Inspector General of the Department of Agriculture, finds evidence that the participation of an establishment or shelter described in section 2012(g)(9) of this title damages the program's integrity, the Secretary shall limit the participation of such establishment or shelter in the food stamp program, unless the establishment or shelter is the only establishment or shelter serving the area.'' See Effective and Termination Dates of 1986 Amendment note below.

1985—Subsec. (b). Pub. L. 99–198, § 1532(b), designated existing provisions as par. (1) and added par. (2).

Subsec. (c). Pub. L. 99–198, § 1521, inserted provisions relating to disclosure of information to, and the use by, State agencies which administer the special supplemental food program for women, infants, and children, authorized under section 17 of the Child Nutrition Act of 1966.

1982—Subsec. (f). Pub. L. 97–253 added subsec. (f).

1981—Subsec. (c). Pub. L. 97–98, § 1313, inserted provision that such purposes not exclude the audit and examination of such information by the Comptroller General of the United States authorized by any other provision of law.

Subsec. (e). Pub. L. 97–98, § 1314, added subsec. (e).

1977—Pub. L. 95–113 substituted revised provisions covering approval of retail food stores and wholesale food concerns for provisions relating to redemption of coupons which are now covered by section 2019 of this title.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment of this section and repeal of Pub. L. 110–234 by Pub. L. 110–246 effective May 22, 2008, the date of enactment of Pub. L. 110–234, except as otherwise provided, see section 4 of Pub. L. 110–246, set out as an Effective Date note under section 8701 of this title.

Amendment by sections 4001(b), 4002(a)(5), and 4115(b)(6) of Pub. L. 110–246 effective Oct. 1, 2008, see section 4407 of Pub. L. 110–246, set out as a note under section 1161 of Title 2, The Congress.

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103–448 effective Oct. 1, 1994, see section 401 of Pub. L. 103–448, set out as a note under section 1755 of Title 42, The Public Health and Welfare.

EFFECTIVE DATE OF 1991 AMENDMENT

Amendment by Pub. L. 102–237 effective and to be implemented no later than Feb. 1, 1992, see section 1101(d)(1) of Pub. L. 102–237, set out as a note under section 1421 of this title.

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101–624 effective and implemented first day of month beginning 120 days after publication of implementing regulations to be promulgated not later than Oct. 1, 1991, see section 1781(a) of Pub. L. 101–624, set out as a note under section 2012 of this title.

EFFECTIVE AND TERMINATION DATES OF 1986 AMENDMENT

Amendment by Pub. L. 99–570 effective, and to be implemented by issuance of final regulations, not later than Apr. 1, 1987, and cease to be effective after Sept. 30, 1990, see section 11002(f)(1), (2) of Pub. L. 99–570, set out as a note under section 2012 of this title.

EFFECTIVE DATE OF 1982 AMENDMENT

Amendment by Pub. L. 97–253 effective Sept. 8, 1982, see section 193(a) of Pub. L. 97–253, set out as a note under section 2012 of this title.

EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97–98 effective on earlier of Sept. 8, 1982, or date such amendment became effective pursuant to section 1338 of Pub. L. 97–98, set out as a note under section 2012 of this title, see section 192(b) of Pub. L. 97–253, set out as a note under section 2012 of this title.

Amendment by Pub. L. 97–98 effective upon such date as Secretary of Agriculture may prescribe, taking into account need for orderly implementation, see section 1338 of Pub. L. 97–98, set out as a note under section 2012 of this title.

EFFECTIVE DATE OF 1977 AMENDMENT

Pub. L. 95–113, title XIII, § 1301, Sept. 29, 1977, 91 Stat. 958, provided that the amendment made by section 1301 is effective Oct. 1, 1977.

§ 2019. Redemption of program benefits

Regulations issued pursuant to this chapter shall provide for the redemption of benefits accepted by retail food stores through approved wholesale food concerns or through financial institutions which are insured by the Federal Deposit Insurance Corporation, or which are insured under the Federal Credit Union Act [12 U.S.C. 1751 et seq.] and have retail food stores or wholesale food concerns in their field of membership, with the cooperation of the Treasury Department, except that retail food stores defined in section 2012(*o*)(4) of this title shall be authorized to redeem their members' food benefits prior to receipt by the members of the food so purchased, retail food stores authorized to accept and redeem benefits through on-line transactions shall be authorized to accept benefits prior to the delivery of food if the delivery occurs within a reasonable time of the purchase, as determined by the Secretary, and publicly operated community mental health centers or private nonprofit organizations or institutions which serve meals to narcotics addicts or alcoholics in drug addiction or alcoholic treatment and rehabilitation programs, public and private nonprofit shelters that prepare and serve meals for battered women and children, and public or private nonprofit group living arrangements that serve meals to disabled or blind residents, shall not be authorized to redeem benefits through financial institutions which are insured by the Federal Deposit Insurance Corporation or the Federal Credit Union Act. Notwithstanding the preceding sentence, a center, organization, institution, shelter, group living arrangement, or establishment described in that sentence may be authorized to redeem benefits through a financial institution described in that sentence if the center, organization, institution, shelter, group living arrangement, or establishment is equipped with 1 or more point-of-sale devices and is operating in an area in which an electronic benefit transfer system described in section 2016(h) of this title has been implemented. No financial institution may impose on or collect from a retail food store a fee or other charge for the redemption of benefits that are submitted to the financial institution in a manner consistent with the requirements, other than any requirements relating to cancellation of benefits, for the presentation of benefits by financial institutions to the Federal Reserve banks.

(Pub. L. 88–525, § 10, Aug. 31, 1964, 78 Stat. 706; Pub. L. 91–671, § 6, Jan. 11, 1971, 84 Stat. 2051; Pub. L. 92–603, title IV, § 411(c)–(e), Oct. 30, 1972,

86 Stat. 1491; Pub. L. 93–86, §3(f), (i), (k), Aug. 10, 1973, 87 Stat. 247, 248; Pub. L. 93–125, §1(j), Oct. 18, 1973, 87 Stat. 450; Pub. L. 95–113, title XIII, §1301, Sept. 29, 1977, 91 Stat. 969; Pub. L. 96–58, §8, Aug. 14, 1979, 93 Stat. 392; Pub. L. 96–249, title I, §101(b), May 26, 1980, 94 Stat. 357; Pub. L. 97–98, title XIII, §1315, Dec. 22, 1981, 95 Stat. 1285; Pub. L. 99–198, title XV, §§1501(b), 1522, 1523(a), Dec. 23, 1985, 99 Stat. 1566, 1580; Pub. L. 99–570, title XI, §11002(e), Oct. 27, 1986, 100 Stat. 3207–168; Pub. L. 107–171, title IV, §4113(a), May 13, 2002, 116 Stat. 313; Pub. L. 110–234, title IV, §4115(b)(7), May 22, 2008, 122 Stat. 1107; Pub. L. 110–246, §4(a), title IV, §4115(b)(7), June 18, 2008, 122 Stat. 1664, 1868; Pub. L. 113–79, title IV, §4011(b)(2)(B), Feb. 7, 2014, 128 Stat. 793; Pub. L. 115–334, title IV, §4022(4), Dec. 20, 2018, 132 Stat. 4653.)

Editorial Notes

References in Text

The Federal Credit Union Act, referred to in text, is act June 26, 1934, ch. 750, 48 Stat. 1216, which is classified generally to chapter 14 (§1751 et seq.) of Title 12, Banks and Banking. For complete classification of this Act to the Code, see section 1751 of Title 12 and Tables.

Codification

Pub. L. 110–234 and Pub. L. 110–246 made identical amendments to this section. The amendments by Pub. L. 110–234 were repealed by section 4(a) of Pub. L. 110–246.

Amendments

2018—Pub. L. 115–334, in first sentence, struck out ''or the Federal Savings and Loan Insurance Corporation'' after ''the Federal Deposit Insurance Corporation'' in two places and substituted ''2012(*o*)(4)'' for ''2012(p)(4)''.

2014—Pub. L. 113–79 inserted ''retail food stores authorized to accept and redeem benefits through on-line transactions shall be authorized to accept benefits prior to the delivery of food if the delivery occurs within a reasonable time of the purchase, as determined by the Secretary,'' after ''food so purchased,''.

2008—Pub. L. 110–246, §4115(b)(7), in section catchline, substituted ''program benefits'' for ''coupons'' and, in text, substituted ''section 2012(p)(4)'' for ''section 2012(k)(4)'' and ''section 2016(h)'' for ''section 2016(i)'' and substituted ''benefits'' for ''coupons'' wherever appearing.

2002—Pub. L. 107–171 inserted after first sentence ''Notwithstanding the preceding sentence, a center, organization, institution, shelter, group living arrangement, or establishment described in that sentence may be authorized to redeem coupons through a financial institution described in that sentence if the center, organization, institution, shelter, group living arrangement, or establishment is equipped with 1 or more point-of-sale devices and is operating in an area in which an electronic benefit transfer system described in section 2016(i) of this title has been implemented.''

1986—Pub. L. 99–570, §11002(e), (f), temporarily struck out ''and'' after ''battered women and children,'' and inserted '', and public or private nonprofit establishments, or public or private nonprofit shelters that feed individuals who do not reside in permanent dwellings and individuals who have no fixed mailing addresses''. See Effective and Termination Dates of 1986 Amendment note below.

1985—Pub. L. 99–198, §1501(b), inserted reference to publicly operated community mental health centers.

Pub. L. 99–198, §1522, inserted '', or which are insured under the Federal Credit Union Act and have retail food stores or wholesale food concerns in their field of membership'' and ''or the Federal Credit Union Act''.

Pub. L. 99–198, §1523(a), inserted sentence providing that no financial institution may impose on or collect from a retail food store a fee or other charge for the redemption of coupons that are submitted to the financial institution in a manner consistent with the requirements, other than any requirements relating to cancellation of coupons, for the presentation of coupons by financial institutions to the Federal Reserve banks.

1981—Pub. L. 97–98 substituted ''financial institutions which are insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation'' for ''banks'' wherever appearing.

1980—Pub. L. 96–249 substituted ''purchased,'' for ''purchased'' and ''residents'' for ''residents,'' and inserted '', public and private nonprofit shelters that prepare and serve meals for battered women and children'' after ''programs''.

1979—Pub. L. 96–58 inserted provisions relating to public and private nonprofit group living arrangements that serve meals to disabled or blind residents.

1977—Pub. L. 95–113 substituted revised provisions covering redemption of coupons for provisions relating to administration of program which are now covered by section 2020 of this title.

1973—Subsec. (e). Pub. L. 93–86, §3(i), inserted cls. (6) and (7), designated former cl. (6) as (8), and inserted provision relating to time for submission of plan of operation to Secretary for approval and time for Secretary to make a determination of approval or disapproval of such plan.

Subsec. (h). Pub. L. 93–125 inserted ''members of'' after ''the Secretary shall permit''.

Pub. L. 93–86, §3(k), inserted provisions authorizing meal purchases from senior citizens' centers, apartment buildings occupied primarily by elderly persons, any public or nonprofit private school which prepares meals especially for elderly persons, any public or nonprofit private eating establishment which prepares meals especially for elderly persons during special hours, and any other public or nonprofit private establishment approved for such purpose by the Secretary.

Subsec. (i). Pub. L. 93–86, §3(f), added subsec. (i).

1972—Subsec. (c). Pub. L. 92–603, §411(c), struck out provisions relating to filing of an affidavit by household for certification of eligibility for public assistance.

Subsec. (e). Pub. L. 92–603, §411(d), (e), substituted ''prescribed by the Secretary in the regulations issued pursuant to this chapter'' for ''used by them in the certification of applicants for benefits under the federally aided public assistance programs'' in cl. (2), and struck out provisions requiring the State agency to institute procedures under which any household participating in the food stamp program shall be entitled to have the charges for its coupon allotment deducted from grants or payments such household is entitled to receive and have its coupon allotment distributed to it with such grant or payment.

1971—Subsec. (c). Pub. L. 91–671, §6(a), inserted provisions respecting certification of eligibility for benefits by execution of an affidavit and duration of validity of a certification upon removal of a household from one political subdivision to another.

Subsec. (e). Pub. L. 91–671, §6(b), substituted ''regulations'' for ''regulation'' in second sentence preceding cl. (1) and ''from time to time may'' for ''may from time to time'', and added cls. (5) and (6) and provision for withholding in the State plan.

Subsec. (h). Pub. L. 91–671, §6(c), added subsec. (h).

Statutory Notes and Related Subsidiaries

Effective Date of 2008 Amendment

Amendment of this section and repeal of Pub. L. 110–234 by Pub. L. 110–246 effective May 22, 2008, the date of enactment of Pub. L. 110–234, except as otherwise provided, see section 4 of Pub. L. 110–246, set out as an Effective Date note under section 8701 of this title.

Amendment by section 4115(b)(7) of Pub. L. 110–246 effective Oct. 1, 2008, see section 4407 of Pub. L. 110–246,

set out as a note under section 1161 of Title 2, The Congress.

EFFECTIVE DATE OF 2002 AMENDMENT

Pub. L. 107–171, title IV, § 4113(b), May 13, 2002, 116 Stat. 314, provided that: ''The amendment made by this section [amending this section] takes effect on the date of enactment of this Act [May 13, 2002].''

EFFECTIVE AND TERMINATION DATES OF 1986 AMENDMENT

Amendment by Pub. L. 99–570 effective, and to be implemented by issuance of final regulations, not later than Apr. 1, 1987, and cease to be effective after Sept. 30, 1990, see section 11002(f)(1), (2) of Pub. L. 99–570, set out as a note under section 2012 of this title.

EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97–98 effective on earlier of Sept. 8, 1982, or date such amendment became effective pursuant to section 1338 of Pub. L. 97–98, set out as a note under section 2012 of this title, see section 192(b) of Pub. L. 97–253, set out as a note under section 2012 of this title.

Amendment by Pub. L. 97–98 effective upon such date as Secretary of Agriculture may prescribe, taking into account need for orderly implementation, see section 1338 of Pub. L. 97–98, set out as a note under section 2012 of this title.

EFFECTIVE DATE OF 1979 AMENDMENT

Amendment by Pub. L. 96–58 to be implemented in all States by July 1, 1980, but not to affect the rights or liabilities of Secretary, States, and applicant or participant households under provisions of this chapter as in effect on July 1, 1979, until implemented, see section 10(c) of Pub. L. 96–58, set out as a note under section 2012 of this title.

EFFECTIVE DATE OF 1977 AMENDMENT

Pub. L. 95–113, title XIII, § 1301, Sept. 29, 1977, 91 Stat. 958, provided that the amendment made by section 1301 is effective Oct. 1, 1977.

EFFECTIVE DATE OF 1972 AMENDMENT

Amendment by Pub. L. 92–603 effective Jan. 1, 1973, see section 411(h) of Pub. L. 92–603, set out as a note under section 2012 of this title.

REGULATIONS

Pub. L. 99–198, title XV, § 1523(b), Dec. 23, 1985, 99 Stat. 1580, provided that: ''The Secretary of Agriculture, in consultation with the Board of Governors of the Federal Reserve System, shall issue regulations implementing the amendment made by subsection (a) [amending this section].''

PUBLICLY OPERATED COMMUNITY HEALTH CENTERS

Provisions of this section concerning private, nonprofit drug addiction or alcoholic treatment and rehabilitation programs to be applicable to publicly operated community health centers, see section 101(b) of Pub. L. 98–107, set out in part as a note under section 2012 of this title.

EXTENSION UNTIL OCTOBER 1, 1976, OF FINAL DATE FOR COMPLIANCE WITH REGULATIONS GOVERNING USE OF FOOD STAMPS BY AFDC FAMILIES

Pub. L. 94–182, title II, § 201, Dec. 31, 1975, 89 Stat. 1056, permitted the final date for compliance with regulations implementing former subsec. (e)(7) of this section to be extended until Oct. 1, 1976.

§ 2020. Administration

(a) State responsibility

(1) In general

The State agency of each participating State shall have responsibility for certifying applicant households and issuing EBT cards.

(2) Local administration

The responsibility of the agency of the State government shall not be affected by whether the program is operated on a State-administered or county-administered basis, as provided under section 2012(s)(1) of this title.

(3) Records

(A) In general

Each State agency shall keep such records as may be necessary to determine whether the program is being conducted in compliance with this chapter (including regulations issued under this chapter).

(B) Inspection and audit

All records, and the entire information systems in which records are contained, that are covered in subparagraph (A) shall—

(i) be made available for inspection and audit by the Secretary, subject to data and security protocols agreed to by the State agency and Secretary;

(ii) subject to subsection (e)(8), be available for review in any action filed by a household to enforce any provision of this chapter (including regulations issued under this chapter); and

(iii) be preserved for such period of not less than 3 years as may be specified in regulations.

(4) Review of major changes in program design

(A) In general

The Secretary shall develop standards for identifying major changes in the operations of a State agency, including—

(i) large or substantially-increased numbers of low-income households that do not live in reasonable proximity to an office performing the major functions described in subsection (e);

(ii) substantial increases in reliance on automated systems for the performance of responsibilities previously performed by personnel described in subsection (e)(6)(B);

(iii) changes that potentially increase the difficulty of reporting information under subsection (e) or section 2015(c) of this title; and

(iv) changes that may disproportionately increase the burdens on any of the types of households described in subsection (e)(2)(A).

(B) Notification

If a State agency implements a major change in operations, the State agency shall—

(i) notify the Secretary; and

(ii) collect such information as the Secretary shall require to identify and correct any adverse effects on program integrity or access, including access by any of the types of households described in subsection (e)(2)(A).

(b) Correction of improper denials and underissuances

When a State agency learns, through its own reviews under section 2025 of this title or other reviews, or through other sources, that it has