

117TH CONGRESS
2D SESSION

H. R. 9609

To amend section 1124 of title 31, United States Code, to establish an Agency Equity Advisory Team, to amend sections 3520 and 3520A of title 44, United States Code, to ensure the use of equity, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 16, 2022

Mrs. CAROLYN B. MALONEY of New York (for herself and Ms. PRESSLEY) introduced the following bill; which was referred to the Committee on Oversight and Reform

A BILL

To amend section 1124 of title 31, United States Code, to establish an Agency Equity Advisory Team, to amend sections 3520 and 3520A of title 44, United States Code, to ensure the use of equity, 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 “Federal Government
5 Equity Improvement Act of 2022”.

1 **SEC. 2. PERFORMANCE IMPROVEMENT OFFICERS.**

2 Section 1124 of title 31, United States Code, is
3 amended—

4 (1) in subsection (a)(2)—

5 (A) in subparagraph (E), by striking “;
6 and” and inserting a semicolon;

7 (B) in subparagraph (F), by striking the
8 period at the end and inserting “; and”; and

9 (C) by inserting at the end the following:

10 “(G) establish and serve as the head of an
11 Agency Equity Advisory Team, with at least 10
12 members, that includes representation from at
13 least 10 of the following:

14 “(i) The head of the agency.

15 “(ii) Regulatory affairs senior des-
16 ignee.

17 “(iii) Counsel.

18 “(iv) Civil rights enforcement senior
19 designee.

20 “(v) Policy development senior des-
21 ignee.

22 “(vi) Chief Financial Officer, Con-
23 troller, or senior designee.

24 “(vii) Chief Data Officer or senior
25 designee.

1 “(viii) Chief Science Officer or senior
2 designee.

3 “(ix) Chief Human Capital Officer or
4 senior designee.

5 “(x) Evaluation Officer or senior des-
6 ignee.

7 “(xi) Statistical official.

8 “(xii) Procurement senior designee.

9 “(xiii) Customer or user experience
10 leadership.

11 “(xiv) Communications or public af-
12 fairs senior designee.

13 “(xv) Public engagement senior des-
14 ignee.”; and

15 (2) in subsection (b), by adding at the end the
16 following new paragraph:

17 “(4) EQUITY SUBCOMMITTEE.—

18 “(A) ESTABLISHMENT.—There is estab-
19 lished an Equity Subcommittee of the Perform-
20 ance Improvement Council, consisting of mem-
21 bers of that Council, to be selected by the
22 Council.

23 “(B) FUNCTIONS.—The Equity Sub-
24 committee of the Performance Improvement
25 Council shall—

1 “(i) assist the Director of the Office
2 of Management and Budget in identifying
3 guidance agencies need on how to provide
4 services more equitably and developing
5 such guidance;

6 “(ii) facilitate the sharing of informa-
7 tion across agencies regarding practices
8 that have led to the more equitable provi-
9 sion of services;

10 “(iii) coordinate with the Equitable
11 Data Working Group of the Chief Data
12 Officer Council (established pursuant to
13 section 3520A of title 44) to ensure that
14 agencies share best practices related to the
15 equitable collection and use of data; and

16 “(iv) solicit input from nongovern-
17 mental organizations, State and local gov-
18 ernments, and recipients of government
19 services to determine best practices for
20 providing government services equitably.”.

21 **SEC. 3. CHIEF DATA OFFICERS.**

22 Title 44, United States Code, is amended—

23 (1) in section 3520(c)—

24 (A) in paragraph (13), by striking “; and”
25 and inserting a semicolon;

1 (B) in paragraph (14) by striking the pe-
2 riod at the end and inserting “; and”; and

3 (C) by inserting at the end the following
4 new paragraph:

5 “(15) ensure the agency applies the rec-
6 ommendations of the Chief Data Officer Council de-
7 veloped pursuant to paragraphs (1) through (5) of
8 section 3520A(b).”; and

9 (2) in section 3520A—

10 (A) in subsection (b)—

11 (i) in paragraph (1), by striking “the
12 use” and inserting “the equitable use”;

13 (ii) in paragraph (2), by striking “be-
14 tween agencies” and inserting “between
15 agencies, academic and research partners,
16 State and local governments, community
17 and advocacy groups, and other stake-
18 holders”;

19 (iii) in paragraph (3), by striking
20 “policymaking” and inserting “equitable
21 policymaking”;

22 (iv) in paragraph (4), by striking “ac-
23 cess” and inserting “equitable access”; and

1 (v) in paragraph (5), by striking “col-
2 lection” and inserting “equitable collec-
3 tion”;

4 (B) in subsection (d), by striking “the
5 Council.” and inserting “the Council, including
6 the work of the Equitable Data Working
7 Group.”;

8 (C) by amending subsection (e) to read as
9 follows:

10 “(e) EVALUATION AND TERMINATION.—

11 “(1) GAO EVALUATION OF COUNCIL.—Not
12 later than 4 years after the date of the enactment
13 of this paragraph, the Comptroller General shall
14 submit to Congress a report on whether the addi-
15 tional duties of the Council, including the Equitable
16 Data Working Group, improved the equitable collec-
17 tion and use of evidence, including for program eval-
18 uation, in the Federal Government.

19 “(2) TERMINATION OF COUNCIL.—The Council,
20 including the Equitable Data Working Group, shall
21 not terminate until at least two years after the date
22 on which the Comptroller General submits the report
23 under paragraph (1) to Congress.”; and

24 (D) by adding at the end the following new
25 subsections:

1 “(f) EQUITABLE DATA WORKING GROUP.—

2 “(1) ESTABLISHMENT.—There is established
3 within the Council an Equitable Data Working
4 Group.

5 “(2) PURPOSE AND FUNCTIONS.—The Equi-
6 table Data Working Group shall ensure that the
7 Council prioritizes equity when carrying out the
8 functions of the Council described in paragraphs (1)
9 through (5) of subsection (b).

10 “(3) MEETINGS; REPORTS.—Not less frequently
11 than once per quarter, the Equitable Data Working
12 Group shall meet submit to the Chief Data Officer
13 Council a written report with recommendations on
14 how to execute the functions described in paragraphs
15 (1) through (5) of subsection (b) to better achieve
16 equitable methods and outcomes.

17 “(4) MEMBERSHIP.—

18 “(A) IN GENERAL.—The Council shall se-
19 lect a subset of the members of the Council to
20 serve as members of the Equitable Data Work-
21 ing Group.

22 “(B) CHAIR.—The Chair of the Council
23 shall select the Chair of the Equitable Data
24 Working Group from among the members of
25 the Equitable Data Working Group.

1 “(g) STATE DEFINED.—In this section and section
2 1124 of title 31, the term ‘State’ means each State of the
3 United States, the District of Columbia, each common-
4 wealth, territory, or possession of the United States, and
5 each federally recognized Indian Tribe.”.

