

118TH CONGRESS
1ST SESSION

S. 2923

To amend the Food and Nutrition Act of 2008 to improve the calculation and reduce the taxpayer cost of payment errors under the supplemental nutrition assistance program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 26 (legislative day, SEPTEMBER 22), 2023

Ms. ERNST 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 improve the calculation and reduce the taxpayer cost of payment errors under 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 “Snap Back Inaccurate
5 SNAP Payments Act”.

1 **SEC. 2. QUALITY CONTROL SYSTEM TOLERANCE LEVEL**
2 **FOR EXCLUDING SMALL ERRORS.**

3 Section 16(c) of the Food and Nutrition Act of 2008
4 (7 U.S.C. 2025(e)) is amended—

5 (1) in paragraph (1)—

6 (A) in subparagraph (A)(ii)—

7 (i) in subclause (I), by striking “and”
8 at the end;

9 (ii) in subclause (II)—

10 (I) by inserting “through fiscal
11 year 2023” after “thereafter”; and

12 (II) by striking the period at the
13 end and inserting “; and”; and

14 (iii) by adding at the end the fol-
15 lowing:

16 “(III) for fiscal year 2024 and
17 each fiscal year thereafter, \$0.”;

18 (B) in subparagraph (C)—

19 (i) in the matter preceding clause (i),
20 by striking “may” and inserting “shall”;

21 (ii) in clause (ii)(I), by inserting “, as
22 adjusted under subparagraph (H), if appli-
23 cable” after “agency”; and

24 (iii) in clause (iii), by striking “10”
25 and inserting “25”; and

26 (C) by adding at the end the following:

1 “(H) REDUCTION OF PAYMENT ERROR
 2 RATE BASED ON PERCENTAGE OF OVERPAY-
 3 MENTS RECOUPED.—In determining the liabil-
 4 ity amount of a State agency under subpara-
 5 graph (C) for fiscal year 2024 and each fiscal
 6 year thereafter, the payment error rate de-
 7 scribed in clause (ii)(I) of that subparagraph
 8 shall be equal to the product obtained by multi-
 9 plying—

10 “(i) the payment error rate of the
 11 State agency for that fiscal year; and

12 “(ii) the percentage of the total
 13 amount of overpayments of benefits made
 14 by the State agency that are not recouped
 15 by the State agency under paragraph (9)
 16 for that fiscal year.”;

17 (2) by redesignating paragraph (9) as para-
 18 graph (10); and

19 (3) by inserting after paragraph (8) the fol-
 20 lowing:

21 “(9) RECOUPMENT OF OVERPAYMENTS.—Each
 22 State agency shall seek to recoup any overpayments
 23 of benefits made to benefit recipients.”.

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