A BILL

To amend the Department of Agriculture Reorganization Act of 1994 to establish the Office of the Farm and Food System Workforce.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Supporting Our Farm and Food System Workforce Act of 2023”.

IN THE SENATE OF THE UNITED STATES

JULY 27, 2023

Mr. Padilla (for himself, Mr. Brown, Mrs. Feinstein, Mrs. Gillibrand, Ms. Warren, Mr. Welch, and Mr. Wyden) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

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5 and Food System Workforce Act of 2023”.

S. 2703
SEC. 2. OFFICE OF THE FARM AND FOOD SYSTEM WORKFORCE.

(a) IN GENERAL.—The Department of Agriculture Reorganization Act of 1994 is amended by inserting after section 226B (7 U.S.C. 6934) the following:

"SEC. 226C. OFFICE OF THE FARM AND FOOD SYSTEM WORKFORCE.

“(a) Definitions.—In this section:

“(1) Advisory Committee.—The term ‘Advisory Committee’ means the Farm and Food System Worker Advisory Committee established under subsection (d)(1).

“(2) Coordinator.—The term ‘Coordinator’ means the Farm and Food System Workforce Coordinator.

“(3) Farmworker Coordinator.—The term ‘Farmworker Coordinator’ means the position established under section 226B(f).

“(4) Farm and Food System Worker.—The term ‘farm and food system worker’ means a worker employed, or a contract worker engaged—

“(A) in the production, processing, packaging, transporting, trade, or marketing of food, feed, or fiber through aquaculture, farming, wild fisheries, forestry, or pastoralism, as
described in section 4(4) of the Global Food Security Act of 2016 (22 U.S.C. 9303(4));

“(B) in any service or activity described in section 3(f) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(f)) or section 3121(g) of the Internal Revenue Code of 1986; or

“(C) in the handling, planting, drying, packing, packaging, processing, freezing, or grading prior to the delivery for storage of any agricultural or horticultural commodity in its unmanufactured state.

“(5) INTERAGENCY COUNCIL.—The term ‘Interagency Council’ means the Farm and Food System Workforce Interagency Council established under subsection (e)(1).

“(6) OFFICE.—The term ‘Office’ means the Office of the Farm and Food System Workforce established under subsection (b)(1).

“(b) ESTABLISHMENT.—

“(1) IN GENERAL.—Not later than 60 days after the date of enactment of this section, the Secretary shall establish within the executive operations of the Department an office, to be known as the ‘Office of the Farm and Food System Workforce’—
“(A) to improve awareness of and access to programs of the Department for farm and food system workers;

“(B) to improve the language used by the Department and ensure inclusive communication between the Department and farm and food system workers to regularly inform farm and food system workers of relevant policy and changes to policy; and

“(C) to provide recommendations and technical assistance to other Federal departments and agencies with respect to the programs or communications of those departments and agencies relating to farm and food system workers.

“(2) FARM AND FOOD SYSTEM WORKFORCE COORDINATOR.—

“(A) IN GENERAL.—The Office shall be headed by a Farm and Food System Workforce Coordinator.

“(B) SELECTION.—

“(i) IN GENERAL.—Except as provided in clause (ii), the Coordinator shall—

“(I) be appointed by the Secretary, in consultation with organiza-
tions that represent farm and food
system workers, from among the com-
petitive service; and
“(II) have relevant experience
working with farm and food system
workers.
“(ii) INITIAL COORDINATOR.—The ini-
tial Coordinator shall be the Farmworker
Coordinator.
“(C) DUTIES.— The duties of the Coordi-
nator shall be—
“(i) serving as a liaison to commu-
nity-based nonprofit organizations, institu-
tions of higher education, and local edu-
cational agencies that represent and have
demonstrated experience serving farm-
workers or food system workers; and
“(ii) consulting with the Advisory
Committee to integrate farm and food sys-
tem worker perspectives, concerns, and in-
terests into the ongoing programs of the
Department.
“(D) STAFF.—The Secretary, acting
through the Coordinator, shall employ such
staff as the Secretary determines necessary to
carry out the functions of the Office.

“(c) DUTIES.—The duties of the Office shall be to
ensure farm and food system workers have access to, and
equitable participation in, programs and services of the
Department by—

“(1) establishing and monitoring the goals and
objectives of the Department to increase participa-
tion in programs of the Department by farm and
food system workers;

“(2) assisting in administering the program es-
tablished under section 2281 of the Food, Agri-
culture, Conservation, and Trade Act of 1990 (42
U.S.C. 5177a);

“(3) coordinating with the Department, other
Federal agencies, and State, local, and Tribal gov-
ernments to ensure that the needs of farm and food
system workers are assessed and met during de-
declared disasters and other emergencies, as deter-
mined by the Secretary;

“(4) assessing the effectiveness with respect to
farm and food system workers of Department out-
reach programs;

“(5) developing and implementing a plan to co-
ordinate outreach activities and services provided by
the Department with respect to farm and food system workers;

“(6) collaborating with and providing input to the agencies and offices of the Department on programmatic and policy decisions relating to and affecting farm and food system workers;

“(7) communicating to employers of farm and food system workers, and publicizing on the website of the Department, information about Federal programs for which the employees of those employers may be eligible;

“(8) identifying, in consultation with organizations that represent farm and food system workers, research priorities to inform the research activities of the Department relating to, and beneficial to, farm and food system workers;

“(9) measuring and analyzing outcomes of the programs and activities of the Department on farm and food system workers;

“(10) assisting farmworkers in becoming agricultural operators or landowners;

“(11) recommending new initiatives and programs to the Secretary; and

“(12) carrying out any other related duties that the Secretary determines to be appropriate.
“(d) Farm and Food System Worker Advisory Committee.—

“(1) Establishment.—The Secretary shall establish within the Office the Farm and Food System Worker Advisory Committee.

“(2) Duties.—The Advisory Committee shall provide advice to the Office on—

“(A) integrating farm and food system worker perspectives, concerns, and interests into the ongoing programs of the Department; and

“(B) improving—

“(i) farm and food system worker safety;

“(ii) research programs relating to farm and food system workers;

“(iii) agricultural education and technical skills opportunities for farm and food system workers; and

“(iv) job training programs that assist farm and food system workers.

“(3) Membership.—The Advisory Committee shall be composed of not more than 20 members, who shall be appointed by the Secretary from among
individuals nominated by the public, and shall include—

“(A) not fewer than 5 farm and food system workers;

“(B) not fewer than 2 civil rights representatives with a history of working on issues relating to farm and food system workers;

“(C) not fewer than 4 representatives of nonprofit organizations with a history of working on issues faced by farmworkers or food system workers, of whom 2 shall have focused expertise on issues faced by women farmworkers or food system workers;

“(D) not fewer than 2 representatives of labor unions with a history of representing farmworkers or food system workers;

“(E) not fewer than 2 representatives of institutions of higher education with demonstrated experience working with farmworkers or food system workers; and

“(F) such other individuals as the Secretary considers to be appropriate.

“(4) Limitation.—No member of the Advisory Committee shall be an officer or employee of the Federal Government.
“(5) Period of Appointment.—

“(A) In general.—Each member of the Advisory Committee—

“(i) subject to clause (ii) and subparagraph (B), shall be appointed to a 3-year term; and

“(ii) may be reappointed to not more than 3 consecutive terms.

“(B) Initial Staggering.—The first 6 appointments by the Secretary under paragraph (3) shall be for a 2-year term.

“(C) Vacancies.—Any vacancy in the Advisory Committee shall be filled—

“(i) in the same manner as the original appointment was made; and

“(ii) not more than 90 days after the date on which the position becomes vacant.

“(6) Meetings.—

“(A) In-person Meetings.—To the extent practicable, not less than twice each year, the Advisory Committee shall meet in person.

“(B) Office Representative.—

“(i) In general.—At least 1 representative from the Office shall be present
at each meeting of the Advisory Committee.

“(ii) NONVOTING CAPACITY.—Any individual described in clause (i) who is present at a meeting of the Advisory Committee shall be a nonvoting representative at the meeting.

“(C) LANGUAGE ACCESS.—Each meeting of the Advisory Committee shall include simultaneous interpretation and translation of the meeting, and the provision of a copy of any agenda of the meeting in such languages as are requested by—

“(i) any member of the Advisory Committee; or

“(ii) any member of the public observing the meeting.

“(7) REPORTS.—Not less frequently than once each year, the Advisory Committee shall submit to the Secretary, the Committee on Agriculture of the House of Representatives, and the Committee on Agriculture, Nutrition, and Forestry of the Senate, and make publicly available on the website of the Department, in English, Spanish, and any other lan-
guages the Coordinator determines to be appropriate, a report that describes—

“(A) the activities of the Advisory Committee during the previous year; and

“(B) recommendations for legislative or administrative action for the following year.

“(e) FARM AND FOOD SYSTEM WORKFORCE INTERAGENCY COUNCIL.—

“(1) ESTABLISHMENT.—The Secretary shall establish within the Office the Farm and Food System Workforce Interagency Council.

“(2) PURPOSE.—The purpose of the Interagency Council is to facilitate interagency, cabinet-level leadership in planning, policymaking, coordination, and program development for services available to farm and food system workers.

“(3) MEMBERSHIP.—The Interagency Council shall comprise—

“(A) 1 representative from each of—

“(i) the Department of Agriculture;

“(ii) the Department of Health and Human Services;

“(iii) the Department of Housing and Urban Development;

“(iv) the Department of Labor;
“(v) the Department of Education;
“(vi) the Environmental Protection Agency;
“(vii) the Department of Homeland Security;
“(viii) the Department of Justice;
“(ix) the Department of the Treasury;
“(x) the Department of Commerce; and
“(xi) the Department of State; and
“(B) the Coordinator or another representative of the Office.

“(4) MEETINGS.—
“(A) IN-PERSON MEETINGS.—To the extent practicable, not less than twice each year, the Interagency Council shall meet in person.
“(B) OFFICE REPRESENTATIVE.—
“(i) IN GENERAL.—At least 1 representative from the Office shall be present at each meeting of the Interagency Council.
“(ii) NONVOTING CAPACITY.—Any individual described in clause (i) who is present at a meeting of the Interagency
Council shall be a nonvoting representative at the meeting.

“(5) REPORTS.—Not less frequently than once each year, the Interagency Council shall submit to the Secretary, the Committee on Agriculture, Nutrition, and Forestry of the Senate, and the Committee on Agriculture of the House of Representatives, and make publicly available on the website of the Department, in English, Spanish, and any other languages the Coordinator determines to be appropriate, a report that describes recommendations for legislative or administrative action to be taken during the following year to increase accountability, coordination, compliance, and culture changes at the Federal level to address inequities faced by farm and food system workers.

“(f) LIAISON OFFICERS.—

“(1) IN GENERAL.—The Office shall appoint staff members to maintain liaison with the following agencies on matters relating to farm and food system workers:

“(A) The Farm Service Agency.

“(B) The Natural Resources Conservation Service.
“(C) The rural development agencies of the Department of Agriculture.

“(D) The National Institute of Food and Agriculture.

“(E) The Food and Nutrition Service.

“(F) The Agricultural Marketing Service.

“(G) The Forest Service.


“(I) Any other agency that the Coordinator determines to be appropriate.

“(2) PLANS.—The staff members described in paragraph (1) shall develop plans for review by the Coordinator, the Advisory Committee, and the Inter-agency Council to increase information, awareness, access, data, and accountability for meeting the needs of farm and food system workers relative to the functions and beneficiaries of each of the agencies described in subparagraphs (A) through (I) of paragraph (1).

“(g) REPORT.—Not less frequently than once each year, the Coordinator shall submit to the Secretary, the Committee on Agriculture, Nutrition, and Forestry of the Senate, and the Committee on Agriculture of the House of Representatives, and make publicly available, in
English, Spanish, and any other languages the Coordinator determines to be appropriate, a report that describes, for the period covered by the report—

“(1) the activities of the Office and progress made in carrying out the duties of the Office;

“(2) the demographic information of farm and food system workers;

“(3) the health, education, and economic outcomes for farm and food system workers;

“(4) the impacts that heat, natural disasters, drought, and pandemics have on the farm and food systems;

“(5) the barriers that farm and food system workers face in accessing Department programs;

“(6) recommendations that will improve the work and livelihoods of farm and food system workers; and

“(7) any other information determined relevant by the Secretary or the Coordinator.

“(h) Authorization of Appropriations.—There are authorized to be appropriated such sums as are necessary to carry out this section for each of fiscal years 2023 through 2028.”.

(b) Termination of Farmworker Coordinator Position.—Section 226B(f) of the Department of Agri-
culture Reorganization Act of 1994 (7 U.S.C. 6934(f)) is amended by adding at the end the following:

“(4) TERMINATION OF POSITION.—The position of Coordinator shall terminate on the date on which the Secretary certifies that the Office of the Farm and Food System Workforce is established under section 226C(b) is appropriately staffed with staff members dedicated to farmworker-specific issues.”.

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

“(11) The authority of the Secretary to establish in the Department the Office of the Farm and Food System Workforce in accordance with section 226C.”.