

116TH CONGRESS
1ST SESSION

H. R. 1576

To amend the Food and Nutrition Act of 2008 to provide for the participation of Puerto Rico, American Samoa, and the Northern Mariana Islands in the supplemental nutrition assistance program.

IN THE HOUSE OF REPRESENTATIVES

MARCH 6, 2019

Ms. VELÁZQUEZ (for herself, Mr. SABLAN, Ms. MOORE, Mr. CASTEN of Illinois, Ms. OCASIO-CORTEZ, Mr. GRIJALVA, Miss GONZÁLEZ-COLÓN of Puerto Rico, Mr. ESPAILLAT, Mr. GALLEGO, Mr. SERRANO, Mr. SOTO, Mr. SIRES, Ms. WASSERMAN SCHULTZ, Ms. NORTON, Ms. LEE of California, and Mr. MORELLE) introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend the Food and Nutrition Act of 2008 to provide for the participation of Puerto Rico, American Samoa, and the Northern Mariana Islands in the supplemental nutrition assistance program.

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)—

4 (i) in paragraph (1)(A), by inserting
5 “the Commonwealth of Puerto Rico, Amer-
6 ican Samoa, the Commonwealth of the
7 Northern Mariana Islands,” after “Ha-
8 waii,” each place it appears; and

9 (ii) in paragraph (6)(B), by inserting
10 “the Commonwealth of Puerto Rico, Amer-
11 ican Samoa, the Commonwealth of the
12 Northern Mariana Islands,” after
13 “Guam,”.

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
21 submits to Congress a certification under sub-
22 section (f)(3) of section 19 of the Food and Nu-
23 trition Act of 2008 (7 U.S.C. 2028).

24 (B) DATE DESCRIBED.—The date referred
25 to in subparagraph (A) is, with respect to the

1 Commonwealth of Puerto Rico, American
2 Samoa, or the Commonwealth of the Northern
3 Mariana Islands, the date established by the
4 Commonwealth of Puerto Rico, American
5 Samoa, or the Commonwealth of the Northern
6 Mariana Islands, respectively, in the applicable
7 plan of operation submitted to the Secretary
8 under subsection (f)(1)(A) of section 19 of the
9 Food and Nutrition Act of 2008 (7 U.S.C.
10 2028).

11 (b) TRANSITION OF PUERTO RICO, AMERICAN
12 SAMOA, AND THE NORTHERN MARIANA ISLANDS TO SUP-
13 PLEMENTAL NUTRITION ASSISTANCE PROGRAM.—Section
14 19 of the Food and Nutrition Act of 2008 (7 U.S.C. 2028)
15 is amended by adding at the end the following:

16 “(f) TRANSITION OF PUERTO RICO, AMERICAN
17 SAMOA, AND THE NORTHERN MARIANA ISLANDS TO SUP-
18 PLEMENTAL NUTRITION ASSISTANCE PROGRAM.—

19 “(1) SUBMISSION OF PLAN BY PUERTO RICO,
20 AMERICAN SAMOA, AND THE NORTHERN MARIANA
21 ISLANDS.—

22 “(A) SUBMISSION AND REVIEW OF PLAN
23 OF OPERATION.—If a State agency is des-
24 ignated by the Commonwealth of Puerto Rico,
25 American Samoa, or the Commonwealth of the

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

14 “(B) DETERMINATION BY SECRETARY.—

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

20 “(ii) DISAPPROVAL.—If the Secretary
21 does not approve a plan of operation under
22 subparagraph (A), the Secretary shall pro-
23 vide to the governmental entity a state-
24 ment that describes each requirement that
25 is not satisfied by the plan.

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

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

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

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

23 “(4) CASH BENEFITS PROVIDED IN PUERTO
24 RICO.—As part of a plan of operation submitted
25 under paragraph (1)(A), the Commonwealth of

1 Puerto Rico may submit to the Secretary a request
2 to provide benefits under the supplemental nutrition
3 assistance program in the form of cash.

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

11 “(g) TERMINATION OF EFFECTIVENESS.—

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

19 “(2) DATE DESCRIBED.—The date referred to
20 in paragraph (1) is, with respect to the Common-
21 wealth of Puerto Rico, American Samoa, or the
22 Commonwealth of the Northern Mariana Islands,
23 the date established by the Commonwealth of Puerto
24 Rico, American Samoa, or the Commonwealth of the
25 Northern Mariana Islands, respectively, in the appli-

1 cable plan of operation submitted to the Secretary
2 under subsection (f)(1)(A).”.

3 (c) AUTHORIZATION OF APPROPRIATIONS.—There
4 are authorized to be appropriated to the Secretary of Agri-
5 culture to carry out this section and the amendments
6 made by this section such sums as may be necessary for
7 each fiscal year, to remain available until expended.

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