

AMENDMENT TO RULES COMMITTEE PRINT

119–22

OFFERED BY MR. HERNÁNDEZ OF PUERTO RICO

At the end of subtitle A, of title IV, add the following:

1 **SEC. 4114. PUERTO RICO NUTRITION ASSISTANCE FAIR-**
2 **NESS.**

3 (a) **SHORT TITLE.**—This section may be cited as the
4 “Puerto Rico Nutrition Assistance Fairness Act”.

5 (b) **AMENDMENTS.**—

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 “Puerto
10 Rico,” after “Guam,” and

11 (B) in subsection (u)(2) by inserting “,
12 Puerto Rico,” after “Hawaii”.

13 (2) **ELIGIBLE HOUSEHOLDS.**—Section 5 of the
14 Food and Nutrition Act of 2008 (7 U.S.C. 2014) is
15 amended—

16 (A) in subsection (b) by inserting “Puerto
17 Rico,” after “Guam,”

1 (B) in subsection (e)(1) by striking “and
2 Guam” and inserting “Guam, and Puerto
3 Rico”, and

4 (C) in subsection (e)—

5 (i) in paragraph (1)(A) by inserting
6 “Puerto Rico,” after “Hawaii,” each place
7 it appears, and

8 (ii) in paragraph (6)(B) by inserting
9 “Puerto Rico,” after “Guam,”.

10 (c) SUBMISSION OF PLAN OF OPERATION; TECH-
11 NICAL ASSISTANCE; DETERMINATION AND CERTIFI-
12 CATION BY SECRETARY OF AGRICULTURE.—

13 (1) SUBMISSION OF PLAN OF OPERATION.—On
14 designating an agency of the kind described in sec-
15 tion 3(s)(1) of the Food and Nutrition Act of 2008
16 (7 U.S.C. 2012(s)(1)), the Commonwealth of Puerto
17 Rico shall have 180 days to submit to the Secretary
18 of Agriculture (in this subsection referred to as the
19 “Secretary”) its plan of operation, including a plan
20 to transition to the supplemental nutrition assistance
21 program under section 4(a) of such Act (7 U.S.C.
22 2013(a)) as a request to participate in the supple-
23 mental nutrition assistance program under such Act.

24 (2) TECHNICAL ASSISTANCE.—Within the 180-
25 day period specified in paragraph (1) and upon re-

1 quest from the Commonwealth of Puerto Rico, the
2 Secretary shall provide appropriate training and
3 technical assistance to enable the Commonwealth of
4 Puerto Rico to formulate a plan of operation de-
5 scribed in paragraph (1).

6 (3) DETERMINATION BY THE SECRETARY OF
7 AGRICULTURE.—Not later than 180 days after re-
8 ceiving a plan of operation described in paragraph
9 (1), the Secretary shall approve if such plan satisfies
10 the requirements for a supplemental nutrition assist-
11 ance program State plan in accordance with sub-
12 sections (d) and (e) of section 11 of the Food and
13 Nutrition Act of 2008 (7 U.S.C. 2020). If the Sec-
14 retary does not approve such plan, the Secretary
15 shall provide, not later than 30 days after dis-
16 approval, a statement that specifies each of the re-
17 quirements that were not satisfied by such plan.

18 (4) CERTIFICATION BY THE SECRETARY OF AG-
19 RICULTURE.—If the Secretary approves the plan
20 submitted by the Commonwealth of Puerto Rico
21 under paragraph (1), the Secretary shall submit to
22 the Congress, not later than 90 days thereafter, a
23 certification that the Commonwealth of Puerto Rico
24 qualifies to participate in the supplemental nutrition
25 assistance program as a State as defined in section

1 3(r) of the Food and Nutrition Act of 2008 (7
2 U.S.C. 2012(r)).

3 (d) TRANSITION FROM THE CONSOLIDATED BLOCK
4 GRANT FOR PUERTO RICO.—

5 (1) COVERED PERIOD.—The Secretary may
6 continue to implement the then most recent ap-
7 proved consolidated block grant specified in section
8 19(b)(1)(A) of the Food and Nutrition Act of 2008
9 (7 U.S.C. 2028(b)(1)(A)) for an implementation pe-
10 riod ending 5 years after the effective date of the
11 amendments made by this section, or on the date the
12 Secretary determines that the Commonwealth of
13 Puerto Rico no longer needs to operate the consoli-
14 dated block grant to complete the transition de-
15 scribed in subsection (c)(1), whichever occurs first.

16 (2) REPORT.—For each year a plan is contin-
17 ued under paragraph (1), the Secretary shall submit
18 to the Congress an annual report on the operation
19 of such plan. The Secretary shall include in such re-
20 port information related to increases in funding that
21 are required to accommodate the transition of the
22 Commonwealth of Puerto Rico from the receipt of
23 block grant payments to the implementation of sup-
24 plemental nutrition assistance program.

1 (e) CONSOLIDATED BLOCK GRANT FOR PUERTO
2 RICO AND AMERICAN SAMOA.—Section 19 of the Food
3 and Nutrition Act of 2008 (7 U.S.C. 2028) is amended—

4 (1) in subsection (a)—

5 (A) in paragraph (1)(A) by inserting “until
6 the end of the period described in subsection
7 (d)(1) of the Puerto Rico Nutrition Assistance
8 Fairness Act,” after “(A)”,

9 (B) in paragraph (2)—

10 (i) in subparagraph (A)—

11 (I) in clause (i) by striking
12 “and” at the end, and

13 (II) in clause (ii)—

14 (aa) by inserting “, and end-
15 ing at the end of the period de-
16 scribed in subsection (d)(1) of
17 the Puerto Rico Nutrition Assist-
18 ance Fairness Act” after “there-
19 after”,

20 (bb) by striking the period
21 at the end and inserting “; and”,
22 and

23 (cc) by adding at the end
24 the following:

1 “(iii) subject to the availability of ap-
2 propriations under section 18(a), for each
3 fiscal year beginning after the end of the
4 period described in subsection (d)(1) of the
5 Puerto Rico Nutrition Assistance Fairness
6 Act, 0.4 percent of the aggregate amount
7 specified in clause (i) and adjusted under
8 clause (ii), as further adjusted by the per-
9 centage by which the thrifty food plan has
10 been adjusted under section 3(u)(4) be-
11 tween June 30 of the penultimate fiscal
12 year preceding such effective date and
13 June 30 of the fiscal year for which the
14 adjustment is made under this clause.”,

15 (ii) in subparagraph (B)(i) by insert-
16 ing “ending at the end of the period de-
17 scribed in subsection (d)(1) of the Puerto
18 Rico Nutrition Assistance Fairness Act”
19 after “thereafter”, and

20 (iii) in subparagraph (C)—

21 (I) by striking “For” and insert-
22 ing the following:

23 “(i) For”,

24 (II) by inserting “ending at the
25 end of the period described in sub-

1 section (d)(1) of the Puerto Rico Nu-
2 trition Assistance Fairness Act” after
3 “thereafter”, and

4 (III) by adding at the end, the
5 following:

6 “(ii) For each fiscal year beginning
7 after the end of the period described in
8 subsection (d)(1)of the Puerto Rico Nutri-
9 tion Assistance Fairness Act, the Secretary
10 shall use 100 percent of the funds made
11 available under subparagraph (A) for pay-
12 ment to American Samoa to pay 100 per-
13 cent of the expenditures by American
14 Samoa for a nutrition assistance program
15 extended under section 601(e) of Public
16 Law 96–597 (48 U.S.C. 1469d(e)).”, and
17 (C) in paragraph (3) by striking “year,”
18 and inserting “year ending at the end of the pe-
19 riod described in subsection (d)(1) of the Puer-
20 to Rico Nutrition Assistance Fairness Act, and”
21 after “year”, and

22 (2) in subsection (b)(1)(A) by inserting “and
23 ending at the end of the period described in sub-
24 section (d)(1) of the Puerto Rico Nutrition Assist-

1 ance Fairness Act” after “year” the first place it ap-
2 pears.

3 (f) AUTHORIZATION OF APPROPRIATIONS.—There
4 are authorized to be appropriated to carry out this section
5 such sums as may be necessary until the end of the period
6 described in subsection (d)(1).

7 (g) EFFECTIVE DATES.—

8 (1) IN GENERAL.—Except as provided in para-
9 graph (2), this section shall take effect on the date
10 of the enactment of this Act.

11 (2) EFFECTIVE DATE OF AMENDMENTS.—The
12 amendments made by this section shall take effect
13 on the date that is 10 years after the date of the
14 enactment of this Act.

