

1 Title: To amend the Food and Nutrition Act of 2008 to provide for the participation of the
2 Commonwealth of Puerto Rico, American Samoa, and the Commonwealth of the Northern
3 Mariana Islands in the supplemental nutrition assistance program, and for other purposes.
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6 Be it enacted by the Senate and House of Representatives of the United States of America in
7 Congress assembled,

8 SECTION 1. SHORT TITLE.

9 This Act may be cited as the “Equitable Nutrition Assistance for the Territories Act of 2020”.

10 SEC. 2. PARTICIPATION AND TRANSITION OF PUERTO 11 RICO, AMERICAN SAMOA, AND THE NORTHERN 12 MARIANA ISLANDS IN SUPPLEMENTAL NUTRITION 13 ASSISTANCE PROGRAM.

14 (a) Definitions.—Section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012) is
15 amended—

16 (1) in subsection (r), by inserting “the Commonwealth of Puerto Rico, American Samoa,
17 the Commonwealth of the Northern Mariana Islands,” after “Guam,”; and

18 (2) in subsection (u)(3), by inserting “the Commonwealth of Puerto Rico, American
19 Samoa, the Commonwealth of the Northern Mariana Islands,” after “Guam,”.

20 (b) Eligible Households.—Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is
21 amended—

22 (1) in subsection (b), in the first sentence, by inserting “the Commonwealth of Puerto
23 Rico, American Samoa, the Commonwealth of the Northern Mariana Islands,” after
24 “Guam,”;

25 (2) in subsection (c)(1), by striking “and Guam,” and inserting “Guam, the
26 Commonwealth of Puerto Rico, American Samoa, and the Commonwealth of the Northern
27 Mariana Islands,”; and

28 (3) in subsection (e)—

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

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

35 (c) Effective Date.—

36 (1) IN GENERAL.—The amendments made by subsections (a) and (b) shall be effective
37 with respect to the Commonwealth of Puerto Rico, American Samoa, and the

1 Commonwealth of the Northern Mariana Islands, as applicable, on the date described in
2 paragraph (2) if the Secretary of Agriculture submits to Congress a certification under
3 subsection (f)(2)(B) of section 19 of the Food and Nutrition Act of 2008 (7 U.S.C. 2028).

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

10 (d) Transition of Puerto Rico, American Samoa, and the Northern Mariana Islands to
11 Supplemental Nutrition Assistance Program.—Section 19 of the Food and Nutrition Act of 2008
12 (7 U.S.C. 2028) is amended—

13 (1) in subsection (a)(1)—

14 (A) in subparagraph (A), by striking “and” at the end;

15 (B) in subparagraph (B), by striking the period at the end and inserting “; and”; and

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

17 “(C) the Commonwealth of the Northern Mariana Islands.”; and

18 (2) by adding at the end the following:

19 “(f) Transition of Puerto Rico, American Samoa, and the Northern Mariana Islands to
20 Supplemental Nutrition Assistance Program.—

21 “(1) REQUEST FOR PARTICIPATION.—A governmental entity may submit to the Secretary a
22 request to participate in the supplemental nutrition assistance program, which shall include
23 a plan of operation described in section 11(d), which shall include the date on which the
24 governmental entity intends to begin participation in the program.

25 “(2) CERTIFICATION BY SECRETARY.—

26 “(A) IN GENERAL.—The Secretary shall certify a governmental entity that submits a
27 request under paragraph (1) as qualified to participate in the supplemental nutrition
28 assistance program if the Secretary—

29 “(i) approves the plan of operation submitted with the request, in accordance
30 with this subsection; and

31 “(ii) approves the applications described in paragraph (4) in accordance with
32 that paragraph.

33 “(B) SUBMISSION OF CERTIFICATION TO CONGRESS.—The Secretary shall submit each
34 certification under subparagraph (A) to Congress.

35 “(3) DETERMINATION OF PLAN OF OPERATION.—

36 “(A) APPROVAL.—The Secretary shall approve a plan of operation submitted with a
37 request under paragraph (1) if the plan satisfies the requirements under this Act.

38 “(B) DISAPPROVAL.—If the Secretary does not approve a plan of operation
39 submitted with a request under paragraph (1), the Secretary shall provide to the

1 governmental entity a statement that describes each requirement under this Act that is
2 not satisfied by the plan.

3 “(4) RETAIL FOOD STORES.—If the Secretary approves a plan of operation under
4 paragraph (3)(A) for a governmental entity, the Secretary shall accept applications from
5 retail food stores located in that governmental entity to be authorized under section 9 to
6 participate in the supplemental nutrition assistance program.

7 “(5) PUERTO RICO.—In the case of a request under paragraph (1) by the Commonwealth
8 of Puerto Rico, notwithstanding subsection (g), the Secretary shall allow the
9 Commonwealth of Puerto Rico to continue to carry out under the supplemental nutrition
10 assistance program the Family Market Program established pursuant to this section.

11 “(6) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to
12 the Secretary such sums as are necessary to carry out this subsection for fiscal year 2020, to
13 remain available until expended.

14 “(g) Technical Infrastructure Implementation.—

15 “(1) IN GENERAL.—A governmental entity may request from the Secretary a 1-time grant
16 to pay for the cost of the technology infrastructure necessary to implement the supplemental
17 nutrition assistance program, including the cost of information technology, information
18 technology personnel, and training relating to program implementation.

19 “(2) APPLICATION.—A governmental entity making a request under paragraph (1) for a
20 grant shall submit to the Secretary an application at such time, in such manner, and
21 containing such information as the Secretary may require, including—

22 “(A) a description of the costs to be paid for by the grant; and

23 “(B) a plan for implementing the technology infrastructure described in paragraph
24 (1)—

25 “(i) within 1 year of receiving the grant; and

26 “(ii) that is reasonably cost efficient, as determined by the Secretary.

27 “(3) DETERMINATION.—

28 “(A) TIME LIMIT.—The Secretary shall approve or deny an application submitted
29 under paragraph (2) not later than 180 days after the date on which the application is
30 submitted.

31 “(B) DENIAL.—If the Secretary denies an application submitted under paragraph (2),
32 the governmental entity may amend the plan described in subparagraph (B) of that
33 paragraph, in coordination with the Secretary, to resubmit to the Secretary for
34 approval.

35 “(4) FUNDING.—

36 “(A) IN GENERAL.—There is appropriated to the Secretary, out of funds in the
37 Treasury not otherwise appropriated, \$5,000,000 to carry out this subsection, to remain
38 available until 3 years after the date of enactment of this subsection.

39 “(B) REVERSION OF FUNDS.—Any funds appropriated to the Secretary under
40 subparagraph (A) that remain available by the date described in that subparagraph shall

1 revert to the Treasury.

2 “(h) Termination of Effectiveness.—

3 “(1) IN GENERAL.—Subsections (a) through (e) shall cease to be effective with respect to
4 the Commonwealth of Puerto Rico, American Samoa, and the Commonwealth of the
5 Northern Mariana Islands, as applicable, on the date described in paragraph (2) if the
6 Secretary submits to Congress a certification under subsection (f)(2)(B) for that
7 governmental entity.

8 “(2) DATE DESCRIBED.—The date referred to in paragraph (1) is, with respect to the
9 Commonwealth of Puerto Rico, American Samoa, and the Commonwealth of the Northern
10 Mariana Islands, the date established by the Commonwealth of Puerto Rico, American
11 Samoa, or the Commonwealth of the Northern Mariana Islands, respectively, in the
12 applicable plan of operation submitted to the Secretary under subsection (f)(1)(A).”.

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