

Lujan 1st degree #11

AMENDMENT NO. _____ Calendar No. _____

Purpose: To transition Puerto Rico to the supplemental nutrition assistance program.

IN THE SENATE OF THE UNITED STATES—119th Cong., 2d Sess.

S. _____

To provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2031, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. LUJÁN (for himself and Mr. FETTERMAN)

Viz:

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

2 **SEC. 4117. TRANSITION OF PUERTO RICO TO THE SUPPLE-**

3 **MENTAL NUTRITION ASSISTANCE PROGRAM.**

4 (a) DEFINITIONS.—Section 3 of the Food and Nutri-
5 tion Act of 2008 (7 U.S.C. 2012) is amended—

6 (1) in subsection (r), by inserting “Puerto
7 Rico,” after “Guam,”; and

8 (2) in subsection (u)(3), by striking subpara-
9 graph (A) and inserting the following:

10 “(A) make cost adjustments in the thrifty
11 food plan for Hawaii, the urban and rural parts

1 of Alaska, and Puerto Rico to reflect the cost
2 of food in Hawaii, the urban and rural parts of
3 Alaska, and Puerto Rico, respectively;”.

4 (b) ELIGIBLE HOUSEHOLDS.—Section 5 of the Food
5 and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

6 (1) in subsection (b), in the first sentence, by
7 inserting “Puerto Rico,” after “Guam,”;

8 (2) in subsection (c)(1), by striking “and
9 Guam” and inserting “Guam, and Puerto Rico”;
10 and

11 (3) in subsection (e)—

12 (A) in paragraph (1)(A), by inserting
13 “Puerto Rico,” after “Hawaii,” each place it
14 appears; and

15 (B) in paragraph (6)(B), in the matter
16 preceding clause (i), by inserting “Puerto
17 Rico,” after “Guam,”.

18 (c) SUBMISSION OF PLAN OF OPERATION; TECH-
19 NICAL ASSISTANCE; DETERMINATION AND CERTIFI-
20 CATION BY SECRETARY OF AGRICULTURE.—

21 (1) SUBMISSION OF PLAN OF OPERATION.—On
22 designating an agency of the kind described in sec-
23 tion 3(s)(1) of the Food and Nutrition Act of 2008
24 (7 U.S.C. 2012(s)(1)), Puerto Rico shall have 180
25 days to submit to the Secretary its plan of oper-

1 ation, including a plan to transition to the supple-
2 mental nutrition assistance program under section
3 4(a) of such Act (7 U.S.C. 2013(a)) as a request to
4 participate in the supplemental nutrition assistance
5 program under such Act.

6 (2) TECHNICAL ASSISTANCE.—Within the 180-
7 day period specified in paragraph (1) and upon re-
8 quest from Puerto Rico, the Secretary shall provide
9 appropriate training and technical assistance to en-
10 able Puerto Rico to formulate a plan of operation
11 described in paragraph (1).

12 (3) DETERMINATION BY THE SECRETARY OF
13 AGRICULTURE.—Not later than 180 days after re-
14 ceiving a plan of operation described in paragraph
15 (1), the Secretary shall approve the plan of oper-
16 ation if such plan satisfies the requirements for a
17 supplemental nutrition assistance program State
18 plan in accordance with subsections (d) and (e) of
19 section 11 of the Food and Nutrition Act of 2008
20 (7 U.S.C. 2020). If the Secretary does not approve
21 such plan, the Secretary shall provide, not later than
22 30 days after disapproval, a statement that specifies
23 each of the requirements that were not satisfied by
24 such plan.

1 (4) CERTIFICATION BY THE SECRETARY OF AG-
2 RICULTURE.—If the Secretary approves the plan
3 submitted by Puerto Rico under paragraph (1), the
4 Secretary shall submit to the Congress, not later
5 than 90 days thereafter, a certification that Puerto
6 Rico qualifies to participate in the supplemental nu-
7 trition assistance program as a State as defined in
8 section 3 of the Food and Nutrition Act of 2008 (7
9 U.S.C. 2012).

10 (d) TRANSITION FROM THE CONSOLIDATED BLOCK
11 GRANT FOR PUERTO RICO.—

12 (1) COVERED PERIOD.—The Secretary may
13 continue to implement the then most recent ap-
14 proved consolidated block grant specified in section
15 19(b)(1)(A) of the Food and Nutrition Act of 2008
16 (7 U.S.C. 2028(b)(1)(A)) for an implementation pe-
17 riod ending 5 years after the effective date of the
18 amendments made by this section, or on the date the
19 Secretary determines that Puerto Rico no longer
20 needs to operate the consolidated block grant to
21 complete the transition described in subsection
22 (c)(1), whichever occurs first.

23 (2) REPORT.—For each year a plan is contin-
24 ued under paragraph (1), the Secretary shall submit
25 to the Congress an annual report on the operation

1 of such plan. The Secretary shall include in such re-
2 port information related to increases in funding that
3 are required to accommodate the transition of Puer-
4 to Rico from the receipt of block grant payments to
5 the implementation of supplemental nutrition assist-
6 ance program.

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

10 (1) in subsection (a)—

11 (A) in paragraph (1)(A), by inserting
12 “until the end of the period described in section
13 4117(d)(1) of the Agricultural Act of 2026,”
14 before “the Commonwealth”;

15 (B) in paragraph (2)—

16 (i) in subparagraph (A)—

17 (I) in clause (i), by striking
18 “and” at the end, and

19 (II) in clause (ii)—

20 (aa) by inserting “ending at
21 the end of the period described in
22 section 4117(d)(1) of the Agri-
23 cultural Act of 2026” after
24 “thereafter”;

1 (bb) by striking the period
2 at the end and inserting “; and”;
3 and

4 (cc) by adding at the end
5 the following:

6 “(iii) subject to the availability of ap-
7 propriations under section 18(a), for each
8 fiscal year beginning after the end of the
9 period described in section 4117(d)(1) of
10 the Agricultural Act of 2026, 0.4 percent
11 of the aggregate amount specified in clause
12 (i) and adjusted under clause (ii), as fur-
13 ther adjusted by the percentage by which
14 the thrifty food plan has been adjusted
15 under section 3(u)(3) between June 30 of
16 the penultimate fiscal year preceding such
17 effective date and June 30 of the fiscal
18 year for which the adjustment is made
19 under this clause.”;

20 (ii) in subparagraph (B)(i), in the
21 matter preceding subclause (I), by insert-
22 ing “ending at the end of the period de-
23 scribed in section 4117(d)(1) of the Agri-
24 cultural Act of 2026” after “thereafter”;
25 and

1 (iii) in subparagraph (C)—

2 (I) by striking “For” and insert-
3 ing the following:

4 “(i) IN GENERAL.—For”;

5 (II) in clause (i) (as so des-
6 ignated), by inserting “ending at the
7 end of the period described in section
8 4117(d)(1) of the Agricultural Act of
9 2026” after “thereafter”; and

10 (III) by adding at the end the
11 following:

12 “(ii) FULL USE OF FUNDS.—For each
13 fiscal year beginning after the end of the
14 period described in section 4117(d)(1) of
15 the Agricultural Act of 2026, the Secretary
16 shall use 100 percent of the funds made
17 available under subparagraph (A) for pay-
18 ment to American Samoa to pay 100 per-
19 cent of the expenditures by American
20 Samoa for a nutrition assistance program
21 extended under section 601(c) of Public
22 Law 96–597 (48 U.S.C. 1469d(c)).”; and

23 (C) in paragraph (3), by inserting “until
24 the end of the period described in section

1 4117(d)(1) of the Agricultural Act of 2026,”
2 before “pay to”; and

3 (2) in subsection (b)(1)(A), in the first sen-
4 tence, by striking “In order to receive payments
5 under this Act for any fiscal year” and inserting
6 “Until the end of the period described in section
7 4117(d)(1) of the Agricultural Act of 2026, to re-
8 ceive payments under this Act for a fiscal year”.

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

13 (g) EFFECTIVE DATES.—

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

17 (2) EFFECTIVE DATE OF AMENDMENTS.—The
18 amendments made by this section shall take effect
19 on the date that is 10 years after the date of the
20 enactment of this Act.