

118TH CONGRESS
1ST SESSION

H. R. 5033

To provide standing authority and accountability for the Secretary of Agriculture and senior leadership of the Department of Agriculture to improve the equitable availability and distribution of services and program benefits to the people of the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 27, 2023

Mr. PHILLIPS (for himself, Mr. CARTER of Louisiana, Mr. IVEY, and Ms. CLARKE of New York) introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To provide standing authority and accountability for the Secretary of Agriculture and senior leadership of the Department of Agriculture to improve the equitable availability and distribution of services and program benefits to the people of the United States, 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 “Ensuring Account-
5 ability for Equity at USDA Act”.

1 **SEC. 2. PURPOSES.**

2 The purposes of this Act and the amendments made
3 by this Act are—

4 (1) to implement recommendations from the
5 Department of Agriculture Equity Commission; and

6 (2) to emphasize and strengthen section 2501A
7 of the Food, Agriculture, Conservation, and Trade
8 Act of 1990 (7 U.S.C. 2279–1).

9 **SEC. 3. TRANSPARENCY AND ACCOUNTABILITY FOR SO-**
10 **cially Disadvantaged Farmers and**
11 **Ranchers.**

12 Section 2501A of the Food, Agriculture, Conserva-
13 tion, and Trade Act of 1990 (7 U.S.C. 2279–1) is amend-
14 ed—

15 (1) in subsection (c)—

16 (A) in paragraph (3), in the paragraph
17 heading, by striking “REPORT” and inserting
18 “COMPILATION AND PRESENTING OF DATA”;
19 and

20 (B) in paragraph (4), by striking “the re-
21 port described in paragraph (3)” and inserting
22 the following: “a report that contains—

23 “(A) the compiled and presented data
24 under paragraph (3);

25 “(B) a description of trends in that data
26 over 5- and 10-year periods; and

1 “(C) a discussion of efforts to implement
2 necessary improvements to equity identified
3 through activities under subsection (f), includ-
4 ing metrics to quantify, and timelines for imple-
5 mentation, of those improvements.”; and

6 (2) by adding at the end the following:

7 “(f) EXAMINATION AND ASSESSMENT OF PRO-
8 GRAMS.—In furtherance of the purposes of this section,
9 the Secretary shall use data collected under this section
10 to examine and assess programs and policies of the De-
11 partment of Agriculture to identify and understand—

12 “(1) communities, organizations, groups, and
13 individuals in need of services or benefits provided
14 under Department programs; and

15 “(2) the extent to which participants benefitting
16 from funding distributed under Department pro-
17 grams align with the communities, organizations,
18 groups, and individuals described in paragraph (1)
19 such that the funding effectively reduces disparities
20 in access to Department programs.”.

21 **SEC. 4. ENSURING ACCOUNTABILITY FOR EQUITY.**

22 (a) IN GENERAL.—Subtitle A of the Department of
23 Agriculture Reorganization Act of 1994 is amended by in-
24 serting after section 216 (7 U.S.C. 6916) the following:

1 **“SEC. 217. ENSURING ACCOUNTABILITY FOR EQUITY.**

2 “(a) PERFORMANCE EVALUATIONS.—A performance
3 evaluation of an individual occupying a position of the
4 head of an agency or a senior executive of the Department
5 shall include an evaluation of appropriate direct efforts of
6 the individual to improve equity in the programs and serv-
7 ices under the jurisdiction of the agency head or senior
8 executive.

9 “(b) CUSTOMER EXPERIENCE.—

10 “(1) IN GENERAL.—The Secretary shall issue
11 uniform, Department-wide guidance for each agency
12 and office of the Department relating to—

13 “(A) collecting feedback from participants
14 in Department programs;

15 “(B) responding to that feedback; and

16 “(C) using that feedback to improve efforts
17 to provide more equitable and consistent serv-
18 ices to all individuals that seek service from and
19 engage with the Department.

20 “(2) REQUIREMENTS.—The guidance issued
21 under paragraph (1) shall require—

22 “(A) opportunities for participants to pro-
23 vide feedback through multiple means, such as
24 evaluations, surveys, or such other means as the
25 Secretary determines to be appropriate;

1 “(B) opportunities described in subpara-
2 graph (A) to be advertised through means such
3 as newspaper, radio, or such other means as the
4 Secretary determines to be appropriate;

5 “(C) opportunities described in subpara-
6 graph (A) to be facilitated and advertised, and
7 responses to feedback to be provided, in mul-
8 tiple languages, as the Secretary determines to
9 be appropriate; and

10 “(D) specific opportunities for participants
11 with direct involvement in a Department pro-
12 gram to provide feedback, including by pro-
13 viding appropriate compensation to those par-
14 ticipants for time and expertise.

15 “(c) CUSTOMER SERVICE.—

16 “(1) TRAINING.—The Secretary shall ensure
17 that employees of the Department receive cultural
18 competency training, as appropriate for the roles of
19 the employees.

20 “(2) LANGUAGE CONTRACTS.—The Secretary
21 shall consider, in entering into contracts or coopera-
22 tive agreements for language translation or interpre-
23 tation services, whether the needed services would
24 best be provided by a community-based organization.

1 “(3) STAFF KNOWLEDGE OF APPLICABLE PRO-
2 GRAMS.—

3 “(A) DEFINITIONS.—In this paragraph:

4 “(i) CUSTOMER.—The term ‘cus-
5 tomer’ means a recipient of, applicant for,
6 or potential applicant for services or bene-
7 fits under a Department program.

8 “(ii) FRONTLINE CUSTOMER SERVICE
9 STAFF.—The term ‘frontline customer
10 service staff’ means an employee of the
11 Department who directly interacts with
12 customers.

13 “(B) CAPACITY BUILDING.—The Secretary
14 shall build the capacity of frontline customer
15 service staff to make available to customers the
16 services or benefits for which the customers are
17 eligible.

18 “(C) ACTIVITIES.—In carrying out sub-
19 paragraph (B), the Secretary may—

20 “(i) provide to frontline customer
21 service staff of the Department—

22 “(I) training and mentoring re-
23 lating to customer service skillsets;

1 “(II) training on technical tools
2 at the disposal of the frontline cus-
3 tomer service staff; and

4 “(III) training and shareable re-
5 sources relating to—

6 “(aa) the Department pro-
7 grams for which a customer may
8 be eligible; and

9 “(bb) the technical require-
10 ments and benefits of those pro-
11 grams; and

12 “(ii) establish a customer feedback op-
13 portunity after each interaction with the
14 Department.

15 “(d) NOTIFICATIONS TO CONGRESS.—

16 “(1) LACK OF AUTHORITY.—If the Secretary
17 identifies an opportunity to improve equity in a par-
18 ticular program or service but lacks authority to
19 make the necessary changes, the Secretary shall sub-
20 mit to Congress a notification describing—

21 “(A) that opportunity and lack of author-
22 ity; and

23 “(B) a recommendation for a legislative
24 change.

1 “(2) INSUFFICIENT RESOURCES.—If the Sec-
2 retary identifies the need for additional resources to
3 improve equity in a particular program or service,
4 the Secretary shall submit to Congress a notification
5 that provides an explanation of the needed re-
6 sources.

7 “(e) ADMINISTRATION.—The Secretary shall carry
8 out this section using funding and staff from within exist-
9 ing budgets and appropriations for the Department.”.

10 (b) CONFORMING AMENDMENT.—Section 296(b) of
11 the Department of Agriculture Reorganization Act of
12 1994 (7 U.S.C. 7014(b)) is amended by adding at the end
13 the following:

14 “(11) The authority of the Secretary to carry
15 out section 217.”.

○