

.....
(Original Signature of Member)

117TH CONGRESS
1ST SESSION

H. R. _____

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 HOUSE OF REPRESENTATIVES

Ms. ADAMS introduced the following bill; which was 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.

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. SHORT TITLE.**

4 This Act may be cited as the “Closing the Meal Gap
5 Act of 2021”.

1 **SEC. 2. CALCULATION OF PROGRAM BENEFITS USING LOW-**
2 **COST FOOD PLAN.**

3 (a) DEFINITION OF LOW-COST FOOD PLAN.—Sec-
4 tion 3 of the Food and Nutrition Act of 2008 (7 U.S.C.
5 2012) is amended—

6 (1) by striking subsection (u);

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

9 (3) by inserting after subsection (m) the fol-
10 lowing:

11 “(n) LOW-COST FOOD PLAN.—

12 “(1) IN GENERAL.—The term ‘low-cost food
13 plan’ means the diet, determined in accordance with
14 the calculations of the Secretary, required to feed a
15 4-person family that consists of—

16 “(A) a man and a woman who are each be-
17 tween 19 and 50 years of age;

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

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

22 “(2) RE-EVALUATION.—Not later than January
23 1, 2027, and at 5-year intervals thereafter, the Sec-
24 retary shall re-evaluate and publish the market bas-
25 kets of the low-cost food plan based on current food

1 prices, food composition data, consumption patterns,
2 and dietary guidance.

3 “(3) COST.—For purposes of paragraph (1),
4 the cost of the diet described in that paragraph shall
5 be the basis for uniform allotments for all house-
6 holds regardless of the actual composition of the
7 household, except that the Secretary shall—

8 “(A) make household-size adjustments
9 (based on the unrounded cost of that diet) tak-
10 ing into account economies of scale;

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

16 “(C) make cost adjustments in the sepa-
17 rate low-cost food plans for Guam, the Com-
18 monwealth of Puerto Rico, American Samoa,
19 the Commonwealth of the Northern Mariana Is-
20 lands, and the United States Virgin Islands, to
21 reflect the cost of food in those territories, but
22 not to exceed the cost of food in the 50 States
23 and the District of Columbia; and

24 “(D) on October 1, 2021, and each Octo-
25 ber 1 thereafter, adjust the cost of the diet to

1 reflect the cost of the diet in the immediately
2 preceding June, and round the result to the
3 nearest lower-dollar increment for each house-
4 hold size.”.

5 (b) VALUE OF ALLOTMENT.—Section 8(a) of the
6 Food and Nutrition Act of 2008 (7 U.S.C. 2017(a)) is
7 amended—

8 (1) by striking “thrifty food plan” each place it
9 appears and inserting “low-cost food plan”; and

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

12 (c) QUALITY CONTROL SYSTEM.—Section
13 16(c)(1)(A)(ii) of the Food and Nutrition Act of 2008 (7
14 U.S.C. 2025(c)(1)(A)(ii)) is amended—

15 (1) in subclause (I)—

16 (A) by striking “2014, at an amount not
17 greater than \$37” and inserting “2021, at an
18 amount equal to not more than \$50”; and

19 (B) by striking “and” at the end

20 (2) in subclause (II)—

21 (A) by striking “(II)” and inserting
22 “(III)”;

23 (B) by striking “thrifty food plan is ad-
24 justed under section 3(u)(4)” and inserting

1 “low-cost food plan is adjusted under section
2 3(n)(2)(D)”;

3 (C) by striking “2013” and inserting
4 “2022”;

5 (3) by inserting after subclause (I) the fol-
6 lowing:

7 “(II) for fiscal year 2022, the
8 amount specified in subclause (I) shall
9 be adjusted by the difference between
10 the thrifty food plan and the low-cost
11 food plan; and”.

12 (d) CONFORMING AMENDMENTS.—

13 (1) Section 10 of the Food and Nutrition Act
14 of 2008 (7 U.S.C. 2019) is amended, in the first
15 sentence, by striking “3(o)(4)” and inserting
16 “3(p)(4)”.

17 (2) Section 11 of the Food and Nutrition Act
18 of 2008 (7 U.S.C. 2020) is amended—

19 (A) in subsection (a)(2), by striking
20 “3(s)(1)” and inserting “3(t)(1)”;

21 (B) in subsection (d)—

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

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

1 (iii) by striking “Act (25 U.S.C.
2 450)” and inserting “and Education As-
3 sistance Act (25 U.S.C. 3501 et seq.)”;
4 and
5 (C) in subsection (e)(17), by striking
6 “3(s)(1)” and inserting “3(t)(1)”.

7 (3) Section 19(a)(2)(A)(ii) of the Food and Nu-
8 trition Act of 2008 (7 U.S.C. 2028(a)(2)(A)(ii)) is
9 amended by striking “thrifty food plan has been ad-
10 justed under section 3(u)(4)” and inserting “low-
11 cost food plan has been adjusted under section
12 3(n)(2)(D)”.

13 (4) Section 27(a)(2) of the Food and Nutrition
14 Act of 2008 (7 U.S.C. 2036(a)(2)) is amended—

15 (A) in subparagraph (C) by striking
16 “2023” and inserting “2020”;

17 (B) in subparagraph (D)—

18 (i) by striking “through 2023” and
19 inserting “through 2020”;

20 (ii) in clause (vi) by adding “and” at
21 the end;

22 (iii) in clause(vii) by adding “and” at
23 the end; and

24 (iv) by striking clauses (viii) and (ix);

25 (C) in subparagraph (E)—

1 (i) by striking “2024 and each subse-
2 quent fiscal year” and inserting “2020”;

3 (ii) by striking “2023” and inserting
4 “2019”; and

5 (iii) by striking the period at the end
6 and inserting “; and”;

7 (D) by adding at the end the following:

8 “(F) for fiscal year 2021, the dollar
9 amount of commodities specified in subpara-
10 graph (B) shall be adjusted by the difference
11 between the cost of the thrifty food plan and
12 the cost of low-cost food plan; and

13 “(G) for each of the fiscal years 2022
14 through 2023, the dollar amount of commod-
15 ities specified in subparagraph (B) shall be ad-
16 justed by the percentage by which the low-cost
17 food plan has been adjusted under 3(n)(2)(D)
18 between June 30, 2021, and June 30 of the im-
19 mediately preceding fiscal year;”.

20 (5) Section 408(a)(12)(B)(i) of the Social Secu-
21 rity Act (42 U.S.C. 608(a)(12)(B)(i)) is amended by
22 striking “(r)” each place it appears.

1 **SEC. 3. DEDUCTIONS FROM INCOME.**

2 (a) STANDARD MEDICAL EXPENSE DEDUCTION.—

3 Section 5(e)(5) of the Food and Nutrition Act of 2008
4 (7 U.S.C. 2014(e)(5)) is amended—

5 (1) in the paragraph heading, by striking “EX-
6 CESS MEDICAL” and inserting “MEDICAL”;

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

13 (3) in subparagraph (B)(i), by striking “ex-
14 cess”; and

15 (4) by adding at the end the following:

16 “(D) STANDARD MEDICAL EXPENSE DE-
17 DUCTION AMOUNT.—

18 “(i) IN GENERAL.—Except as pro-
19 vided in clause (ii), the standard medical
20 expense deduction shall be—

21 “(I) for fiscal year 2021, \$140;

22 and

23 “(II) for each subsequent fiscal
24 year, equal to the applicable amount
25 for the immediately preceding fiscal
26 year as adjusted to reflect changes for

1 the 12-month period ending the pre-
2 ceding June 30 in the Consumer Price
3 Index for All Urban Consumers: Med-
4 ical Care published by the Bureau of
5 Labor Statistics of the Department of
6 Labor.

7 “(ii) EXCEPTION.—For any fiscal
8 year, a State agency may establish a great-
9 er standard medical expense deduction
10 than described in clause (i) if the greater
11 deduction satisfies cost neutrality stand-
12 ards established by the Secretary for that
13 fiscal year.”.

14 (b) ELIMINATION OF CAP OF EXCESS SHELTER EX-
15 PENSES.—

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

19 (A) by striking subparagraph (B); and
20 (B) by redesignating subparagraphs (C)
21 and (D) as subparagraphs (B) and (C), respec-
22 tively.

23 (2) CONFORMING AMENDMENT.—Section
24 2605(f)(2)(A) of the Low-Income Home Energy As-
25 sistance Act of 1981 (42 U.S.C. 8624(f)(2)(A)) is

1 amended by striking “5(e)(6)(C)(iv)(I) of that Act
2 (7 U.S.C. 2014(e)(6)(C)(iv)(I))” and inserting
3 “5(e)(6)(B)(iv)(I) of that Act (7 U.S.C.
4 2014(e)(6)(B)(iv)(I))”.

5 **SEC. 4. ELIMINATION OF TIME LIMIT.**

6 (a) IN GENERAL.—Section 6 of the Food and Nutri-
7 tion Act of 2008 (7 U.S.C. 2015) is amended—
8 (1) by striking subsection (o); and
9 (2) by redesignating subsections (p) through (s)
10 as subsections (o) through (r), respectively.

11 (b) ADDITIONAL ALLOCATIONS FOR STATES THAT
12 ENSURE AVAILABILITY OF WORK OPPORTUNITIES.—Sec-
13 tion 16(h) of the Food and Nutrition Act of 2008 (7
14 U.S.C. 2025(h)) is amended—

15 (1) in paragraph (1)—

16 (A) in subparagraph (C)(iv)(I)—

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

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

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

- 1 (iv) in item (cc), by striking “(F)(vii)”
2 and inserting “(E)(vii)”;
3 (B) by striking subparagraph (E); and
4 (C) by redesignating subparagraph (F) as
5 subparagraph (E);
6 (2) in paragraphs (3) and (4), by striking
7 “(1)(F)” each place it appears and inserting
8 “(1)(E)”;
- 9 (3) in paragraph (5)(C)—
10 (A) in clause (ii), by adding “and” at the
11 end;
12 (B) in clause (iii), by striking “; and” and
13 inserting a period; and
14 (C) by striking clause (iv).
- 15 (c) CONFORMING AMENDMENTS.—
16 (1) Section 5(a) of the Food and Nutrition Act
17 of 2008 (7 U.S.C. 2014(a)) is amended in the sec-
18 ond sentence, by striking “(r)” and inserting “(q)”;
- 19 (2) Section 6(d)(4) of the Food and Nutrition
20 Act of 2008 (7 U.S.C. 2015(d)(4)) is amended—
21 (A) in subparagraph (B)(ii)(I)(bb)(DD),
22 by striking “or subsection (o)”;
- 23 (B) in subparagraph (N), by striking “or
24 subsection (o)” each place it appears.

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

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

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

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

15 (5) Section 51(d)(8)(A)(ii) of the Internal Rev-
16 enue Code of 1986 is amended—

17 (A) in subclause (I), by striking “, or” at
18 the end and inserting a period;

19 (B) in the matter preceding subclause (I),
20 by striking “family—” and all that follows
21 through “receiving” in subclause (I) and insert-
22 ing “family receiving”; and

23 (C) by striking subclause (II).

1 (6) Section 103(a)(2) of the Workforce Innova-
2 tion and Opportunity Act (29 U.S.C. 3113) is
3 amended—

4 (A) by striking subparagraph (D); and

5 (B) by redesignating subparagraphs (E)
6 through (K) as subparagraphs (D) through (J),
7 respectively.

8 (7) Section 121(b)(2)(B) of the Workforce In-
9 novation and Opportunity Act (29 U.S.C. 3151) is
10 amended—

11 (A) by striking clause (iv); and

12 (B) by redesignating clauses (v) through
13 (vii) as clauses (iv) through (vi), respectively.

14 **SEC. 5. PARTICIPATION OF PUERTO RICO, AMERICAN**
15 **SAMOA, AND THE NORTHERN MARIANA IS-**
16 **LANDS IN SUPPLEMENTAL NUTRITION AS-**
17 **SISTANCE PROGRAM.**

18 (a) DEFINITION OF STATE.—Subsection (s) of sec-
19 tion 3 of the Food and Nutrition Act of 2008 (7 U.S.C.
20 2012) (as redesignated by section 2(a)(2)) is amended by
21 inserting “the Commonwealth of Puerto Rico, American
22 Samoa, the Commonwealth of the Northern Mariana Is-
23 lands,” after “Guam,”.

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

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

6 (2) by adding at the end the following:

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

15 (c) EFFECTIVE DATE.—

16 (1) IN GENERAL.—The amendments made by
17 subsections (a) and (b) shall be effective with re-
18 spect to the Commonwealth of Puerto Rico, Amer-
19 ican Samoa, and the Commonwealth of the Northern
20 Mariana Islands, as applicable, on the date described
21 in paragraph (2) if the Secretary of Agriculture sub-
22 mits to Congress a certification under subsection
23 (f)(2)(B) of section 19 of the Food and Nutrition
24 Act of 2008 (7 U.S.C. 2028).

1 (2) DATE DESCRIBED.—The date referred to in
2 paragraph (1) is, with respect to the Commonwealth
3 of Puerto Rico, American Samoa, and the Common-
4 wealth of the Northern Mariana Islands, the date es-
5 tablished by the Commonwealth of Puerto Rico,
6 American Samoa, or the Commonwealth of the
7 Northern Mariana Islands, respectively, in the appli-
8 cable plan of operation submitted to the Secretary of
9 Agriculture under subsection (f)(1)(A) of section 19
10 of the Food and Nutrition Act of 2008 (7 U.S.C.
11 2028).

12 **SEC. 6. TRANSITION OF PUERTO RICO, AMERICAN SAMOA,**
13 **AND THE NORTHERN MARIANA ISLANDS TO**
14 **SUPPLEMENTAL NUTRITION ASSISTANCE**
15 **PROGRAM.**

16 Section 19 of the Food and Nutrition Act of 2008
17 (7 U.S.C. 2028) is amended—

18 (1) in subsection (a)(1)—

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

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

23 (C) by adding at the end the following:

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

1 (2) by adding at the end the following:

2 “(f) TRANSITION OF PUERTO RICO, AMERICAN
3 SAMOA, AND THE NORTHERN MARIANA ISLANDS TO SUP-
4 PLEMENTAL NUTRITION ASSISTANCE PROGRAM.—

5 “(1) REQUEST FOR PARTICIPATION.—A govern-
6 mental entity may submit to the Secretary a request
7 to participate in the supplemental nutrition assist-
8 ance program, which shall include a plan of oper-
9 ation described in section 11(d), which shall include
10 the date on which the governmental entity intends to
11 begin participation in the program.

12 “(2) CERTIFICATION BY SECRETARY.—

13 “(A) IN GENERAL.—The Secretary shall
14 certify a governmental entity that submits a re-
15 quest under paragraph (1) as qualified to par-
16 ticipate in the supplemental nutrition assistance
17 program if the Secretary—

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

21 “(ii) approves the applications de-
22 scribed in paragraph (4) in accordance
23 with that paragraph.

24 “(B) SUBMISSION OF CERTIFICATION TO
25 CONGRESS.—The Secretary shall submit each

1 certification under subparagraph (A) to Con-
2 gress.

3 “(3) DETERMINATION OF PLAN OF OPER-
4 ATION.—

5 “(A) APPROVAL.—The Secretary shall ap-
6 prove a plan of operation submitted with a re-
7 quest under paragraph (1) if the plan satisfies
8 the requirements under this Act for a plan of
9 operation.

10 “(B) DISAPPROVAL.—If the Secretary does
11 not approve a plan of operation submitted with
12 a request under paragraph (1), the Secretary
13 shall provide to the governmental entity a state-
14 ment that describes each requirement under
15 this Act that is not satisfied by the plan.

16 “(4) APPROVAL OF RETAIL FOOD STORES.—

17 “(A) SOLICITATION OF APPLICATIONS.—If
18 the Secretary approves a plan of operation
19 under paragraph (3)(A) for a governmental en-
20 tity, the Secretary shall accept applications
21 from retail food stores located in that govern-
22 mental entity to be authorized under section 9
23 to participate in the supplemental nutrition as-
24 sistance program.

1 “(B) DETERMINATION.—The Secretary
2 shall authorize a retail food store applying to
3 participate in the supplemental nutrition assist-
4 ance program under subparagraph (A) if the
5 application satisfies the requirements under this
6 Act for authorization of a retail food store.

7 “(5) PUERTO RICO.—In the case of a request
8 under paragraph (1) by the Commonwealth of Puer-
9 to Rico, notwithstanding subsection (g), the Sec-
10 retary shall allow the Commonwealth of Puerto Rico
11 to continue to carry out under the supplemental nu-
12 trition assistance program the Family Market Pro-
13 gram established pursuant to this section.

14 “(6) AUTHORIZATION OF APPROPRIATIONS.—
15 There are authorized to be appropriated to the Sec-
16 retary to carry out this subsection such sums as are
17 necessary for fiscal year 2021, to remain available
18 until expended.

19 “(g) TERMINATION OF EFFECTIVENESS.—

20 “(1) IN GENERAL.—Subsections (a) through (e)
21 shall cease to be effective with respect to the Com-
22 monwealth of Puerto Rico, American Samoa, and
23 the Commonwealth of the Northern Mariana Is-
24 lands, as applicable, on the date described in para-
25 graph (2) if the Secretary submits to Congress a

1 certification under subsection (f)(2)(B) for that gov-
2 ernmental entity.

3 “(2) DATE DESCRIBED.—The date referred to
4 in paragraph (1) is, with respect to the Common-
5 wealth of Puerto Rico, American Samoa, and the
6 Commonwealth of the Northern Mariana Islands,
7 the date established by the Commonwealth of Puerto
8 Rico, American Samoa, or the Commonwealth of the
9 Northern Mariana Islands, respectively, in the appli-
10 cable plan of operation submitted to the Secretary
11 under subsection (f)(1)(A).”.