



**United States  
Department of  
Agriculture**

Office of the  
Assistant Secretary  
for Civil Rights

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**TO:** USDA Agency Heads and Staff Office Directors

**FROM:** Penny Brown Reynolds, Ph.D., J.D.  
Acting Assistant Secretary for Civil Rights  
Office of the Assistant Secretary for Civil Rights

**SUBJECT:** USDA's Implementation of the Nine Agency Rule

Pursuant to 7 CFR § 2.25 (a)(1)(3), an authority delegated from the Secretary of Agriculture to the Assistant Secretary for Civil Rights, Office of the Assistant Secretary for Civil Rights (OASCR), has the authority to provide overall leadership, coordination, and direction for United States Department of Agriculture's (USDA) programs of civil rights, including program delivery, compliance, and equal employment opportunity, by enforcing, among other things, related Executive Orders, Congressional mandates, and other laws, rules, and regulations, as appropriate.

On February 14, 2021, President Joseph R. Biden, Jr., signed Executive Order 14015, *Establishment of the White House Office of Faith-Based and Neighborhood Partnerships*, 86 FR 10007 (Executive Order 14015).<sup>1</sup> Executive Order 14015 sought to "organiz[e] more effective efforts to serve people in need across the country and around the world, in partnership with civil society, including faith-based and secular organizations." Executive Order 14015 further emphasized the importance of strengthening the ability of such organizations to deliver services in partnership with Federal, State, and local governments and with other private organizations, while adhering to all governing laws. Executive Order 14015 also revoked Executive Order 13831, which prompted the 2020 Final Rule.

Executive Order 14015 reestablishes important religious liberty protections for beneficiaries of federally funded social services. Under 7 CFR § 16, a faith-based organization is eligible, on the same basis as any other organization, to access and participate in any USDA assistance programs for which it is otherwise eligible. Neither the USDA awarding agency nor any State or local government or other intermediary receiving funds under any USDA awarding agency program or service shall, in the selection of service providers, discriminate for or against an organization on the basis of the organization's religious character, motives, or affiliation, or lack thereof, or on the basis of conduct that would not be considered grounds to favor or disfavor a similarly situated secular organization. The Nine Agency Rule reestablishes important religious liberty protections for beneficiaries of federally funded social services.

**OASCR requests Mission Area and agency leadership forward the enclosed Notice and Guidance to USDA social service program recipients receiving financial assistance no later than Friday, June 28, 2024. No later than July 2, 2024, USDA recipients of Federal financial assistance are required to provide written notice to program beneficiaries. Compliance with the Notice requirement includes posting on the program website, or prominently displaying this Notice where customers can view it.**

Enclosures

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<sup>1</sup> *Establishment of the White House Office of Faith-Based and Neighborhood Partnerships*, 86 FR 10007, E.O. 14015 of Feb. 14, 2021.