

106TH CONGRESS
2D SESSION

H. R. 4687

To provide for the identification and discipline of members of county and area committees established under the Soil Conservation and Domestic Allotment Act, and employees of such committees, who discriminate against farmers, ranchers, and other participants in programs of the Department of Agriculture on the basis of race, sex, national origin, marital status, religion, age, or handicap.

IN THE HOUSE OF REPRESENTATIVES

JUNE 15, 2000

Mr. THOMPSON of Mississippi (for himself, Mrs. CLAYTON, Mr. CLYBURN, Mr. HILLIARD, Ms. NORTON, Mrs. CHRISTENSEN, Mr. CONYERS, Ms. MILLENDER-McDONALD, Ms. LEE, Mr. JACKSON of Illinois, Ms. McKINNEY, Ms. KILPATRICK, Mr. DIXON, Mr. CLAY, Mr. PAYNE, Mr. FROST, Mr. BISHOP, Mrs. MEEK of Florida, Ms. WATERS, Ms. CARSON, Ms. JACKSON-LEE of Texas, Mr. SCOTT, Ms. BROWN of Florida, Mr. DAVIS of Illinois, Mr. HASTINGS of Florida, Mr. MEEKS of New York, Mr. WYNN, and Mr. RUSH) introduced the following bill; which was referred to the Committee on Government Reform, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide for the identification and discipline of members of county and area committees established under the Soil Conservation and Domestic Allotment Act, and employees of such committees, who discriminate against farmers, ranchers, and other participants in programs of the Department of Agriculture on the basis of race,

sex, national origin, marital status, religion, age, or handicap.

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. IDENTIFICATION AND DISCIPLINE OF MEM-**
 4 **BERS AND EMPLOYEES OF COUNTY AND**
 5 **AREA COMMITTEES WHO DISCRIMINATE**
 6 **AGAINST OTHER PERSONS IN ADMIN-**
 7 **ISTERING AGRICULTURE PROGRAMS.**

8 (a) DEFINITIONS.—In this section:

9 (1) COUNTY COMMITTEE EMPLOYEE.—The
 10 term “county committee employee” means a county
 11 executive director or any other employee of a county
 12 or area committee employed pursuant to section
 13 8(b)(5) of the Soil Conservation and Domestic Allot-
 14 ment Act (16 U.S.C. 590h(b)(5)).

15 (2) COMMITTEE MEMBER.—The term “com-
 16 mittee member” means any member of a county or
 17 area committee established pursuant to section
 18 8(b)(5) of the Soil Conservation and Domestic Allot-
 19 ment Act (16 U.S.C. 590h(b)(5)), any member of a
 20 community committee so established, any delegate to
 21 a local administrative area convention or county con-
 22 vention, and any alternate to any such office.

23 (b) IDENTIFICATION OF SOURCES OF DISCRIMINA-
 24 TION.—Before settling or otherwise resolving any non-

1 employment-related complaint of discrimination based on
2 race, sex, national origin, marital status, religion, age, or
3 handicap in the administration of programs of the Depart-
4 ment of Agriculture, the Secretary of Agriculture shall
5 identify any committee member or county committee em-
6 ployee involved in the discriminatory conduct so that the
7 alleged discrimination may be investigated and addressed
8 in the manner provided in part 7 of title 7, Code of Fed-
9 eral Regulations.

10 (c) DISCIPLINARY MEASURES.—

11 (1) CIVIL MONEY PENALTY.—Subject to para-
12 graph (4), the Secretary of Agriculture may impose
13 a civil penalty in an amount not to exceed \$20,000
14 on a committee member or county committee em-
15 ployee if the Secretary finds that the committee
16 member or county committee employee discriminated
17 on the basis of race, sex, national origin, marital
18 status, religion, age, or handicap in the administra-
19 tion of a program of the Department of Agriculture.

20 (2) LOSS OF ANNUITY OR RETIRED PAY.—Sub-
21 ject to paragraph (4), the Secretary may terminate
22 the entitlement of a committee member or county
23 committee employee to all or a portion of any annu-
24 ity or retired pay under subchapter III of chapter 83
25 of title 5, United States Code, that the committee

1 member or county committee employee would other-
2 wise receive if the Secretary finds that the com-
3 mittee member or county committee employee dis-
4 criminated on the basis of race, sex, national origin,
5 marital status, religion, age, or handicap in the ad-
6 ministration of a program of the Department of Ag-
7 riculture.

8 (3) REMOVAL.—The penalties described in
9 paragraphs (1) and (2) are in addition to the exist-
10 ing authority of the Secretary under section 7.29 of
11 title 7, Code of Federal Regulations, to remove and
12 disqualify for future service or employment any com-
13 mittee member or county committee employee for
14 cause.

15 (4) DUE PROCESS.—A penalty described in
16 paragraph (1) or (2) may be imposed only on the
17 record after providing the committee member or
18 county committee employee with an opportunity for
19 a hearing in the manner provided in section 7.31 of
20 title 7, Code of Federal Regulations.

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