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113TH CONGRESS
1ST SESSION

S. 458

To improve and extend certain nutrition programs.

IN THE SENATE OF THE UNITED STATES

MARCH 5, 2013

Mr. ROBERTS (for himself, Mr. THUNE, and Mr. JOHANNS) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

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A BILL

To improve and extend certain nutrition programs.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Improve Nutrition Program Integrity and Deficit Reduction Act of 2013''.

SEC. 2. RESTORING PROGRAM INTEGRITY TO CATEGORICAL ELIGIBILITY FOR THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.

(a) IN GENERAL.—The second sentence of section 5(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(a)) is amended by striking ''receives benefits under

a State program'' and inserting ''receives assistance (as defined in section 260.31 of title 45, Code of Federal Regulations, as in effect on January 1, 2013) under a State program''.

(b) RESOURCES.—Section 5(j) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(j)) is amended by striking ''receives benefits under a State program'' and inserting ''receives assistance (as defined in section 260.31 of title 45, Code of Federal Regulations, as in effect on January 1, 2013) under a State program''.

SEC. 3. ELIMINATING THE LOW-INCOME HOME ENERGY ASSISTANCE LOOPHOLE.

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

(1) in subsection (d)(11)(A), by striking ''(other than'' and all that follows through ''et seq.))'' and inserting ''(other than payments or allowances made under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) or any payments under any other State program funded with qualified State expenditures (as defined in section 409(a)(7)(B)(i) of that Act (42 U.S.C. 609(a)(7)(B)(1))))'';

(2) in subsection (e)(6)(C), by striking clause (iv); and

(3) in subsection (k)—

(A) in paragraph (2)—

(i) by striking subparagraph (C);

(ii) by redesignating subparagraphs (D) through (G) as subparagraphs (C) through (F), respectively; and

(iii) by striking paragraph (4).

(b) CONFORMING AMENDMENTS.—Section 2605(f) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8624(f)) is amended—

(1) in paragraph (1), by striking ''(1)''; and

(2) by striking paragraph (2).

SEC. 4. ELIMINATING INFLATION ADJUSTMENTS FOR COUNTABLE RESOURCES.

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

(1) by striking ''(1) TOTAL AMOUNT.—'' and all that follows through ''The Secretary'' in subparagraph (A) and inserting the following:

''(1) TOTAL AMOUNT.—The Secretary'';

(2) by striking ''(as adjusted in accordance with subparagraph (B))'' both places it appears; and

(3) by striking subparagraph (B).

SEC. 5. ENDING SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM BENEFITS FOR LOTTERY OR GAMBLING WINNERS.

(a) IN GENERAL.—Section 6 of the Food and Nutrition Act of 2008 (7 U.S.C. 2015) is amended by adding at the end the following:

"(r) INELIGIBILITY FOR BENEFITS DUE TO RECEIPT OF SUBSTANTIAL LOTTERY OR GAMBLING WINNINGS.—

"(1) IN GENERAL.—Any household in which a member receives substantial lottery or gambling winnings, as determined by the Secretary, shall lose eligibility for benefits immediately upon receipt of the winnings.

"(2) DURATION OF INELIGIBILITY.—A household described in paragraph (1) shall remain ineligible for participation until the household meets the allowable financial resources and income eligibility requirements under subsections (c), (d), (e), (f), (g), (i), (k), (l), (m), and (n) of section 5.

"(3) AGREEMENTS.—As determined by the Secretary, each State agency, to the maximum extent practicable, shall establish agreements with entities responsible for the regulation or sponsorship of gaming in the State to determine whether individuals participating in the supplemental nutrition assist-

ance program have received substantial lottery or gambling winnings.''.

(b) CONFORMING AMENDMENTS.—Section 5(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(a)) is amended in the second sentence by striking ''sections 6(b), 6(d)(2), and 6(g)'' and inserting ''subsections (b), (d)(2), (g), and (r) of section 6''.

SEC. 6. ELIMINATING STATE BONUSES.

(a) IN GENERAL.—Section 16 of the Food and Nutrition Act of 2008 (7 U.S.C. 2025) is amended by striking subsection (d).

(b) CONFORMING AMENDMENTS.—Section 16 of the Food and Nutrition Act of 2008 (7 U.S.C. 2025) is amended—

(1) in subsection (c)—

(A) in the first sentence of paragraph (4), by striking ''payment error rate'' and all that follows through ''subsection (d)'' and inserting ''liability amount or new investment amount under paragraph (1) or payment error rate''; and

(B) in the first sentence of paragraph (5), by striking ''payment error rate'' and all that follows through ''subsection (d)'' and inserting ''liability amount or new investment amount

under paragraph (1) or payment error rate''; and

(2) in subsection (i)(1), by striking ''subsection (d)(1)'' and inserting ''subsection (c)(2)''.

SEC. 7. ELIMINATING DUPLICATIVE EMPLOYMENT AND TRAINING.

(a) FUNDING OF EMPLOYMENT AND TRAINING PROGRAMS.—Section 16 of Food and Nutrition Act of 2008 (7 U.S.C. 2025) is amended by striking subsection (h).

(b) ADMINISTRATIVE COST-SHARING.—

(1) IN GENERAL.—Section 16(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(a)) is amended in the first sentence, in the matter preceding paragraph (1), by inserting ''(other than a program carried out under section 6(d)(4))'' after ''supplemental nutrition assistance program''.

(2) CONFORMING AMENDMENTS.—

(A) Section 17(b)(1)(B)(iv)(III)(hh) of the Food and Nutrition Act of 2008 (7 U.S.C. 2026(b)(1)(B)(iv)(III)(hh)) is amended by striking ''(g), (h)(2), or (h)(3)'' and inserting ''or (g)''.

(B) Section 22(d)(1)(B)(ii) of the Food and Nutrition Act of 2008 (7 U.S.C. 2031(d)(1)(B)(ii)) is amended by striking '',

(g), (h)(2), and (h)(3)'' and inserting ''and (g)''.

(c) WORKFARE.—

(1) IN GENERAL.—Section 20 of the Food and Nutrition Act of 2008 (7 U.S.C. 2029) is amended by striking subsection (g).

(2) CONFORMING AMENDMENT.—Section 17(b)(1)(B)(iv)(III)(jj) of the Food and Nutrition Act of 2008 (7 U.S.C. 2026(b)(1)(B)(iv)(III)(jj)) is amended by striking ''or (g)(1)''.

SEC. 8. ELIMINATING INFLATION ADJUSTMENTS FOR EMERGENCY FOOD ASSISTANCE RESOURCES.

Section 27(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)) is amended—

(1) in paragraph (1), by striking ''2008 through 2012'' and inserting ''2014 through 2018''; and

(2) by striking paragraph (2) and inserting the following:

''(2) AMOUNTS.—The Secretary shall use to carry out paragraph (1) $260,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 9. ELIMINATING THE NUTRITION EDUCATION GRANT PROGRAM.

Section 28 of the Food and Nutrition Act of 2008 (7 U.S.C. 2036a) is repealed.

SEC. 10. TERMINATING AN INCREASE IN BENEFITS.

Section 101(a) of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 120; 124 Stat. 2394; 124 Stat. 3265) is amended by striking paragraph (2) and inserting the following:

"(2) TERMINATION.—The authority provided by this subsection shall terminate after February 1, 2013.".

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