgate another Proposed Rule entitled, "Clarification of Scope of the Packers and Stockyard Act." Each of these rules are inexorably connected, and USDA has described them as a, "suite of major actions under the Biden administration to create fairer marketplaces for poultry, livestock, and hog producers." To fully understand the economic, legal, and operational impacts of the Proposed Rule, and to provide meaningful comments, stakeholders and our constituents must have the opportunity to consider USDA's competition agenda in its entirety.

As such, we respectfully request that USDA extend the comment period of the Proposed Rule for 180 days. Doing so would allow stakeholders and constituents to fully study the impact that the Department's full competition agenda would have on industry efficiency and compliance costs, food availability and hunger, and inflationary pressures on consumers.

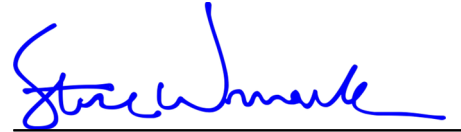
Thank you for your fair and full consideration of this letter. Please do not hesitate to reach out.

Sincerely,



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Jim Costa  
Member of Congress



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Steve Womack  
Member of Congress



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David Rouzer  
Member of Congress



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Dan Bishop  
Member of Congress



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Earl L. "Buddy" Carter  
Member of Congress



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Ben Cline  
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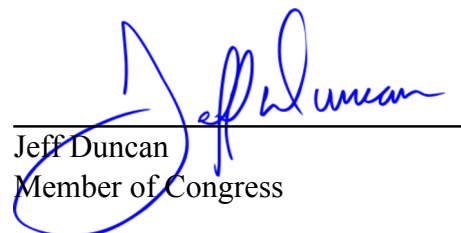
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Eric A. "Rick" Crawford  
Member of Congress



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Scott DesJarlais, M.D.  
Member of Congress



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Jeff Duncan  
Member of Congress



Charles J. "Chuck" Fleischmann  
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Louie Gohmert  
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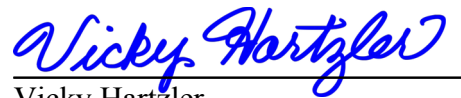
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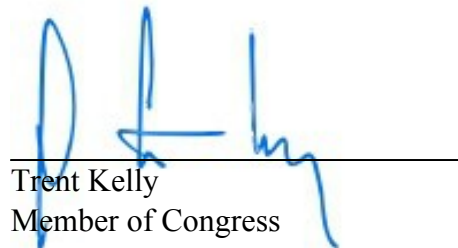
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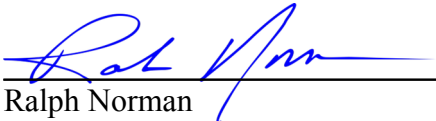
Frank D. Lucas  
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Barry Moore  
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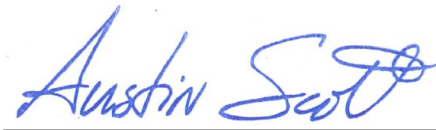
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Bruce Westerman  
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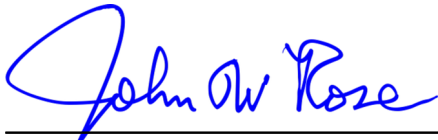
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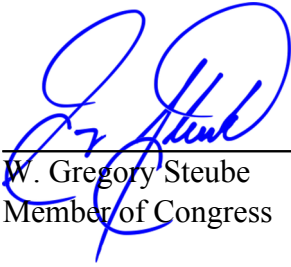
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Dan Newhouse  
Member of Congress



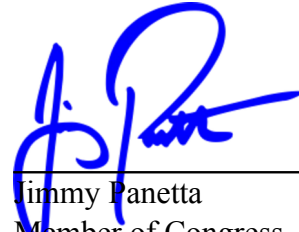
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Robert E. Latta  
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W. Gregory Steube  
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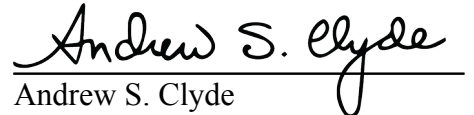
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Jimmy Panetta  
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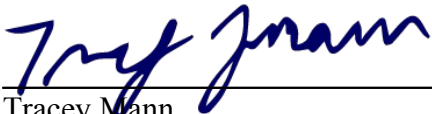
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Mary E. Miller  
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Tracey Mann  
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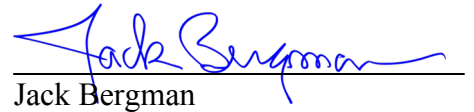


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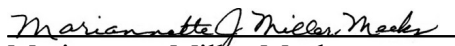
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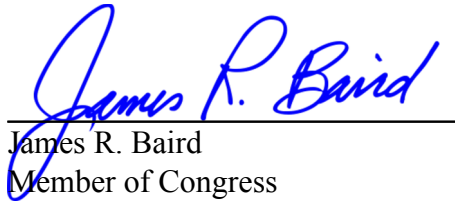
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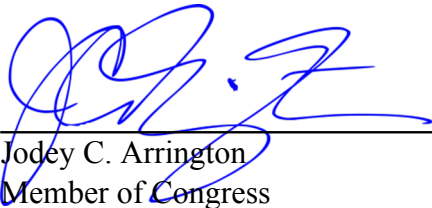
Bob Good  
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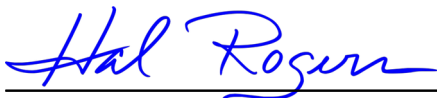
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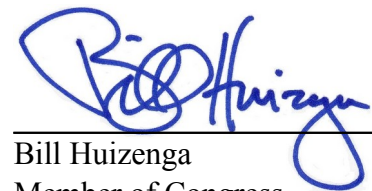
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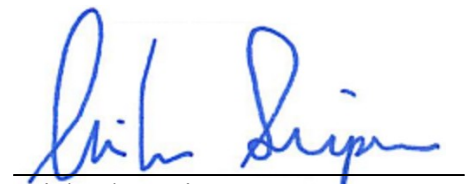
Mayra Flores  
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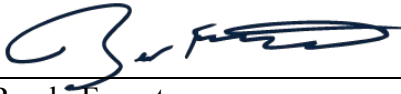


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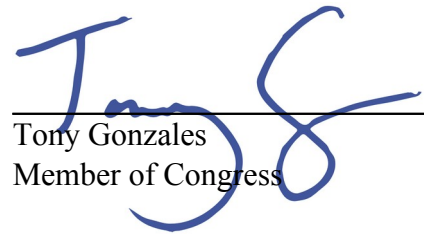
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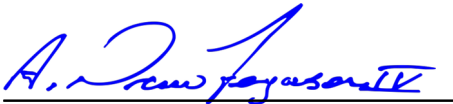
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Member of Congress



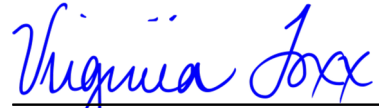
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Lance Gooden  
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Virginia Foxx  
Member of Congress



Darren Soto  
Member of Congress

/s/

Connie Conway  
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Ken Calvert  
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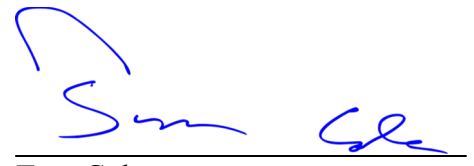


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Member of Congress



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Mario Diaz-Balart  
Member of Congress




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Tom Cole  
Member of Congress



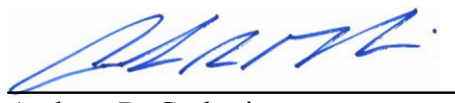
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Kay Granger  
Member of Congress



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Diana Harshbarger  
Member of Congress



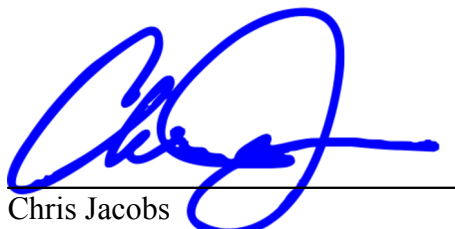
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Andrew R. Garbarino  
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Ashley Hinson  
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Chris Jacobs  
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Cliff Bentz  
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Lisa Blunt Rochester  
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David Kustoff  
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Cc: S. Brett Offutt, Chief Legal Officer and Policy Advisor, Packers and Stockyards Division  
Andy Green, Senior Advisor for Fair and Competitive Markets  
Jennifer Moffitt, Under Secretary for Marketing and Regulatory Programs  
Bruce Summers, Administrator, Agricultural Marketing Service

Stuart Frank, Director, Packers and Stockyards Division