

118TH CONGRESS
1ST SESSION

S. 2703

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

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

A BILL

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

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 “Supporting Our Farm
5 and Food System Workforce Act of 2023”.

1 **SEC. 2. OFFICE OF THE FARM AND FOOD SYSTEM WORK-**
 2 **FORCE.**

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

6 **“SEC. 226C. OFFICE OF THE FARM AND FOOD SYSTEM**
 7 **WORKFORCE.**

8 “(a) DEFINITIONS.—In this section:

9 “(1) ADVISORY COMMITTEE.—The term ‘Advi-
 10 sory Committee’ means the Farm and Food System
 11 Worker Advisory Committee established under sub-
 12 section (d)(1).

13 “(2) COORDINATOR.—The term ‘Coordinator’
 14 means the Farm and Food System Workforce Coor-
 15 dinator.

16 “(3) FARMWORKER COORDINATOR.—The term
 17 ‘Farmworker Coordinator’ means the position estab-
 18 lished under section 226B(f).

19 “(4) FARM AND FOOD SYSTEM WORKER.—The
 20 term ‘farm and food system worker’ means a worker
 21 employed, or a contract worker engaged—

22 “(A) in the production, processing, pack-
 23 aging, transporting, trade, or marketing of
 24 food, feed, or fiber through aquaculture, farm-
 25 ing, wild fisheries, forestry, or pastoralism, as

1 described in section 4(4) of the Global Food Se-
2 curity Act of 2016 (22 U.S.C. 9303(4));

3 “(B) in any service or activity described in
4 section 3(f) of the Fair Labor Standards Act of
5 1938 (29 U.S.C. 203(f)) or section 3121(g) of
6 the Internal Revenue Code of 1986; or

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

12 “(5) INTERAGENCY COUNCIL.—The term ‘Inter-
13 agency Council’ means the Farm and Food System
14 Workforce Interagency Council established under
15 subsection (e)(1).

16 “(6) OFFICE.—The term ‘Office’ means the Of-
17 fice of the Farm and Food System Workforce estab-
18 lished under subsection (b)(1).

19 “(b) ESTABLISHMENT.—

20 “(1) IN GENERAL.—Not later than 60 days
21 after the date of enactment of this section, the Sec-
22 retary shall establish within the executive operations
23 of the Department an office, to be known as the ‘Of-
24 fice of the Farm and Food System Workforce’—

1 “(A) to improve awareness of and access to
2 programs of the Department for farm and food
3 system workers;

4 “(B) to improve the language used by the
5 Department and ensure inclusive communica-
6 tion between the Department and farm and
7 food system workers to regularly inform farm
8 and food system workers of relevant policy and
9 changes to policy; and

10 “(C) to provide recommendations and tech-
11 nical assistance to other Federal departments
12 and agencies with respect to the programs or
13 communications of those departments and
14 agencies relating to farm and food system work-
15 ers.

16 “(2) FARM AND FOOD SYSTEM WORKFORCE CO-
17 ORDINATOR.—

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

21 “(B) SELECTION.—

22 “(i) IN GENERAL.—Except as pro-
23 vided in clause (ii), the Coordinator shall—

24 “(I) be appointed by the Sec-
25 retary, in consultation with organiza-

1 tions that represent farm and food
2 system workers, from among the com-
3 petitive service; and

4 “(II) have relevant experience
5 working with farm and food system
6 workers.

7 “(ii) INITIAL COORDINATOR.—The ini-
8 tial Coordinator shall be the Farmworker
9 Coordinator.

10 “(C) DUTIES.— The duties of the Coordi-
11 nator shall be—

12 “(i) serving as a liaison to commu-
13 nity-based nonprofit organizations, institu-
14 tions of higher education, and local edu-
15 cational agencies that represent and have
16 demonstrated experience serving farm-
17 workers or food system workers; and

18 “(ii) consulting with the Advisory
19 Committee to integrate farm and food sys-
20 tem worker perspectives, concerns, and in-
21 terests into the ongoing programs of the
22 Department.

23 “(D) STAFF.—The Secretary, acting
24 through the Coordinator, shall employ such

1 staff as the Secretary determines necessary to
2 carry out the functions of the Office.

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

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

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

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

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

24 “(5) developing and implementing a plan to co-
25 ordinate outreach activities and services provided by

1 the Department with respect to farm and food sys-
2 tem workers;

3 “(6) collaborating with and providing input to
4 the agencies and offices of the Department on pro-
5 grammatic and policy decisions relating to and af-
6 fecting farm and food system workers;

7 “(7) communicating to employers of farm and
8 food system workers, and publicizing on the website
9 of the Department, information about Federal pro-
10 grams for which the employees of those employers
11 may be eligible;

12 “(8) identifying, in consultation with organiza-
13 tions that represent farm and food system workers,
14 research priorities to inform the research activities
15 of the Department relating to, and beneficial to,
16 farm and food system workers;

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

20 “(10) assisting farmworkers in becoming agri-
21 cultural operators or landowners;

22 “(11) recommending new initiatives and pro-
23 grams to the Secretary; and

24 “(12) carrying out any other related duties that
25 the Secretary determines to be appropriate.

1 “(d) FARM AND FOOD SYSTEM WORKER ADVISORY
2 COMMITTEE.—

3 “(1) ESTABLISHMENT.—The Secretary shall es-
4 tablish within the Office the Farm and Food System
5 Worker Advisory Committee.

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

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

12 “(B) improving—

13 “(i) farm and food system worker
14 safety;

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

17 “(iii) agricultural education and tech-
18 nical skills opportunities for farm and food
19 system workers; and

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

22 “(3) MEMBERSHIP.—The Advisory Committee
23 shall be composed of not more than 20 members,
24 who shall be appointed by the Secretary from among

1 individuals nominated by the public, and shall in-
2 clude—

3 “(A) not fewer than 5 farm and food sys-
4 tem workers;

5 “(B) not fewer than 2 civil rights rep-
6 resentatives with a history of working on issues
7 relating to farm and food system workers;

8 “(C) not fewer than 4 representatives of
9 nonprofit organizations with a history of work-
10 ing on issues faced by farmworkers or food sys-
11 tem workers, of whom 2 shall have focused ex-
12 pertise on issues faced by women farmworkers
13 or food system workers;

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

17 “(E) not fewer than 2 representatives of
18 institutions of higher education with dem-
19 onstrated experience working with farmworkers
20 or food system workers; and

21 “(F) such other individuals as the Sec-
22 retary considers to be appropriate.

23 “(4) LIMITATION.—No member of the Advisory
24 Committee shall be an officer or employee of the
25 Federal Government.

1 “(5) PERIOD OF APPOINTMENT.—

2 “(A) IN GENERAL.—Each member of the
3 Advisory Committee—

4 “(i) subject to clause (ii) and subpara-
5 graph (B), shall be appointed to a 3-year
6 term; and

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

9 “(B) INITIAL STAGGERING.—The first 6
10 appointments by the Secretary under paragraph
11 (3) shall be for a 2-year term.

12 “(C) VACANCIES.—Any vacancy in the Ad-
13 visory Committee shall be filled—

14 “(i) in the same manner as the origi-
15 nal appointment was made; and

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

18 “(6) MEETINGS.—

19 “(A) IN-PERSON MEETINGS.—To the ex-
20 tent practicable, not less than twice each year,
21 the Advisory Committee shall meet in person.

22 “(B) OFFICE REPRESENTATIVE.—

23 “(i) IN GENERAL.—At least 1 rep-
24 resentative from the Office shall be present

1 at each meeting of the Advisory Com-
2 mittee.

3 “(ii) NONVOTING CAPACITY.—Any in-
4 dividual described in clause (i) who is
5 present at a meeting of the Advisory Com-
6 mittee shall be a nonvoting representative
7 at the meeting.

8 “(C) LANGUAGE ACCESS.—Each meeting
9 of the Advisory Committee shall include simul-
10 taneous interpretation and translation of the
11 meeting, and the provision of a copy of any
12 agenda of the meeting in such languages as are
13 requested by—

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

16 “(ii) any member of the public observ-
17 ing the meeting.

18 “(7) REPORTS.—Not less frequently than once
19 each year, the Advisory Committee shall submit to
20 the Secretary, the Committee on Agriculture of the
21 House of Representatives, and the Committee on
22 Agriculture, Nutrition, and Forestry of the Senate,
23 and make publicly available on the website of the
24 Department, in English, Spanish, and any other lan-

1 guages the Coordinator determines to be appro-
2 priate, a report that describes—

3 “(A) the activities of the Advisory Com-
4 mittee during the previous year; and

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

7 “(e) FARM AND FOOD SYSTEM WORKFORCE INTER-
8 AGENCY COUNCIL.—

9 “(1) ESTABLISHMENT.—The Secretary shall es-
10 tablish within the Office the Farm and Food System
11 Workforce Interagency Council.

12 “(2) PURPOSE.—The purpose of the Inter-
13 agency Council is to facilitate interagency, cabinet-
14 level leadership in planning, policymaking, coordina-
15 tion, and program development for services available
16 to farm and food system workers.

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

19 “(A) 1 representative from each of—

20 “(i) the Department of Agriculture;

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

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

25 “(iv) the Department of Labor;

1 “(v) the Department of Education;
2 “(vi) the Environmental Protection
3 Agency;
4 “(vii) the Department of Homeland
5 Security;
6 “(viii) the Department of Justice;
7 “(ix) the Department of the Treasury;
8 “(x) the Department of Commerce;
9 and
10 “(xi) the Department of State; and
11 “(B) the Coordinator or another represent-
12 ative of the Office.

13 “(4) MEETINGS.—

14 “(A) IN-PERSON MEETINGS.—To the ex-
15 tent practicable, not less than twice each year,
16 the Interagency Council shall meet in person.

17 “(B) OFFICE REPRESENTATIVE.—

18 “(i) IN GENERAL.—At least 1 rep-
19 resentative from the Office shall be present
20 at each meeting of the Interagency Coun-
21 cil.

22 “(ii) NONVOTING CAPACITY.—Any in-
23 dividual described in clause (i) who is
24 present at a meeting of the Interagency

1 Council shall be a nonvoting representative
2 at the meeting.

3 “(5) REPORTS.—Not less frequently than once
4 each year, the Interagency Council shall submit to
5 the Secretary, the Committee on Agriculture, Nutri-
6 tion, and Forestry of the Senate, and the Committee
7 on Agriculture of the House of Representatives, and
8 make publicly available on the website of the De-
9 partment, in English, Spanish, and any other lan-
10 guages the Coordinator determines to be appro-
11 priate, a report that describes recommendations for
12 legislative or administrative action to be taken dur-
13 ing the following year to increase accountability, co-
14 ordination, compliance, and culture changes at the
15 Federal level to address inequities faced by farm and
16 food system workers.

17 “(f) LIAISON OFFICERS.—

18 “(1) IN GENERAL.—The Office shall appoint
19 staff members to maintain liaison with the following
20 agencies on matters relating to farm and food sys-
21 tem workers:

22 “(A) The Farm Service Agency.

23 “(B) The Natural Resources Conservation
24 Service.

1 “(C) The rural development agencies of
2 the Department of Agriculture.

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

5 “(E) The Food and Nutrition Service.

6 “(F) The Agricultural Marketing Service.

7 “(G) The Forest Service.

8 “(H) The National Agricultural Statistics
9 Service.

10 “(I) Any other agency that the Coordi-
11 nator determines to be appropriate.

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

21 “(g) REPORT.—Not less frequently than once each
22 year, the Coordinator shall submit to the Secretary, the
23 Committee on Agriculture, Nutrition, and Forestry of the
24 Senate, and the Committee on Agriculture of the House
25 of Representatives, and make publicly available, in

1 English, Spanish, and any other languages the Coordi-
 2 nator determines to be appropriate, a report that de-
 3 scribes, for the period covered by the report—

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

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

8 “(3) the health, education, and economic out-
 9 comes for farm and food system workers;

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

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

15 “(6) recommendations that will improve the
 16 work and livelihoods of farm and food system work-
 17 ers; and

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

20 “(h) AUTHORIZATION OF APPROPRIATIONS.—There
 21 are authorized to be appropriated such sums as are nec-
 22 essary to carry out this section for each of fiscal years
 23 2023 through 2028.”.

24 (b) TERMINATION OF FARMWORKER COORDINATOR
 25 POSITION.—Section 226B(f) of the Department of Agri-

1 culture Reorganization Act of 1994 (7 U.S.C. 6934(f)) is
2 amended by adding at the end the following:

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

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

13 “(11) The authority of the Secretary to estab-
14 lish in the Department the Office of the Farm and
15 Food System Workforce in accordance with section
16 226C.”.

○