

AMENDMENT NO. _____ Calendar No. _____

Purpose: To protect the information of livestock producers.

IN THE SENATE OF THE UNITED STATES—113th Cong., 1st Sess.

S. 954

To reauthorize agricultural programs through 2018.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. GRASSLEY

Viz:

1 On page 1125, after line 23, insert the following:

2 **SEC. 12108. LIVESTOCK INFORMATION DISCLOSURE.**

3 (a) FINDINGS.—Congress finds that—

4 (1) United States livestock producers supply a
5 vital link in the food supply of the United States,
6 which is listed as a critical infrastructure by the
7 Secretary of Homeland Security;

8 (2) domestic terrorist attacks have occurred at
9 livestock operations across the United States, endan-
10 gering the lives and property of people of the United
11 States;

12 (3) livestock operations in the United States are
13 largely family owned and operated with most fami-

1 lies living at the same location as the livestock oper-
2 ation;

3 (4) State governments and agencies are the pri-
4 mary authority in almost all States for the protec-
5 tion of water quality under the Federal Water Pollu-
6 tion Control Act (33 U.S.C. 1251 et seq.);

7 (5) State agencies maintain records on livestock
8 operations and have the authority to address water
9 quality issues where needed; and

10 (6) there is no discernible environmental or sci-
11 entifically research-related need to create a database
12 or other system of records of livestock operations in
13 the United States by the Administrator.

14 (b) DEFINITIONS.—In this section:

15 (1) ADMINISTRATOR.—The term “Adminis-
16 trator” means the Administrator of the Environ-
17 mental Protection Agency.

18 (2) AGENCY.—The term “Agency” means the
19 Environmental Protection Agency.

20 (3) LIVESTOCK OPERATION.—The term “live-
21 stock operation” includes any operation involved in
22 the raising or finishing of livestock and poultry.

23 (c) PROCUREMENT AND DISCLOSURE OF INFORMA-
24 TION.—

25 (1) PROHIBITION.—

1 (A) IN GENERAL.—Except as provided in
2 paragraph (2), the Administrator, any officer or
3 employee of the Agency, or any contractor or
4 cooperator of the Agency, shall not disclose the
5 information of any owner, operator, or employee
6 of a livestock operation provided to the Agency
7 by a livestock producer or a State agency in ac-
8 cordance with the Federal Water Pollution Con-
9 trol Act (33 U.S.C. 1251 et seq.), including—

10 (i) names;

11 (ii) telephone numbers;

12 (iii) email addresses;

13 (iv) physical addresses;

14 (v) Global Positioning System coordi-
15 nates; or

16 (vi) other identifying information re-
17 garding the location of the owner, oper-
18 ator, or employee.

19 (2) EFFECT.—Nothing in paragraph (1) af-
20 fects—

21 (A) the disclosure of information described
22 in paragraph (1) if—

23 (i) the information has been trans-
24 formed into a statistical or aggregate form
25 at the county level or higher without any

1 information that identifies the agricultural
2 operation or agricultural producer; or

3 (ii) the livestock producer consents to
4 the disclosure; or

5 (B) the authority of any State agency to
6 collect information on livestock operations.

7 (3) CONDITION OF PERMIT OR OTHER PRO-
8 GRAMS.—The approval of any permit, practice, or
9 program administered by the Administrator shall not
10 be conditioned on the consent of the livestock pro-
11 ducer under paragraph (2)(A)(ii).