To amend the Food and Nutrition Act of 2008 to require that supplemental nutrition assistance program benefits be calculated using the value of the low-cost food plan, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Ms. HARRIS introduced the following bill; which was read twice and referred to the Committee on __________________

A BILL

To amend the Food and Nutrition Act of 2008 to require that supplemental nutrition assistance program benefits be calculated using the value of the low-cost food plan, and for other purposes.

Be it enacted by the Senate and House of Representa- 

tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Closing the Meal Gap Act of 2020”.
SEC. 2. CALCULATION OF PROGRAM BENEFITS USING LOW-COST FOOD PLAN.

(a) DEFINITION OF LOW-COST FOOD PLAN.—Section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012) is amended—

(1) by striking subsection (u);

(2) by redesignating subsections (n) through (t) as subsections (o) through (u), respectively; and

(3) by inserting after subsection (m) the following:

“(n) LOW-COST FOOD PLAN.—

“(1) IN GENERAL.—The term ‘low-cost food plan’ means the diet, determined in accordance with the calculations of the Secretary, required to feed a 4-person family that consists of—

“(A) a man and a woman who are each between 19 and 50 years of age;

“(B) a child who is between 6 and 8 years of age; and

“(C) a child who is between 9 and 11 years of age.

“(2) COST.—For purposes of paragraph (1), the cost of the diet described in that paragraph shall be the basis for uniform allotments for all households regardless of the actual composition of the household, except that the Secretary shall—
“(A) make household-size adjustments (based on the unrounded cost of that diet) taking into account economies of scale;

“(B) make cost adjustments in the low-cost food plan for the State of Hawaii and the urban and rural parts of the State of Alaska to reflect the cost of food in Hawaii and urban and rural Alaska, respectively;

“(C) make cost adjustments in the separate low-cost food plans for Guam, the Commonwealth of Puerto Rico, American Samoa, the Commonwealth of the Northern Mariana Islands, and the United States Virgin Islands, to reflect the cost of food in those territories, but not to exceed the cost of food in the 50 States and the District of Columbia; and

“(D) on October 1, 2020, and each October 1 thereafter, adjust the cost of the diet to reflect the cost of the diet in the immediately preceding June, and round the result to the nearest lower-dollar increment for each household size.”.

(b) VALUE OF ALLOTMENT.—Section 8(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2017(a)) is amended—
(1) by striking “thrifty food plan” each place it appears and inserting “low-cost food plan”; and

(2) in the proviso, by striking “8 percent” and inserting “10 percent”.

(c) QUALITY CONTROL SYSTEM.—Section 16(c)(1)(A)(ii) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(c)(1)(A)(ii)) is amended—

(1) in subclause (I), by striking “2014, at an amount not greater than $37” and inserting “2019, at an amount equal to not more than $50”; and

(2) in subclause (II)—

(A) by striking “thrifty food plan is adjusted under section 3(u)(4)” and inserting “low-cost food plan is adjusted under section 3(n)(2)(D)”;

(B) by striking “2013” and inserting “2019”.

(d) CONFORMING AMENDMENTS.—

(1) Section 10 of the Food and Nutrition Act of 2008 (7 U.S.C. 2019) is amended, in the first sentence, by striking “3(o)(4)” and inserting “3(p)(4)”.

(2) Section 11 of the Food and Nutrition Act of 2008 (7 U.S.C. 2020) is amended—
(A) in subsection (a)(2), by striking “3(s)(1)” and inserting “3(t)(1)”;

(B) in subsection (d)—

(i) by striking “3(s)(1)” each place it appears and inserting “3(t)(1)”;

(ii) by striking “3(s)(2)” each place it appears and inserting “3(t)(2)”;


and

(C) in subsection (e)(17), by striking “3(s)(1)” and inserting “3(t)(1)”.

(3) Section 19(a)(2)(A)(ii) of the Food and Nutrition Act of 2008 (7 U.S.C. 2028(a)(2)(A)(ii)) is amended by striking “thrifty food plan has been adjusted under section 3(u)(4)” and inserting “low-cost food plan has been adjusted under section 3(n)(2)(D)”.

(4) Section 27(a)(2) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)(2)) is amended, in subparagraphs (C) and (E), by striking “thrifty food plan has been adjusted under section 3(u)(4)” each place it appears and inserting “low-cost food plan has been adjusted under section 3(n)(2)(D)”.

SEC. 3. DEDUCTIONS FROM INCOME.

(a) STANDARD MEDICAL EXPENSE DEDUCTION.—

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

(1) in the paragraph heading, by striking “EXCESS MEDICAL” and inserting “MEDICAL”; 

(2) in subparagraph (A), by striking “an excess medical” and all that follows through the period at the end and inserting “a standard medical deduction or a medical expense deduction of actual costs for the allowable medical expenses incurred by the elderly or disabled member, exclusive of special diets.”;

(3) in subparagraph (B)(i), by striking “excess”; and

(4) by adding at the end the following:

“(D) STANDARD MEDICAL EXPENSE DEDUCTION AMOUNT.—

“(i) IN GENERAL.—Except as provided in clause (ii), the standard medical expense deduction shall be—

“(I) for fiscal year 2020, $140; and
“(II) for each subsequent fiscal year, equal to the applicable amount for the immediately preceding fiscal year as adjusted to reflect changes for the 12-month period ending the preceding June 30 in the Consumer Price Index for All Urban Consumers: Medical Care published by the Bureau of Labor Statistics of the Department of Labor.

“(ii) EXCEPTION.—For any fiscal year, a State agency may establish a greater standard medical expense deduction than described in clause (i) if the greater deduction satisfies cost neutrality standards established by the Secretary for that fiscal year.”.

(b) ELIMINATION OF CAP OF EXCESS SHELTER EXPENSES.—

(1) IN GENERAL.—Section 5(e)(6) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(e)(6)) is amended—

(A) by striking subparagraph (B); and
(B) by redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively.


SEC. 4. ELIMINATION OF TIME LIMIT.

(a) IN GENERAL.—Section 6 of the Food and Nutrition Act of 2008 (7 U.S.C. 2015) is amended—

(1) by striking subsection (o); and

(2) by redesignating subsections (p) through (s) as subsections (o) through (r), respectively.

(b) ADDITIONAL ALLOCATIONS FOR STATES THAT ENSURE AVAILABILITY OF WORK OPPORTUNITIES.—Section 16(h) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(h)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (C)(iv)(I)—

(i) by striking “(F)(viii)” each place it appears and inserting “(E)(viii)”;

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(ii) by striking “(F)(vii)(I)” each place it appears and inserting “(E)(vii)(I)”;

(iii) in item (bb)(BB), by striking “(F)(vii)(II)” and inserting “(E)(vii)(II)”;

and

(iv) in item (ce), by striking “(F)(vii)” and inserting “(E)(vii)”;

(B) by striking subparagraph (E); and

(C) by redesignating subparagraph (F) as subparagraph (E);

(2) in paragraphs (3) and (4), by striking “(1)(F)” each place it appears and inserting “(1)(E)”;

and

(3) in paragraph (5)(C)—

(A) in clause (ii), by adding “and” at the end;

(B) in clause (iii), by striking “; and” and inserting a period; and

(C) by striking clause (iv).

(c) CONFORMING AMENDMENTS.—

(1) Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—
(A) in subsection (a), in the second sentence, by striking “(r)” and inserting “(q)”; and

(B) in subsection (g)(3), in the first sentence, by striking “16(h)(1)(F)” and inserting “16(h)(1)(E)”.

(2) Section 6(d)(4) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(d)(4)) is amended—

(A) in subparagraph (B)(ii)(I)(bb)(DD), by striking “or subsection (o)”;

(B) in subparagraph (N), by striking “or subsection (o)” each place it appears.

(3) Section 7(i)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(i)(1)) is amended by striking “section 6(o)(2) of this Act or”.

(4) Section 16(h)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(h)) is amended—

(A) in subparagraph (B), in the matter preceding clause (i), by striking “that—” and all that follows through the period at the end of clause (ii) and inserting “that is determined and adjusted by the Secretary.”; and

(B) in clause (ii)(III)(ee)(AA) of subparagraph (E) (as redesignated by subsection
(b)(1)(C)), by striking “, individuals subject to
the requirements under section 6(o),”.

(5) Section 51(d)(8)(A)(ii) of the Internal Rev-

(6) Section 103(a)(2) of the Workforce Innova-

(7) Section 121(b)(2)(B) of the Workforce In-

(A) in subclause (I), by striking “, or” at
the end and inserting a period;
(B) in the matter preceding subclause (I),
by striking “family—” and all that follows
through “receiving” in subclause (I) and insert-
ing “family receiving”; and
(C) by striking subclause (II).

(A) by striking subparagraph (D); and
(B) by redesignating subparagraphs (E)
through (K) as subparagraphs (D) through (J),
respectively.

(A) by striking clause (iv); and
(B) by redesignating clauses (v) through
(vi) as clauses (iv) through (vi), respectively.
SEC. 5. PARTICIPATION OF PUERTO RICO, AMERICAN
SAMOA, AND THE NORTHERN MARIANA IS-
LANDS IN SUPPLEMENTAL NUTRITION AS-
SISTANCE PROGRAM.

(a) DEFINITION OF STATE.—Subsection (s) of sec-
tion 3 of the Food and Nutrition Act of 2008 (7 U.S.C.
2012) (as redesignated by section 2(a)(2)) is amended by
inserting “the Commonwealth of Puerto Rico, American
Samoa, the Commonwealth of the Northern Mariana Is-
lands,” after “Guam,”.

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

(1) in subsection (c), in the undesignated mat-
ter at the end, by striking “States or Guam” and in-
serting “States, Guam, the Commonwealth of Puerto
Rico, American Samoa, or the Commonwealth of the
Northern Mariana Islands”; and

(2) by adding at the end the following:

“(o) PUERTO RICO, AMERICAN SAMOA, AND THE
NORTHERN MARIANA ISLANDS.—Notwithstanding any
other provision of this Act, including the requirements
under this section, the Commonwealth of Puerto Rico,
American Samoa, and the Commonwealth of the Northern
Mariana Islands shall each establish their own standards
of eligibility for participation by households in the supple-
mental nutrition assistance program.”.
(c) Effective Date.—

(1) In general.—The amendments made by subsections (a) and (b) shall be effective with respect to the Commonwealth of Puerto Rico, American Samoa, and the Commonwealth of the Northern Mariana Islands, as applicable, on the date described in paragraph (2) if the Secretary of Agriculture submits to Congress a certification under subsection (f)(2)(B) of section 19 of the Food and Nutrition Act of 2008 (7 U.S.C. 2028).

(2) Date described.—The date referred to in paragraph (1) is, with respect to the Commonwealth of Puerto Rico, American Samoa, and the Commonwealth of the Northern Mariana Islands, the date established by the Commonwealth of Puerto Rico, American Samoa, or the Commonwealth of the Northern Mariana Islands, respectively, in the applicable plan of operation submitted to the Secretary of Agriculture under subsection (f)(1)(A) of section 19 of the Food and Nutrition Act of 2008 (7 U.S.C. 2028).
SEC. 6. TRANSITION OF PUERTO RICO, AMERICAN SAMOA, AND THE NORTHERN MARIANA ISLANDS TO SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.

Section 19 of the Food and Nutrition Act of 2008 (7 U.S.C. 2028) is amended—

(1) in subsection (a)(1)—

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

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

(C) by adding at the end the following:

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

(2) by adding at the end the following:

“(f) TRANSITION OF PUERTO RICO, AMERICAN SAMOA, AND THE NORTHERN MARIANA ISLANDS TO SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.—

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

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

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

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

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

“(3) DETERMINATION OF PLAN OF OPERATION.—

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

“(B) DISAPPROVAL.—If the Secretary does not approve a plan of operation submitted with a request under paragraph (1), the Secretary
shall provide to the governmental entity a statement that describes each requirement under this Act that is not satisfied by the plan.

“(4) APPROVAL OF RETAIL FOOD STORES.—

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

“(B) DETERMINATION.—The Secretary shall authorize a retail food store applying to participate in the supplemental nutrition assistance program under subparagraph (A) if the application satisfies the requirements under this Act for authorization of a retail food store.

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

There are authorized to be appropriated to the Secretary to carry out this subsection such sums as are necessary for fiscal year 2021, to remain available until expended.

“(g) Termination of Effectiveness.—

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

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