

116TH CONGRESS 1ST SESSION

S. 677

To amend the Food and Nutrition Act of 2008 to provide for the participation of Puerto Rico, American Samoa, and the Commonwealth of the Northern Mariana Islands in the supplemental nutrition assistance program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

March 6, 2019

Mr. Sanders (for himself, Mr. Merkley, Mr. Blumenthal, Mrs. Gillibrand, Ms. Warren, Ms. Harris, Mr. Markey, Mr. Booker, Mr. Wyden, Mr. Menendez, and Mr. Durbin) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To amend the Food and Nutrition Act of 2008 to provide for the participation of Puerto Rico, American Samoa, and the Commonwealth of the Northern Mariana Islands in the supplemental nutrition assistance program, 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.
- This Act may be cited as the "Equitable Nutrition
- 5 Assistance for the Territories Act of 2019".

1	SEC. 2. PARTICIPATION OF PUERTO RICO, AMERICAN
2	SAMOA, AND THE NORTHERN MARIANA IS-
3	LANDS IN SUPPLEMENTAL NUTRITION AS-
4	SISTANCE PROGRAM.
5	(a) In General.—
6	(1) Definitions.—Section 3 of the Food and
7	Nutrition Act of 2008 (7 U.S.C. 2012) is amend-
8	ed —
9	(A) in subsection (r), by inserting "the
10	Commonwealth of Puerto Rico, American
11	Samoa, the Commonwealth of the Northern
12	Mariana Islands," after "Guam,"; and
13	(B) in subsection (u)(3), by inserting "the
14	Commonwealth of Puerto Rico, American
15	Samoa, the Commonwealth of the Northern
16	Mariana Islands," after "Guam,".
17	(2) Eligible Households.—Section 5 of the
18	Food and Nutrition Act of 2008 (7 U.S.C. 2014) is
19	amended—
20	(A) in subsection (b), in the first sentence,
21	by inserting "the Commonwealth of Puerto
22	Rico, American Samoa, the Commonwealth of
23	the Northern Mariana Islands," after "Guam,";
24	(B) in subsection $(c)(1)$, by striking "and
25	Guam," and inserting "Guam, the Common-
26	wealth of Puerto Rico, American Samoa, and

1	the Commonwealth of the Northern Mariana Is-
2	lands,"; and
3	(C) in subsection (e)—
4	(i) in paragraph (1)(A), by inserting
5	"the Commonwealth of Puerto Rico, Amer-
6	ican Samoa, the Commonwealth of the
7	Northern Mariana Islands," after "Ha-
8	waii," each place it appears; and
9	(ii) in paragraph (6)(B), in the matter
10	preceding clause (i), by inserting "the
11	Commonwealth of Puerto Rico, American
12	Samoa, the Commonwealth of the North-
13	ern Mariana Islands," after "Guam,".
14	(3) Effective date.—
15	(A) IN GENERAL.—The amendments made
16	by this subsection shall be effective with respect
17	to the Commonwealth of Puerto Rico, American
18	Samoa, or the Commonwealth of the Northern
19	Mariana Islands, as applicable, on the date de-
20	scribed in subparagraph (B) if the Secretary of
21	Agriculture submits to Congress a certification
22	under subsection (f)(3) of section 19 of the
23	Food and Nutrition Act of 2008 (7 U.S.C.
24	2028) (as added by subsection (b)).

1	(B) DATE DESCRIBED.—The date referred
2	to in subparagraph (A) is, with respect to the
3	Commonwealth of Puerto Rico, American
4	Samoa, or the Commonwealth of the Northern
5	Mariana Islands, the date established by the
6	Commonwealth of Puerto Rico, American
7	Samoa, or the Commonwealth of the Northern
8	Mariana Islands, respectively, in the applicable
9	plan of operation submitted to the Secretary of
10	Agriculture under subsection (f)(1)(A) of sec-
11	tion 19 of the Food and Nutrition Act of 2008
12	(7 U.S.C. 2028) (as added by subsection (b)).
13	(b) Transition of Puerto Rico, American
14	SAMOA, AND THE NORTHERN MARIANA ISLANDS TO SUP-
15	PLEMENTAL NUTRITION ASSISTANCE PROGRAM.—Section
16	19 of the Food and Nutrition Act of 2008 (7 U.S.C. 2028)
17	is amended by adding at the end the following:
18	"(f) Transition of Puerto Rico, American
19	SAMOA, AND THE NORTHERN MARIANA ISLANDS TO SUP-
20	PLEMENTAL NUTRITION ASSISTANCE PROGRAM.—
21	"(1) Submission of Plan by Puerto Rico,
22	AMERICAN SAMOA, AND THE NORTHERN MARIANA
23	ISLANDS.—
24	"(A) Submission and review of plan
25	OF OPERATION.—If a State agency is des-

ignated by the Commonwealth of Puerto Rico,
American Samoa, or the Commonwealth of the
Northern Mariana Islands (referred to in this
subsection as a 'governmental entity') and submits to the Secretary a request to participate in
the supplemental nutrition assistance program
and a plan of operation under section 11 (including a date on which the governmental entity
will begin to participate in the supplemental nutrition assistance program), the Secretary shall
determine whether that governmental entity
and State agency satisfy the requirements that
would apply under this Act for approval of that
plan if the governmental entity were one of the
several States.

"(B) Determination by Secretary.—

"(i) APPROVAL.—The Secretary shall approve a plan of operation under subparagraph (A) if the governmental entity and State agency satisfy the requirements described in that subparagraph.

"(ii) DISAPPROVAL.—If the Secretary does not approve a plan of operation under subparagraph (A), the Secretary shall provide to the governmental entity a state-

1	ment that describes each requirement that
2	is not satisfied by the plan.
2	"(2) Approval of Demail Book emodes. If

- "(2) APPROVAL OF RETAIL FOOD STORES.—If the Secretary approves a plan of operation under paragraph (1)(B)(i), the Secretary shall accept from retail food stores located in the applicable governmental entity applications under section 9 for approval to participate in the supplemental nutrition assistance program.
- "(3) Submission of Certification to Con-GRESS.—The Secretary shall submit to Congress a certification that a governmental entity qualifies to participate in the supplemental nutrition assistance program as if the governmental entity were a State if the Secretary—
 - ``(A) approves the plan of operation under paragraph (1)(B)(i); and
 - "(B) approves the applications under paragraph (2) of a number of retail food stores located in the governmental entity requesting to participate in the supplemental nutrition assistance program that would be sufficient to satisfy the requirements of this Act if the governmental entity were one of the several States.

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- "(4) Cash benefits provided in puerto
 Rico.—As part of a plan of operation submitted
 under paragraph (1)(A), the Commonwealth of
 Puerto Rico may submit to the Secretary a request
 to provide benefits under the supplemental nutrition
 assistance program in the form of cash.
 - "(5) Family Market Program in Puerto Rico.—As part of a plan of operation submitted under paragraph (1)(A), notwithstanding subsection (g), the Secretary shall allow the Commonwealth of Puerto Rico to continue to carry out, under the supplemental nutrition assistance program, the Family Market Program established under this section.

"(g) TERMINATION OF EFFECTIVENESS.—

- "(1) IN GENERAL.—Subsections (a) through (e) shall cease to be effective with respect to the Commonwealth of Puerto Rico, American Samoa, or the Commonwealth of the Northern Mariana Islands, as applicable, on the date described in paragraph (2) if the Secretary submits to Congress a certification under subsection (f)(3).
- "(2) DATE DESCRIBED.—The date referred to in paragraph (1) is, with respect to the Commonwealth of Puerto Rico, American Samoa, or the Commonwealth of the Northern Mariana Islands,

- 1 the date established by the Commonwealth of Puerto
- 2 Rico, American Samoa, or the Commonwealth of the
- 3 Northern Mariana Islands, respectively, in the appli-
- 4 cable plan of operation submitted to the Secretary
- 5 under subsection (f)(1)(A).".
- 6 (c) Authorization of Appropriations.—There
- 7 are authorized to be appropriated to the Secretary of Agri-
- 8 culture to carry out this section and the amendments
- 9 made by this section such sums as are necessary for each
- 10 fiscal year, to remain available until expended.

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