

103D CONGRESS
1ST SESSION

H. R. 3436

IN THE SENATE OF THE UNITED STATES

NOVEMBER 10 (legislative day, NOVEMBER 2), 1993

Received; read twice and referred to the Committee on Agriculture, Nutrition,
and Forestry

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.

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—

6 (1) amending clause (1) of subsection (k) to
7 read as follows: “(1) an establishment or house-to-
8 house trade route that sells food for home prepara-
9 tion and consumption and (A) offers for sale on a
10 continuous basis a variety of foods in each of the
11 four categories of staple foods as defined in sub-

1 section (u), including perishable foods in at least two
2 such categories, or (B) has over 50 per centum of
3 its total sales in staple foods, as determined by vis-
4 ual inspection, sales records, purchase records,
5 counting of stock keeping units, or other inventory
6 or accounting recordkeeping methods that are cus-
7 tomary or reasonable in the retail food industry,”;
8 and

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

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

17 **SEC. 2. PERIODIC NOTICE.**

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

20 “(2) The Secretary shall issue regulations providing
21 for a periodic reauthorization of retail food stores and
22 wholesale food concerns, and providing for periodic notice
23 to participating retail food stores and wholesale food con-
24 cerns of the definitions of ‘retail food store’, ‘staple foods’,
25 ‘eligible foods’, and ‘perishable foods’.”.

1 **SEC. 3. USE AND DISCLOSURE OF INFORMATION PROVIDED**
2 **BY RETAIL FOOD STORES AND WHOLESALE**
3 **FOOD CONCERNS.**

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

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

14 (2) by inserting after the second sentence the
15 following: “Any person who publishes, divulges, dis-
16 closes, or makes known in any manner or to any ex-
17 tent not authorized by Federal law, or the regula-
18 tions issued under this Act, any information ob-
19 tained under this subsection shall be fined not more
20 than \$1,000, or imprisoned not more than one year,
21 or both.”; and

22 (3) in the last sentence by striking “Such pur-
23 poses shall not exclude” and inserting the following:
24 “Such regulations shall establish the criteria to be
25 used by the Secretary to determine that such infor-

1 mation is needed. Such regulations shall not pro-
2 hibit”.

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

4 **DIRECTED AT TRAFFICKING IN COUPONS.**

5 Section 17 of the Food Stamp Act of 1977 (7 U.S.C.
6 2026) is amended by adding a new subsection (l) at the
7 end thereof as follows:

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

15 **SEC. 5. CONTINUING ELIGIBILITY.**

16 An establishment or house-to-house trade route that
17 is otherwise authorized to accept and redeem coupons
18 under the Food Stamp Act of 1977 (7 U.S.C. 2011 et
19 seq.) at the time of enactment of this Act shall be consid-
20 ered to meet the definition of “retail food store” in section
21 3(k) of the Food Stamp Act of 1977, as amended by sec-
22 tion 1 of this Act, until its periodic reauthorization or until
23 such time as the eligibility of the establishment or house-

- 1 to-house trade route for continued participation in the
- 2 food stamp program is evaluated for any reason.

Passed the House of Representatives November 10,
1993.

Attest: DONNALD K. ANDERSON,
Clerk.