

105TH CONGRESS
1ST SESSION

H. R. 1507

To amend the Food Stamp Act of 1977 to modify certain eligibility
disqualifications, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 30, 1997

Mr. WALSH (for himself, Mrs. ROUKEMA, Mr. HALL of Ohio, Mrs. CLAYTON, Mrs. MORELLA, Mr. WOLF, Mr. OBERSTAR, Mr. QUINN, Mr. LEACH, Ms. NORTON, Mrs. THURMAN, and Ms. WATERS) introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committee on Education and the Workforce, 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 amend the Food Stamp Act of 1977 to modify certain
eligibility disqualifications, 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.**

4 This Act may be cited as the “Hunger Has a Cure
5 Act of 1997”.

1 **SEC. 2. STANDARD DEDUCTION.**

2 Section 5(e)(1) of the Food Stamp Act of 1977 (7
3 U.S.C. 2014(e)(1)) is amended by adding at the end the
4 following:

5 “Such standard deductions shall be adjusted on Oc-
6 tober 1, 2001, and each October 1 thereafter to the
7 nearest lower dollar increment to reflect changes in
8 the Consumer Price Index for All Urban Consumers
9 published by the Bureau of Labor Statistics for
10 items other than food for the 12-month period end-
11 ing on June 30 preceding the date of the adjust-
12 ment.”.

13 **SEC. 3. EXCESS SHELTER DEDUCTION.**

14 Section 5(e)(7)(B) of the Food Stamp Act of 1977
15 (7 U.S.C. 2014(e)(7)) is amended—

16 (1) in clause (ii) by striking “1998” and insert-
17 ing “1997”,

18 (2) in clause (iii) by striking “1999 and 2000”
19 and inserting “1998 and 1999”, and

20 (3) in clause (iv) by striking “year 2001 and
21 each subsequent fiscal year” and inserting “years
22 2000 and 2001”.

23 **SEC. 4. VEHICLE ALLOWANCE.**

24 Section 5(g) of the Food Stamp Act of 1977 (7
25 U.S.C. 2014(g)) is amended—

1 (1) by moving the left margin of paragraph (2),
2 and of each designated subdivision of such para-
3 graph, 2 ems to the left; and

4 (2) in paragraph (2)(B)(iv)—

5 (A) by striking “and” the first place it ap-
6 pears; and

7 (B) by inserting before the semicolon the
8 following:

9 “, and \$5,000 beginning on October 1, 1997,
10 and as adjusted on each October 1 thereafter,
11 to reflect changes in the new car component of
12 the Consumer Price Index for All Urban Con-
13 sumers published by the Bureau of Labor Sta-
14 tistics for the 12-month period ending on June
15 30 preceding the date of the adjustment, and
16 rounded to the nearest \$50”.

17 **SEC. 5. WORK REQUIREMENTS.**

18 (a) IN GENERAL.—Section 6(o) of the Food Stamp
19 Act of 1977 (7 U.S.C. 2015(o)) is amended—

20 (1) in paragraph (1)(C) by striking “, other
21 than a job search program or job search training
22 program”, and

23 (2) in paragraph (2)—

24 (A) by striking “preceding 36-month pe-
25 riod” and all that follows through “3 months”,

1 and inserting “preceding 12-month period, the
2 individual received food stamp benefits for not
3 less than 6 months”, and

4 (B) in subparagraph (D) by inserting be-
5 fore the period at the end the following: “or is
6 not offered an opportunity to participate in a
7 program that allows an individual to satisfy the
8 requirements of subparagraph (B) or (C)”.

9 (b) ENHANCED EMPLOYMENT AND TRAINING PRO-
10 GRAM.—Section 16(h)(1) of the Food Stamp Act of 1977
11 (7 U.S.C. 2025(h)(1)) is amended—

12 (1) in subparagraph (D) by striking “through
13 (C)” and inserting “through (D)”,

14 (2) by redesignating subparagraphs (B)
15 through (D) as subparagraphs (C) through (E), re-
16 spectively,

17 (3) by inserting after subparagraph (A) the fol-
18 lowing:

19 “(B) To carry out employment and train-
20 ing programs, and in addition to amounts re-
21 served under subparagraph (A), the Secretary
22 shall reserve \$100,000,000 for each of the fiscal
23 years 1998 through 2002 for allocation to State
24 agencies from funds made available under sec-
25 tion 18(a)(1) for such fiscal years.”, and

1 (4) in subparagraph (C), as so redesignated—

2 (i) by inserting “(i)” after “ALLOCA-
3 TION—”;

4 (ii) by striking “subparagraph (A)” and
5 inserting “subparagraphs (A) and (B)”, and

6 (iii) by inserting before the period at the
7 end the following:

8 “who are ineligible under section 6(o)(2) to re-
9 ceive food stamp benefits.

10 “(ii) To be eligible to receive funds allo-
11 cated under subparagraph (B) for a fiscal year,
12 the State agency shall agree to expend for such
13 fiscal year, to provide to individuals who com-
14 pose such population opportunities to partici-
15 pate in programs that allow such individuals to
16 satisfy the requirements of subparagraph (B) or
17 (C) of section 6(o)(2)—

18 “(I) the funds the State agency re-
19 ceives from funds allocated under subpara-
20 graph (B); and

21 “(II) of the funds the State agency
22 receives from funds allocated under sub-
23 paragraph (A) for such fiscal year, an
24 amount that is not less than the amount
25 the State agency received under subpara-

graph (A)(i) and expended for the benefit of similar individuals, as determined by the Secretary.”.

SEC. 6. LEGAL IMMIGRANTS.

(a) PROTECTING ELDERLY AND CHILD LEGAL IMMIGRANTS WHO HAVE BEEN IN THE UNITED STATES FOR AT LEAST 5 YEARS, AND LEGAL IMMIGRANTS WHO BECOME DISABLED AFTER ENTRY.—

(1) ELIGIBILITY FOR FOOD STAMP BENEFITS.—Section 402(a)(2) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(a)(2)) is amended by adding at the end the following:

“(E) LEGAL IMMIGRANTS BECOMING DISABLED AFTER ENTERING THE UNITED STATES.—In the case of the program specified in paragraph (3)(B), paragraph (1) shall not apply to a qualified alien who becomes disabled after the date of entry of such immigrant into the United States.

“(F) LEGAL IMMIGRANT CHILDREN AND ELDERLY INDIVIDUALS.—In the case of the program specified in paragraph (3)(B), paragraph (1) shall not apply to a qualified alien who is under 18 years of age or over 75 years

1 of age and who has been a legal permanent
2 resident of the United States for not less than
3 5 years.”.

4 (2) ELIGIBILITY LIMITATION.—Section 403(b)
5 of the Personal Responsibility and Work Oppor-
6 tunity Reconciliation Act of 1996 (8 U.S.C.
7 1613(b)) is amended by adding at the end the fol-
8 lowing:

9 “(3) LEGAL IMMIGRANTS WHO BECOME DIS-
10 ABLED AFTER ENTERING THE UNITED STATES AND
11 SEEK FOOD ASSISTANCE.—In the case of the pro-
12 gram specified in section 402(a)(3)(B), a qualified
13 alien who becomes disabled after the date of entry
14 of such alien into the United States.”.

15 (b) PROTECTING REFUGEES AND ASYLEES DURING
16 THEIR FIRST 7 YEARS IN THE UNITED STATES.—Section
17 402(a)(2)(A) of the Personal Responsibility and Work Op-
18 portunity Reconciliation Act of 1996 (8 U.S.C.
19 1612(a)(2)(A)) is amended by inserting “(or 7 years in
20 the case of the program specified in paragraph (3)(B))”
21 after “5 years”.

22 (c) REPEALING DEEMING REQUIREMENTS AND PRO-
23 TECTING LEGAL IMMIGRANTS WHO BECOME DISABLED
24 AFTER ENTRY.—

1 (1) GENERIC RULES.—Section 421(a) of the
2 Personal Responsibility and Work Opportunity Rec-
3 onciliation Act of 1996 (8 U.S.C. 1631(a)) is
4 amended by inserting “(except in the case of the
5 program specified in section 402(a)(3)(B))” after
6 “of law”.

7 (2) FOOD STAMP ACT OF 1977.—

8 (A) Section 5(i) of the Food Stamp Act of
9 1977 (7 U.S.C. 2014(i)) is repealed.

10 (B) The amendment made by subpara-
11 graph (A) shall not apply with respect to any
12 alien who entered the United States before Au-
13 gust 22, 1996.

14 **SEC. 7. SENSE OF THE CONGRESS.**

15 It is the sense of the Congress that \$45,000,000
16 should be appropriated for fiscal year 1998 under section
17 204(a)(1) of the Emergency Food Assistance Act of 1983
18 (7 U.S.C. 7508(a)(1) to assist in the provision of short-
19 term emergency food assistance to low-income individuals
20 in need and to continue the efficient distribution of com-
21 modities under such Act.

1 **SEC. 8. SENSE OF THE CONGRESS REGARDING FULL FUND-**
2 **ING FOR SPECIAL SUPPLEMENTAL NUTRI-**
3 **TION PROGRAM FOR WOMEN, INFANTS, AND**
4 **CHILDREN.**

5 It is the sense of the Congress that—

6 (1) the Congress should include in any supple-
7 mental appropriations bill for fiscal year 1997 a pro-
8 vision appropriating not less than \$76,000,000 for
9 the special supplemental nutrition program for
10 women, infants, and children (WIC) under section
11 17 of the Child Nutrition Act of 1966 (42 U.S.C.
12 1786) in order to meet the expected year-end case-
13 load of approximately 7,400,000 participants; and

14 (2) the Congress should appropriate not less
15 \$4,008,000,000 for fiscal year 1998 for the special
16 supplemental nutrition program for women, infants,
17 and children (WIC) under section 17 of such Act in
18 order to allow the expected year-end caseload in such
19 program to increase to 7,500,000 participants.

20 **SEC. 9. ADEQUATE FUNDING FOR SUMMER FOOD SERVICE**
21 **PROGRAM FOR CHILDREN.**

22 (a) IN GENERAL.—Section 13(b)(1)(B)(i) of the Na-
23 tional School Lunch Act (42 U.S.C. 1761(b)(1)(B)(i)) is
24 amended by striking “\$1.97” and inserting “\$2.23”.

1 **SEC. 10. OUTREACH AND START-UP FUNDING FOR SCHOOL**
2 **BREAKFAST AND SUMMER FEEDING PRO-**
3 **GRAMS.**

4 Section 4 of the Child Nutrition Act of 1966
5 (42 U.S.C. 1773) is amended by adding at the end the
6 following:

7 “(f) EXPANSION OF PROGRAM.—(1)(A) As a national
8 nutrition and health policy, it is the purpose and intent
9 of the Congress that the school breakfast program be
10 made available in all schools where it is needed to provide
11 adequate nutrition for children in attendance. The Sec-
12 retary is hereby directed, in cooperation with State edu-
13 cational agencies, to carry out a program of information
14 in furtherance of this policy.

15 “(B) In cooperation with State educational agencies,
16 the Secretary shall promote the school breakfast program
17 by—

18 “(i) marketing the program in a manner that
19 expands participation in the program by schools and
20 students; and

21 “(ii) improving public education and outreach
22 efforts in language appropriate materials that en-
23 hance the public image of the program.

24 “(C) As used in this paragraph, the term ‘language
25 appropriate materials’ means materials using a language
26 other than the English language in a case in which the

1 language is dominant for a large percentage of individuals
2 participating in the program.

3 “(2)(A) Each State educational agency—

4 “(i) shall provide information to school boards
5 and public officials concerning the benefits and
6 availability of the school breakfast program; and

7 “(ii) shall select each year, for additional infor-
8 mational efforts concerning the program, schools in
9 the State—

10 “(I) in which a substantial portion of
11 school enrollment consists of children from low-
12 income families; and

13 “(II) that do not participate in the school
14 breakfast program.

15 “(B) Not later than October 1, 2000, the Secretary
16 shall report to the Committee on Education and the
17 Workforce of the House of Representatives and the Com-
18 mittee on Agriculture, Nutrition, and Forestry of the Sen-
19 ate concerning the efforts of the Secretary and the States
20 to increase the participation of schools in the program.

21 “(g) STARTUP AND EXPANSION COSTS.—(1) Out of
22 any moneys in the Treasury not otherwise appropriated,
23 the Secretary of the Treasury shall provide to the Sec-
24 retary \$5,000,000 for fiscal year 1999 and each subse-
25 quent fiscal year to make payments under this subsection.

1 The Secretary shall be entitled to receive the funds and
2 shall accept the funds. The Secretary shall use the funds
3 to make payments on a competitive basis and in the fol-
4 lowing order of priority (subject to other provisions of this
5 subsection), to—

6 “(A) State educational agencies in a substantial
7 number of States for distribution to eligible schools
8 to assist the schools with nonrecurring expenses in-
9 curred in—

10 “(i) initiating a school breakfast program
11 under this section; or

12 “(ii) expanding a school breakfast pro-
13 gram; and

14 “(B) a substantial number of States for dis-
15 tribution to service institutions to assist the institu-
16 tions with nonrecurring expenses incurred in—

17 “(i) initiating a summer food service pro-
18 gram for children; or

19 “(ii) expanding a summer food service pro-
20 gram for children.

21 “(2) Payments received under this subsection shall
22 be in addition in payments to which State agencies are
23 entitled under subsection (b) of this section and section
24 13 of the National School Lunch Act (42 U.S.C. 1761).

1 “(3) To be eligible to receive a payment under this
2 subsection, a State educational agency shall submit to the
3 Secretary a plan to initiate or expand school breakfast
4 programs conducted in the State, including a description
5 of the manner in which the agency will provide technical
6 assistance and funding to schools in the State to initiate
7 or expand the programs.

8 “(4) In making payments under this subsection for
9 any fiscal year to initiate or expand school breakfast pro-
10 grams, the Secretary shall provide a preference to State
11 educational agencies that—

12 “(A) have in effect a State law that requires
13 the expansion of the programs during the year;

14 “(B) have significant public or private resources
15 that have been assembled to carry out the expansion
16 of the programs during the year;

17 “(C) do not have a school breakfast program
18 available to a large number of low-income children
19 in the State; or

20 “(D) serve an unmet need among low-income
21 children, as determined by the Secretary.

22 “(5) In making payments under this subsection for
23 any fiscal year to initiate or expand summer food service
24 programs for children, the Secretary shall provide a pref-
25 erence to States—

1 “(A)(i) in which the numbers of children par-
2 ticipating in the summer food service program for
3 children represent the lowest percentages of the
4 number of children receiving free or reduced price
5 meals under the school lunch program established
6 under the National School Lunch Act (42 U.S.C.
7 1751 et seq.); or

8 “(ii) that do not have a summer food service
9 program for children available to a large number of
10 low-income children in the State; and

11 “(B) that submit to the Secretary a plan to ex-
12 pand the summer food service programs for children
13 conducted in the State, including a description of—

14 “(i) the manner in which the State will
15 provide technical assistance and funding to
16 service institutions in the State to expand the
17 programs; and

18 “(ii) significant public or private resources
19 that have been assembled to carry out the ex-
20 pansion of the programs during the year.

21 “(6) The Secretary shall act in a timely manner to
22 recover and reallocate to other States any amounts pro-
23 vided to a State educational agency or State under this
24 subsection that are not used by the agency or State within
25 a reasonable period (as determined by the Secretary).

1 “(7) The Secretary shall allow States to apply on an
2 annual basis for assistance under this subsection.

3 “(8) Each State agency and State, in allocating funds
4 within the State, shall give preference for assistance under
5 this subsection to eligible schools and service institutions
6 that demonstrate the greatest need for a school breakfast
7 program or a summer food service program for children,
8 respectively.

9 “(9) Expenditures for funds from State and local
10 sources for the maintenance of the school breakfast pro-
11 gram and the summer food service program for children
12 shall not be diminished as a result of payments received
13 under this subsection.

14 “(10) As used in this section:

15 “(A) The term ‘eligible school’ means a
16 school—

17 “(i) attended by children a significant per-
18 centage of whom are members of low-income
19 families;

20 “(ii)(I) as used with respect to a school
21 breakfast program, that agrees to operate the
22 school breakfast program established or ex-
23 panded with the assistance provided under this
24 subsection for a period of not less than 3 years;
25 and

1 “(II) as used with respect to a summer
 2 food service program for children, that agrees
 3 to operate the summer food service program for
 4 children established or expanded with the as-
 5 sistance provided under this subsection for a
 6 period of not less than 3 years.

7 “(B) The term ‘service institution’ means an in-
 8 stitution or organization described in paragraph
 9 (1)(B) or (7) of section 13(a) of the National School
 10 Lunch Act (42 U.S.C. 1761(a)(1)(B) or (7)).

11 “(C) The term ‘summer food service program
 12 for children’ means a program authorized by section
 13 13 of such Act (42 U.S.C. 1761).”.

14 **SEC. 11. RESTORATION OF “FOURTH MEAL” UNDER CHILD**
 15 **AND ADULT CARE FOOD PROGRAM.**

16 Section 17(f)(2)(B) of the National School Lunch Act
 17 (42 U.S.C. 1766(f)(2)(B)) is amended by striking “two
 18 meals and one supplement” and inserting “two meals and
 19 two supplements or three meals and one supplement”.

○