

**Union Calendar No. 190**

103D CONGRESS  
1ST SESSION

**H. R. 3436**

**[Report No. 103-352]**

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**A BILL**

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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NOVEMBER 10, 1993

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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### IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 3, 1993

Mr. STENHOLM (for himself, Mr. DE LA GARZA, Mr. ROBERTS, Mr. SMITH of Oregon, Mr. ALLARD, Mr. BOEHNER, Mr. BONILLA, Mrs. CLAYTON, Mr. COMBEST, Mr. DOOLEY, Mr. EMERSON, Mr. HOLDEN, Mr. KINGSTON, Ms. LAMBERT, Ms. LONG, Mr. MINGE, Mr. PASTOR, Mr. PENNY, Mr. POMEROY, Mr. ROSE, Mr. HALL of Ohio, and Mr. BISHOP) introduced the following bill; which was referred to the Committee on Agriculture

NOVEMBER 10, 1993

Additional sponsors: Mr. DE LUGO, Ms. VELÁZQUEZ, Mr. UNDERWOOD, Mr. ROMERO-BARCELÓ, Mr. GUTIERREZ, Mr. RICHARDSON, Mr. SERRANO, and Mr. TORRES

NOVEMBER 10, 1993

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on November 3, 1993]

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## A BILL

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 read*  
7 *as follows:*

8 *“(1) an establishment or house-to-house trade*  
9 *route that sells food for home preparation and con-*  
10 *sumption and (A) offers for sale on a continuous*  
11 *basis a variety of foods in each of the four categories*  
12 *of staple foods as defined in subsection (u), including*  
13 *perishable foods in at least two such categories, or (B)*  
14 *has over 50 percent of its total sales in staple foods,*  
15 *as determined by visual inspection, sales records, pur-*  
16 *chase records, counting of stock keeping units, or other*  
17 *inventory or accounting recordkeeping methods that*  
18 *are customary or reasonable in the retail food indus-*  
19 *try,”;*

20 *(2) adding a new subsection (u) at the end there-*  
21 *of to read as follows—*

22 *“(u) “Staple foods” means foods in the following cat-*  
23 *egories: (1) meat, poultry, or fish; (2) bread or cereals; (3)*

1 *vegetables or fruits; and (4) dairy products. Staple foods*  
2 *do not include accessory food items such as coffee, tea, cocoa,*  
3 *carbonated and uncarbonated drinks, candy, condiments,*  
4 *and spices.”.*

5 **SEC. 2. PERIODIC NOTICE.**

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

8 *“(2) The Secretary shall issue regulations providing*  
9 *for a periodic reauthorization of retail food stores and*  
10 *wholesale food concerns, and providing for periodic notice*  
11 *to participating retail food stores and wholesale food con-*  
12 *cerns of the definitions of ‘retail food store’, ‘staple foods’,*  
13 *‘eligible foods’, and ‘perishable foods’.”.*

14 **SEC. 3. USE AND DISCLOSURE OF INFORMATION PROVIDED**

15 **BY RETAIL FOOD STORES AND WHOLESALE**  
16 **FOOD CONCERNS.**

17 *Section 9(c) of the Food Stamp Act of 1977 (7 U.S.C.*  
18 *2018(c)) is amended—*

19 *(1) in the second sentence by inserting after “dis-*  
20 *closed to and used by” the following: “Federal law en-*  
21 *forcement and investigative agencies and law enforce-*  
22 *ment and investigative agencies of a State govern-*  
23 *ment for the purposes of administering or enforcing*  
24 *the provisions of this Act or any other Federal or*

1 *State law and the regulations issued under this Act*  
2 *or such law, and (2)”;*

3 *(2) by inserting after the second sentence the fol-*  
4 *lowing: “Any person who publishes, divulges, dis-*  
5 *closes, or makes known in any manner or to any ex-*  
6 *tent not authorized by Federal law, or the regulations*  
7 *issued under this Act, any information obtained*  
8 *under this subsection shall be fined not more than*  
9 *\$1,000, or imprisoned not more than one year, or*  
10 *both.”; and*

11 *(3) in the last sentence by striking “Such pur-*  
12 *poses shall not exclude” and inserting the following:*  
13 *“Such regulations shall establish the criteria to be*  
14 *used by the Secretary to determine that such informa-*  
15 *tion is needed. Such regulations shall not prohibit”.*

16 ***SEC. 4. DEMONSTRATION PROJECTS TESTING ACTIVITIES***  
17 ***DIRECTED AT TRAFFICKING IN COUPONS.***

18 *Section 17 of the Food Stamp Act of 1977 (7 U.S.C.*  
19 *2026) is amended by adding a new subsection (l) at the*  
20 *end thereof as follows:*

21 *“(l) The Secretary shall use up to \$4,000,000 of*  
22 *the funds provided in advance in appropriations Acts*  
23 *for projects authorized by this section to conduct dem-*  
24 *onstration projects in which State or local food stamp*  
25 *agencies test innovative ideas for working with State*

1        *or local law enforcement agencies to investigate and*  
2        *prosecute coupon trafficking by recipients, buyers,*  
3        *and retail food stores.”.*

4        **SEC. 5. CONTINUING ELIGIBILITY.**

5        *An establishment or house-to-house trade route that is*  
6        *otherwise authorized to accept and redeem coupons under*  
7        *the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.) at the*  
8        *time of enactment of this Act shall be considered to meet*  
9        *the definition of “retail food store” in section 3(k) of the*  
10       *Food Stamp Act of 1977, as amended by section 1 of this*  
11       *Act, until its periodic reauthorization or until such time*  
12       *as the eligibility of the establishment or house-to-house trade*  
13       *route for continued participation in the food stamp pro-*  
14       *gram is evaluated for any reason.*