

103^D CONGRESS
1ST SESSION

H. R. 3436

AN ACT

To amend the Food Stamp Act of 1977 to ensure adequate access to retail food stores by recipients of food stamps and to maintain the integrity of the Food Stamp Program.

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To amend the Food Stamp Act of 1977 to ensure adequate access to retail food stores by recipients of food stamps and to maintain the integrity of the Food Stamp Program.

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. FOOD STAMP ACT DEFINITIONS.**

4 Section 3 of the Food Stamp Act of 1977 (7 U.S.C.
5 2012) is amended by—

1 (1) amending clause (1) of subsection (k) to
2 read as follows: “(1) an establishment or house-to-
3 house trade route that sells food for home prepara-
4 tion and consumption and (A) offers for sale on a
5 continuous basis a variety of foods in each of the
6 four categories of staple foods as defined in sub-
7 section (u), including perishable foods in at least two
8 such categories, or (B) has over 50 percent of its
9 total sales in staple foods, as determined by visual
10 inspection, sales records, purchase records, counting
11 of stock keeping units, or other inventory or ac-
12 counting recordkeeping methods that are customary
13 or reasonable in the retail food industry,”; and

14 (2) adding a new subsection (u) at the end
15 thereof to read as follows—

16 “(u) ‘Staple foods’ means foods in the following cat-
17 egories: (1) meat, poultry, or fish; (2) bread or cereals;
18 (3) vegetables or fruits; and (4) dairy products. Staple
19 foods do not include accessory food items such as coffee,
20 tea, cocoa, carbonated and uncarbonated drinks, candy,
21 condiments, and spices.”.

22 **SEC. 2. PERIODIC NOTICE.**

23 Section 9(a)(2) of the Food Stamp Act of 1977 (7
24 U.S.C. 2018(a)(2)) is amended to read as follows:

1 “(2) The Secretary shall issue regulations providing
2 for a periodic reauthorization of retail food stores and
3 wholesale food concerns, and providing for periodic notice
4 to participating retail food stores and wholesale food con-
5 cerns of the definitions of ‘retail food store’, ‘staple foods’,
6 ‘eligible foods’, and ‘perishable foods’.”.

7 **SEC. 3. USE AND DISCLOSURE OF INFORMATION PROVIDED**
8 **BY RETAIL FOOD STORES AND WHOLESALE**
9 **FOOD CONCERNS.**

10 Section 9(c) of the Food Stamp Act of 1977 (7
11 U.S.C. 2018(c)) is amended—

12 (1) in the second sentence by inserting after
13 “disclosed to and used by” the following: “(1) Fed-
14 eral law enforcement and investigative agencies and
15 law enforcement and investigative agencies of a
16 State government for the purposes of administering
17 or enforcing the provisions of this Act or any other
18 Federal or State law and the regulations issued
19 under this Act or such law, and (2)”;

20 (2) by inserting after the second sentence the
21 following: “Any person who publishes, divulges, dis-
22 closes, or makes known in any manner or to any ex-
23 tent not authorized by Federal law, or the regula-
24 tions issued under this Act, any information ob-
25 tained under this subsection shall be fined not more

1 than \$1,000, or imprisoned not more than one year,
2 or both.”; and

3 (3) in the last sentence by striking “Such pur-
4 poses shall not exclude” and inserting the following:
5 “Such regulations shall establish the criteria to be
6 used by the Secretary to determine that such infor-
7 mation is needed. Such regulations shall not pro-
8 hibit”.

9 **SEC. 4. DEMONSTRATION PROJECTS TESTING ACTIVITIES**

10 **DIRECTED AT TRAFFICKING IN COUPONS.**

11 Section 17 of the Food Stamp Act of 1977 (7 U.S.C.
12 2026) is amended by adding a new subsection (l) at the
13 end thereof as follows:

14 “(l) The Secretary shall use up to \$4,000,000 of the
15 funds provided in advance in appropriations Acts for
16 projects authorized by this section to conduct demonstra-
17 tion projects in which State or local food stamp agencies
18 test innovative ideas for working with State or local law
19 enforcement agencies to investigate and prosecute coupon
20 trafficking by recipients, buyers, and authorized retail
21 food stores.”.

22 **SECTION 5. CONTINUING ELIGIBILITY.**

23 An establishment or house-to-house trade route is
24 otherwise authorized to accept and redeem coupons under
25 the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.) at

1 the time of enactment of this Act shall be considered to
2 meet the definition of “retail food store” in section 3(k)
3 of the Food Stamp Act of 1977, as amended by section
4 1 of this Act, until its periodic reauthorization or until
5 such time as the eligibility of the establishment or house-
6 to-house trade route for continued participation in the
7 food stamp program is evaluated for any reason.

Passed the House of Representatives November 10,
1993.

Attest:

Clerk.