

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.**

4 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

the Commonwealth of the Northern Mariana Islands,”; and

(C) in subsection (e)—

(i) in paragraph (1)(A), by inserting “the Commonwealth of Puerto Rico, American Samoa, the Commonwealth of the Northern Mariana Islands,” after “Hawaii,” each place it appears; and

(ii) in paragraph (6)(B), in the matter preceding clause (i), by inserting “the Commonwealth of Puerto Rico, American Samoa, the Commonwealth of the Northern Mariana Islands,” after “Guam,”.

(3) EFFECTIVE DATE.—

(A) IN GENERAL.—The amendments made by this subsection shall 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 subparagraph (B) if the Secretary of Agriculture submits to Congress a certification under subsection (f)(3) of section 19 of the Food and Nutrition Act of 2008 (7 U.S.C. 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-

1 ignated by the Commonwealth of Puerto Rico,
2 American Samoa, or the Commonwealth of the
3 Northern Mariana Islands (referred to in this
4 subsection as a ‘governmental entity’) and sub-
5 mits to the Secretary a request to participate in
6 the supplemental nutrition assistance program
7 and a plan of operation under section 11 (in-
8 cluding a date on which the governmental entity
9 will begin to participate in the supplemental nu-
10 trition assistance program), the Secretary shall
11 determine whether that governmental entity
12 and State agency satisfy the requirements that
13 would apply under this Act for approval of that
14 plan if the governmental entity were one of the
15 several States.

16 “(B) DETERMINATION BY SECRETARY.—

17 “(i) APPROVAL.—The Secretary shall
18 approve a plan of operation under subpara-
19 graph (A) if the governmental entity and
20 State agency satisfy the requirements de-
21 scribed in that subparagraph.

22 “(ii) DISAPPROVAL.—If the Secretary
23 does not approve a plan of operation under
24 subparagraph (A), the Secretary shall pro-
25 vide to the governmental entity a state-

1 ment that describes each requirement that
2 is not satisfied by the plan.

3 “(2) APPROVAL OF RETAIL FOOD STORES.—If
4 the Secretary approves a plan of operation under
5 paragraph (1)(B)(i), the Secretary shall accept from
6 retail food stores located in the applicable govern-
7 mental entity applications under section 9 for ap-
8 proval to participate in the supplemental nutrition
9 assistance program.

10 “(3) SUBMISSION OF CERTIFICATION TO CON-
11 GRESS.—The Secretary shall submit to Congress a
12 certification that a governmental entity qualifies to
13 participate in the supplemental nutrition assistance
14 program as if the governmental entity were a State
15 if the Secretary—

16 “(A) approves the plan of operation under
17 paragraph (1)(B)(i); and

18 “(B) approves the applications under para-
19 graph (2) of a number of retail food stores lo-
20 cated in the governmental entity requesting to
21 participate in the supplemental nutrition assist-
22 ance program that would be sufficient to satisfy
23 the requirements of this Act if the govern-
24 mental entity were one of the several States.

1 “(4) CASH BENEFITS PROVIDED IN PUERTO
 2 RICO.—As part of a plan of operation submitted
 3 under paragraph (1)(A), the Commonwealth of
 4 Puerto Rico may submit to the Secretary a request
 5 to provide benefits under the supplemental nutrition
 6 assistance program in the form of cash.

7 “(5) FAMILY MARKET PROGRAM IN PUERTO
 8 RICO.—As part of a plan of operation submitted
 9 under paragraph (1)(A), notwithstanding subsection
 10 (g), the Secretary shall allow the Commonwealth of
 11 Puerto Rico to continue to carry out, under the sup-
 12 plemental nutrition assistance program, the Family
 13 Market Program established under this section.

14 “(g) TERMINATION OF EFFECTIVENESS.—

15 “(1) IN GENERAL.—Subsections (a) through (e)
 16 shall cease to be effective with respect to the Com-
 17 monwealth of Puerto Rico, American Samoa, or the
 18 Commonwealth of the Northern Mariana Islands, as
 19 applicable, on the date described in paragraph (2) if
 20 the Secretary submits to Congress a certification
 21 under subsection (f)(3).

22 “(2) DATE DESCRIBED.—The date referred to
 23 in paragraph (1) is, with respect to the Common-
 24 wealth of Puerto Rico, American Samoa, or the
 25 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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