

116TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

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

\_\_\_\_\_ introduced the following bill; which was read twice  
and referred to the Committee on \_\_\_\_\_

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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)—

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), in the matter  
10 preceding clause (i), by inserting “the  
11 Commonwealth of Puerto Rico, American  
12 Samoa, the Commonwealth of the North-  
13 ern Mariana Islands,” after “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 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)).

1 (B) DATE DESCRIBED.—The date referred  
2 to in subparagraph (A) is, with respect to the  
3 Commonwealth of Puerto Rico, American  
4 Samoa, or the Commonwealth of the Northern  
5 Mariana Islands, the date established by the  
6 Commonwealth of Puerto Rico, American  
7 Samoa, or the Commonwealth of the Northern  
8 Mariana Islands, respectively, in the applicable  
9 plan of operation submitted to the Secretary of  
10 Agriculture under subsection (f)(1)(A) of sec-  
11 tion 19 of the Food and Nutrition Act of 2008  
12 (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.—

24 “(A) SUBMISSION AND REVIEW OF PLAN  
25 OF OPERATION.—If a State agency is des-



1                   ment that describes each requirement that  
2                   is not satisfied by the plan.

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 1 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 Common-  
24 wealth of Puerto, American Samoa, or the Common-  
25 wealth of the Northern Mariana Islands, the date es-

1        tablished by the Commonwealth of Puerto Rico,  
2        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.