



(Original Signature of Member)

117TH CONGRESS
1ST SESSION

H. R. _____

To amend the Food and Nutrition Act of 2008 to transition the Commonwealth of Puerto Rico to the supplemental nutrition assistance program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Miss GONZÁLEZ-COLÓN introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Food and Nutrition Act of 2008 to transition the Commonwealth of Puerto Rico to 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 “Puerto Rico Nutrition
5 Assistance Fairness Act of 2021”.

1 **SEC. 2. AMENDMENT.**

2 Section 19 of the Food and Nutrition Act of 2008
3 (7 U.S.C. 2028) is amended by adding at the end the fol-
4 lowing:

5 “(f) ADVISORY BOARD ON TRANSITION OF THE COM-
6 MONWEALTH OF PUERTO RICO TO THE SUPPLEMENTAL
7 NUTRITION ASSISTANCE PROGRAM.—

8 “(1) ESTABLISHMENT OF ADVISORY BOARD.—

9 Not later than 60 days after the effective date of
10 this section, the Secretary shall establish an advisory
11 board to formulate a recommended State plan that
12 includes a plan to transition the Commonwealth of
13 Puerto Rico from receipt of block grant payments
14 under subsection (a)(2) to participate as a State in
15 the supplemental nutrition assistance program.

16 “(2) MEMBERSHIP OF ADVISORY BOARD.—The
17 advisory board shall be composed of not more than
18 15 members of whom—

19 “(A) not fewer than 6 members shall be
20 appointed from among employees of the Food
21 and Nutrition Service at the Department of Ag-
22 riculture; and

23 “(B) not fewer than 6 members shall be
24 appointed from the Puerto Rico Department of
25 the Family, including the Administrator of the

1 Administration for the Socioeconomic Develop-
2 ment of the Family.

3 “(3) TECHNICAL ASSISTANCE.—The advisory
4 board shall advise the Commonwealth of Puerto Rico
5 and provide technical assistance related to the for-
6 mulation of a recommended State plan described in
7 paragraph (4) that includes a plan for transition to
8 the supplemental nutrition assistance program by
9 the Commonwealth, including the following:

10 “(A) The State options under such pro-
11 gram that are most suitable for the Common-
12 wealth to elect to best respond to the nutrition
13 need present in the Commonwealth.

14 “(B) Policy changes the Commonwealth
15 will be required to make to implement such pro-
16 gram.

17 “(C) Changes in current eligibility require-
18 ments (including income limits) in effect under
19 the other provisions of this section that would
20 be required under such program.

21 “(D) Technical requirements and expenses
22 required to implement such program.

23 “(E) Administrative costs related to pro-
24 gram operations.

1 “(4) STATE PLAN.—The advisory board shall
2 prepare and submit to the Governor of Puerto Rico,
3 not later than 1 year after the effective date of this
4 subsection, a recommended State plan that includes
5 a plan to transition the Commonwealth of Puerto
6 Rico from receipt of block grant payments under
7 subsection (a)(2) to participation as a State in the
8 supplemental nutrition assistance program. The ad-
9 visory board shall notify the Secretary of this action.

10 “(5) SUBMISSION OF THE STATE PLAN BY THE
11 COMMONWEALTH OF PUERTO RICO.—The Governor
12 of the Commonwealth of Puerto Rico may submit
13 the recommended State plan described under para-
14 graph (3) of this Act to the Secretary within 60
15 days of its completion as a request to participate in
16 the supplemental nutrition program.

17 “(6) DETERMINATION BY SECRETARY.—The
18 Secretary may approve the recommended State plan
19 described under paragraph (3) and submitted by the
20 Governor of Puerto Rico under paragraph (5) of this
21 Act, if such plan satisfies the requirements for a
22 supplemental nutrition assistance State plan, accord-
23 ing to section 11(e). If the Secretary does not ap-
24 prove such plan, the Secretary shall provide a state-

1 ment that specifies each of such requirements that
2 is not satisfied by the plan.

3 “(7) COMMENT PERIOD.—The Secretary shall
4 provide a 30-day comment period to receive com-
5 ments from the public on the recommended State
6 Plan.

7 “(8) SUBMISSION OF STATE PLAN TO THE CON-
8 GRESS.—If the Secretary approves the plan sub-
9 mitted by the Commonwealth of Puerto Rico under
10 paragraph (6), and after the conclusion of the com-
11 ment period described in paragraph (7), then the
12 Secretary shall submit to Congress a certification
13 that Puerto Rico qualifies to participate in the sup-
14 plemental nutrition assistance program as if Puerto
15 Rico were a State under section 3.

16 “(9) TERMINATION OF THE ADVISORY
17 BOARD.—The advisory board shall terminate not
18 later than 2 years after Puerto Rico is treated as if
19 it were a State as defined in section 3.”.

20 **SEC. 3. PARTICIPATION OF PUERTO RICO IN THE SUPPLE-**
21 **MENTAL NUTRITION ASSISTANCE PROGRAM.**

22 (a) Definitions,—Following certification of Puerto
23 Rico as qualified to participate in the supplemental nutri-
24 tion assistance program by the Secretary, section 3 of the

1 Food and Nutrition Act of 2008 (7 U.S.C. 2012) is
2 amended—

3 (1) in subsection (r) by inserting the “Common-
4 wealth of Puerto Rico,” after “Guam,” and

5 (2) in subsection (u)(3) by inserting the “Com-
6 monwealth of Puerto Rico,” after “Guam,”

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

9 (1) in subsection (b) in the first sentence, by in-
10 serting “the Commonwealth of Puerto Rico,” after
11 “Guam,”

12 (2) in subsection (c)(1) by striking “and
13 Guam” and inserting “Guam, and Puerto Rico,”
14 and

15 (3) in subsection (e)—

16 (A) in paragraph (1)(A) by inserting
17 “Puerto Rico,” after “Hawaii,” each place it
18 appears, and

19 (B) in paragraph (6)(B) by inserting
20 “Puerto Rico,” after “Guam,”.

21 (c) CONSOLIDATED BLOCK GRANT FOR PUERTO
22 RICO.—Upon approval of Puerto Rico operating the sup-
23 plemental nutrition assistance program, the Secretary may
24 have 5 years to continue the latest approved plan sub-
25 mitted under the consolidated block grant in accordance

1 with Section 19 (3)(b)(1)(A) of the Food and Nutrition
2 Act of 2008 (7 U.S.C. 2028(3)(b)(1)(A)).

3 (d) REPORT.—The Secretary shall submit an annual
4 report to the Committee on Agriculture of the House of
5 representatives and the Committee on Senate Committee
6 on Agriculture, Nutrition and Forestry on the operation
7 of the plan described in subsection (c), including their jus-
8 tification and impact on beneficiaries in Puerto Rico, until
9 the 5 years expire.

10 (e) AMENDMENTS TO THE FOOD AND NUTRITION
11 ACT OF 2008.—Following certification under section
12 19(a) of the Food and Nutrition Act of 2008 (7 U.S.C.
13 2028(a)) will be amended to no longer include Puerto Rico
14 as a Government entity, as defined in subsection (a).