

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.

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## 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

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# 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

1 the Commonwealth of the Northern Mariana Is-  
2 lands,”; and

3 (C) in subsection (e)—

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)).

(B) DATE DESCRIBED.—The date referred to in subparagraph (A) is, with respect to the Commonwealth of Puerto Rico, American Samoa, or the Commonwealth of the Northern Mariana Islands, the date established by the Commonwealth of Puerto Rico, American Samoa, or the Commonwealth of the Northern Mariana Islands, respectively, in the applicable plan of operation submitted to the Secretary of Agriculture under subsection (f)(1)(A) of section 19 of the Food and Nutrition Act of 2008 (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 —



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 Com-  
24 monwealth 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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