

113TH CONGRESS
1ST SESSION

S. 458

To improve and extend certain nutrition programs.

IN THE SENATE OF THE UNITED STATES

MARCH 5, 2013

Mr. ROBERTS (for himself, Mr. THUNE, and Mr. JOHANNES) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To improve and extend certain nutrition programs.

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 “Improve Nutrition Pro-
5 gram Integrity and Deficit Reduction Act of 2013”.

6 **SEC. 2. RESTORING PROGRAM INTEGRITY TO CATEGOR-**
7 **ICAL ELIGIBILITY FOR THE SUPPLEMENTAL**
8 **NUTRITION ASSISTANCE PROGRAM.**

9 (a) IN GENERAL.—The second sentence of section
10 5(a) of the Food and Nutrition Act of 2008 (7 U.S.C.
11 2014(a)) is amended by striking “receives benefits under

1 a State program” and inserting “receives assistance (as
 2 defined in section 260.31 of title 45, Code of Federal Reg-
 3 ulations, as in effect on January 1, 2013) under a State
 4 program”.

5 (b) RESOURCES.—Section 5(j) of the Food and Nu-
 6 trition Act of 2008 (7 U.S.C. 2014(j)) is amended by
 7 striking “receives benefits under a State program” and
 8 inserting “receives assistance (as defined in section 260.31
 9 of title 45, Code of Federal Regulations, as in effect on
 10 January 1, 2013) under a State program”.

11 **SEC. 3. ELIMINATING THE LOW-INCOME HOME ENERGY AS-**
 12 **SISTANCE LOOPHOLE.**

13 (a) IN GENERAL.—Section 5 of the Food and Nutri-
 14 tion Act of 2008 (7 U.S.C. 2014) is amended—

15 (1) in subsection (d)(11)(A), by striking “(other
 16 than” and all that follows through “et seq.))” and
 17 inserting “(other than payments or allowances made
 18 under part A of title IV of the Social Security Act
 19 (42 U.S.C. 601 et seq.) or any payments under any
 20 other State program funded with qualified State ex-
 21 penditures (as defined in section 409(a)(7)(B)(i) of
 22 that Act (42 U.S.C. 609(a)(7)(B)(1))))”;

23 (2) in subsection (e)(6)(C), by striking clause
 24 (iv); and

25 (3) in subsection (k)—

1 (A) in paragraph (2)—

2 (i) by striking subparagraph (C);

3 (ii) by redesignating subparagraphs

4 (D) through (G) as subparagraphs (C)

5 through (F), respectively; and

6 (iii) by striking paragraph (4).

7 (b) CONFORMING AMENDMENTS.—Section 2605(f) of
8 the Low-Income Home Energy Assistance Act of 1981 (42
9 U.S.C. 8624(f)) is amended—

10 (1) in paragraph (1), by striking “(1)”; and

11 (2) by striking paragraph (2).

12 **SEC. 4. ELIMINATING INFLATION ADJUSTMENTS FOR**
13 **COUNTABLE RESOURCES.**

14 Section 5(g)(1) of the Food and Nutrition Act of
15 2008 (7 U.S.C. 2014) is amended—

16 (1) by striking “(1) TOTAL AMOUNT.—” and all
17 that follows through “The Secretary” in subpara-
18 graph (A) and inserting the following:

19 “(1) TOTAL AMOUNT.—The Secretary”;

20 (2) by striking “(as adjusted in accordance with
21 subparagraph (B))” both places it appears; and

22 (3) by striking subparagraph (B).

1 **SEC. 5. ENDING SUPPLEMENTAL NUTRITION ASSISTANCE**
 2 **PROGRAM BENEFITS FOR LOTTERY OR GAM-**
 3 **BLING WINNERS.**

4 (a) IN GENERAL.—Section 6 of the Food and Nutri-
 5 tion Act of 2008 (7 U.S.C. 2015) is amended by adding
 6 at the end the following:

7 “(r) INELIGIBILITY FOR BENEFITS DUE TO RECEIPT
 8 OF SUBSTANTIAL LOTTERY OR GAMBLING WINNINGS.—

9 “(1) IN GENERAL.—Any household in which a
 10 member receives substantial lottery or gambling
 11 winnings, as determined by the Secretary, shall lose
 12 eligibility for benefits immediately upon receipt of
 13 the winnings.

14 “(2) DURATION OF INELIGIBILITY.—A house-
 15 hold described in paragraph (1) shall remain ineli-
 16 gible for participation until the household meets the
 17 allowable financial resources and income eligibility
 18 requirements under subsections (c), (d), (e), (f), (g),
 19 (i), (k), (l), (m), and (n) of section 5.

20 “(3) AGREEMENTS.—As determined by the Sec-
 21 retary, each State agency, to the maximum extent
 22 practicable, shall establish agreements with entities
 23 responsible for the regulation or sponsorship of gam-
 24 ing in the State to determine whether individuals
 25 participating in the supplemental nutrition assist-

1 ance program have received substantial lottery or
2 gambling winnings.”.

3 (b) CONFORMING AMENDMENTS.—Section 5(a) of
4 the Food and Nutrition Act of 2008 (7 U.S.C. 2014(a))
5 is amended in the second sentence by striking “sections
6 6(b), 6(d)(2), and 6(g)” and inserting “subsections (b),
7 (d)(2), (g), and (r) of section 6”.

8 **SEC. 6. ELIMINATING STATE BONUSES.**

9 (a) IN GENERAL.—Section 16 of the Food and Nutri-
10 tion Act of 2008 (7 U.S.C. 2025) is amended by striking
11 subsection (d).

12 (b) CONFORMING AMENDMENTS.—Section 16 of the
13 Food and Nutrition Act of 2008 (7 U.S.C. 2025) is
14 amended—

15 (1) in subsection (c)—

16 (A) in the first sentence of paragraph (4),
17 by striking “payment error rate” and all that
18 follows through “subsection (d)” and inserting
19 “liability amount or new investment amount
20 under paragraph (1) or payment error rate”;
21 and

22 (B) in the first sentence of paragraph (5),
23 by striking “payment error rate” and all that
24 follows through “subsection (d)” and inserting
25 “liability amount or new investment amount

1 under paragraph (1) or payment error rate”;
 2 and
 3 (2) in subsection (i)(1), by striking “subsection
 4 (d)(1)” and inserting “subsection (c)(2)”.

5 **SEC. 7. ELIMINATING DUPLICATIVE EMPLOYMENT AND**
 6 **TRAINING.**

7 (a) FUNDING OF EMPLOYMENT AND TRAINING PRO-
 8 GRAMS.—Section 16 of Food and Nutrition Act of 2008
 9 (7 U.S.C. 2025) is amended by striking subsection (h).

10 (b) ADMINISTRATIVE COST-SHARING.—

11 (1) IN GENERAL.—Section 16(a) of the Food
 12 and Nutrition Act of 2008 (7 U.S.C. 2025(a)) is
 13 amended in the first sentence, in the matter pre-
 14 ceding paragraph (1), by inserting “(other than a
 15 program carried out under section 6(d)(4))” after
 16 “supplemental nutrition assistance program”.

17 (2) CONFORMING AMENDMENTS.—

18 (A) Section 17(b)(1)(B)(iv)(III)(hh) of the
 19 Food and Nutrition Act of 2008 (7 U.S.C.
 20 2026(b)(1)(B)(iv)(III)(hh)) is amended by
 21 striking “(g), (h)(2), or (h)(3)” and inserting
 22 “or (g)”.

23 (B) Section 22(d)(1)(B)(ii) of the Food
 24 and Nutrition Act of 2008 (7 U.S.C.
 25 2031(d)(1)(B)(ii)) is amended by striking “,

1 (g), (h)(2), and (h)(3)” and inserting “and
 2 (g)”.

3 (c) WORKFARE.—

4 (1) IN GENERAL.—Section 20 of the Food and
 5 Nutrition Act of 2008 (7 U.S.C. 2029) is amended
 6 by striking subsection (g).

7 (2) CONFORMING AMENDMENT.—Section
 8 17(b)(1)(B)(iv)(III)(jj) of the Food and Nutrition
 9 Act of 2008 (7 U.S.C. 2026(b)(1)(B)(iv)(III)(jj)) is
 10 amended by striking “or (g)(1)”.

11 **SEC. 8. ELIMINATING INFLATION ADJUSTMENTS FOR**
 12 **EMERGENCY FOOD ASSISTANCE RESOURCES.**

13 Section 27(a) of the Food and Nutrition Act of 2008
 14 (7 U.S.C. 2036(a)) is amended—

15 (1) in paragraph (1), by striking “2008
 16 through 2012” and inserting “2014 through 2018”;
 17 and

18 (2) by striking paragraph (2) and inserting the
 19 following:

20 “(2) AMOUNTS.—The Secretary shall use to
 21 carry out paragraph (1) \$260,000,000 for each of
 22 fiscal years 2014 through 2018.”.

1 **SEC. 9. ELIMINATING THE NUTRITION EDUCATION GRANT**
2 **PROGRAM.**

3 Section 28 of the Food and Nutrition Act of 2008
4 (7 U.S.C. 2036a) is repealed.

5 **SEC. 10. TERMINATING AN INCREASE IN BENEFITS.**

6 Section 101(a) of division A of the American Recov-
7 ery and Reinvestment Act of 2009 (Public Law 111–5;
8 123 Stat. 120; 124 Stat. 2394; 124 Stat. 3265) is amend-
9 ed by striking paragraph (2) and inserting the following:
10 “(2) TERMINATION.—The authority provided by
11 this subsection shall terminate after February 1,
12 2013.”.

○