

103^D CONGRESS
1ST SESSION

H. R. 529

To amend the Food Stamp Act of 1977 to respond to the hunger emergency afflicting American families and children, to attack the causes of hunger among all Americans, to ensure an adequate diet for low-income people who are homeless or at risk of homelessness because of the shortage of affordable housing, to promote self-sufficiency among food stamp recipients, to assist families affected by adverse economic conditions, to simplify food assistance programs' administration, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 21, 1993

Mr. PANETTA (for himself, Mr. EMERSON, Mr. DE LA GARZA, and Mr. HALL of Ohio) introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend the Food Stamp Act of 1977 to respond to the hunger emergency afflicting American families and children, to attack the causes of hunger among all Americans, to ensure an adequate diet for low-income people who are homeless or at risk of homelessness because of the shortage of affordable housing, to promote self-sufficiency among food stamp recipients, to assist families affected by adverse economic conditions, to simplify food assistance programs' administration, 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 AND TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Mickey Leland Childhood Hunger Relief Act”.

6 (b) TABLE OF CONTENTS.—The table of contents is
7 as follows:

- Sec. 1. Short title and table of contents.
- Sec. 2. References to Act.

TITLE I—ENSURING ADEQUATE FOOD ASSISTANCE

- Sec. 101. Families with high shelter expenses.
- Sec. 102. Basic benefit level.
- Sec. 103. Continuing benefits to eligible households.
- Sec. 104. Homeless families in transitional housing.
- Sec. 105. Improving the nutritional status of children in Puerto Rico.
- Sec. 106. Households benefiting from general assistance vendor payments.
- Sec. 107. Helping low-income high school students.

TITLE II—PROMOTING SELF-SUFFICIENCY

- Sec. 201. Child support disregard.
- Sec. 202. Child support payments to non-household members.
- Sec. 203. Vehicles needed to seek and continue employment and for household transportation.
- Sec. 204. Vehicles necessary to carry fuel or water.
- Sec. 205. Improving access to employment and training activities.

TITLE III—SIMPLIFYING THE PROVISION OF FOOD ASSISTANCE

- Sec. 301. Simplifying the household definition for households with children and others.
- Sec. 302. Resources of households with disabled members.
- Sec. 303. Assuring adequate funding for the food stamp program.

TITLE IV—COMMODITY DISTRIBUTION TO NEEDY FAMILIES

- Sec. 401. Commodity purchases.

TITLE V—IMPLEMENTATION AND EFFECTIVE DATES

- Sec. 501. Effective dates.
- Sec. 502. Budget neutrality requirement.

1 **SEC. 2. REFERENCES TO ACTS.**

2 Except as otherwise specifically provided herein, ref-
3 erences to “the Act” and sections thereof shall be deemed
4 to be references to the Food Stamp Act of 1977 (7 U.S.C.
5 2011 et seq.) and the sections thereof.

6 **TITLE I—ENSURING ADEQUATE FOOD**
7 **ASSISTANCE**

8 **SEC. 101. FAMILIES WITH HIGH SHELTER EXPENSES.**

9 (a) REMOVAL OF CAP.—(1) The fourth sentence of
10 section 5(e) of the Food Stamp Act of 1977 (hereinafter
11 referred to as “the Act”) (7 U.S.C. 2014(e)) is amended
12 by striking “: *Provided*, That the amount” and all that
13 follows through “June 30”.

14 (2) The fifth sentence of section 5(e) of the Act (7
15 U.S.C. 2014(e)) is amended by striking “under clause (2)
16 of the preceding sentence”.

17 (b) TRANSITIONAL CAP.—(1) Effective on the date
18 of enactment of this Act, section 5(e) of the Act is amend-
19 ed by inserting after the fourth sentence the following: “In
20 the 12-month period ending September 30, 1994, such ex-
21 cess shelter expense deduction shall not exceed \$230 a
22 month in the forty-eight contiguous States and the Dis-
23 trict of Columbia, and shall not exceed, in Alaska, Hawaii,
24 Guam, and the Virgin Islands of the United States, \$400,
25 \$328, \$279, and \$170 a month, respectively; in the 12-
26 month period ending September 30, 1995, shall not exceed

1 \$260 a month in the forty-eight contiguous States and the
2 District of Columbia, and shall not exceed, in Alaska, Ha-
3 waii, Guam, and the Virgin Islands of the United States,
4 \$452, \$371, \$315, and \$192 a month, respectively; in the
5 12-month period ending September 30, 1996, shall not ex-
6 ceed \$300 a month in the forty-eight contiguous States
7 and the District of Columbia, and shall not exceed, in
8 Alaska, Hawaii, Guam, and the Virgin Islands of the Unit-
9 ed States, \$521, \$420, \$364, and \$221 a month, respec-
10 tively; and in the 12-month period ending September 30,
11 1997, shall not exceed \$360 a month in the forty-eight
12 contiguous States and the District of Columbia, and shall
13 not exceed, in Alaska, Hawaii, Guam, and the Virgin Is-
14 lands of the United States, \$626, \$514, \$437, and \$266
15 a month, respectively.”.

16 (2) Effective October 1, 1997, section 5(e) of the Act
17 (7 U.S.C. 2014(e)) is amended by striking the fifth
18 sentence.

19 **SEC. 102. BASIC BENEFIT LEVEL.**

20 Section 3(o) of the Act (7 U.S.C. 2012(o)) is amend-
21 ed by striking “(4) through” and all that follows through
22 the end of the subsection, and inserting the following: “(4)
23 on October 1, 1993, adjust the cost of such diet to reflect
24 103¹/₃ percent of the cost of thrifty food plan in the pre-
25 ceding June (without regard to adjustments made under

1 clauses (9), (10), and (11) of this subsection as in effect
2 before the date of the enactment of the Mickey Leland
3 Childhood Hunger Relief Act), as determined by the Sec-
4 retary, and round the result to the nearest lower dollar
5 increment for each household size, (5) on October 1, 1994,
6 adjust the cost of such diet to reflect $103\frac{2}{3}$ percent of
7 the cost of the thrifty food plan in the preceding June
8 (without regard to adjustments made under such clauses
9 (9), (10), and (11) and under clause (4)), as determined
10 by the Secretary, and round the result to the nearest lower
11 dollar increment for each household size, (6) on October
12 1, 1995, adjust the cost of such diet to reflect 104 percent
13 of the cost of the thrifty food plan in the preceding June
14 (without regard to adjustments made under such clauses
15 (9), (10), and (11) and under clauses (4) and (5)), as de-
16 termined by the Secretary, and round the result to the
17 lowest dollar increment for each household size, (7) on Oc-
18 tober 1, 1996, adjust the cost of such diet to reflect $104\frac{1}{3}$
19 percent of the cost of the thrifty food plan in the preceding
20 June (without regard to adjustments made under such
21 clauses (9), (10), and (11) and under clauses (4), (5), and
22 (6)), as determined by the Secretary, and round the result
23 to the nearest lower dollar increment for each household
24 size, (8) on October 1, 1997, adjust the cost of such diet
25 to reflect $104\frac{2}{3}$ percent of the cost of the thrifty food plan

1 in the preceding June (without regard to adjustments
2 made under such clauses (9), (10), and (11) and under
3 clauses (4), (5), (6), and (7)), as determined by the Sec-
4 retary, and round the result to the nearest lower dollar
5 increment for each household size, and (9) on October 1,
6 1998, and on every October 1 thereafter, adjust the cost
7 of such diet to reflect 105 percent of the cost of the thrifty
8 food plan in the preceding June (without regard to pre-
9 vious adjustments made under such clauses (9), (10), and
10 (11), under clauses (4), (5), (6), (7), and (8), and under
11 this clause), as determined by the Secretary, and round
12 the result to the nearest lower dollar increment for each
13 household size.”.

14 **SEC. 103. CONTINUING BENEFITS TO ELIGIBLE HOUSE-**
15 **HOLDS.**

16 Section 8(c)(2)(B) of the Act (7 U.S.C.
17 2017(c)(2)(B)) is amended by inserting “of more than one
18 month in” after “following any period”.

19 **SEC. 104. HOMELESS FAMILIES IN TRANSITIONAL HOUS-**
20 **ING.**

21 Section 5(k)(2)(F) of the Act (7 U.S.C.
22 2014(k)(2)(F)) is amended to read as follows:

23 “(F) housing assistance payments made to a
24 third party on behalf of a household residing in
25 transitional housing for the homeless;”.

1 **SEC. 105. IMPROVING THE NUTRITIONAL STATUS OF CHIL-**
2 **DREN IN PUERTO RICO.**

3 Section 19(a)(1)(A) of the Act (7 U.S.C.
4 2028(a)(1)(A)) is amended:

5 (1) by striking “\$1,091,000,000” and inserting
6 “\$1,111,000,000”; and

7 (2) by striking “\$1,133,000,000” and inserting
8 “\$1,158,000,000”.

9 **SEC. 106. HOUSEHOLDS BENEFITING FROM GENERAL AS-**
10 **SISTANCE VENDOR PAYMENTS.**

11 Section 5(k)(1)(B) of the Act (7 U.S.C.
12 2014(k)(1)(B)) is amended to read as follows:

13 “(B) a benefit payable to the household for
14 housing expenses, not including energy or utility-cost
15 assistance, under—

16 “(i) a State or local general assistance pro-
17 gram; or

18 “(ii) another basic assistance program
19 comparable to general assistance (as determined
20 by the Secretary).”.

21 **SEC. 107. HELPING LOW-INCOME HIGH SCHOOL STU-**
22 **DENTS.**

23 Section 5(d)(7) is amended by striking “, who is a
24 student, and who has not attained his eighteenth birth-
25 day” and inserting “and who is an elementary or second-
26 ary student”.

1 **TITLE II—PROMOTING SELF-SUFFICIENCY**

2 **SEC. 201. CHILD SUPPORT DISREGARD.**

3 Section 5 of the Act (7 U.S.C. 2014) is amended—

4 (1) in clause (13) of subsection (d)—

5 (A) by striking “at the option” and all
6 that follows through “subsection (m),” and in-
7 serting “(A)”; and

8 (B) by adding at the end the following:
9 “and (B) the first \$50 of any child support
10 payments for each month received in that
11 month, and the first \$50 of child support of
12 each month received in that month if such pay-
13 ments were made by the absent parent in the
14 month when due,”; and

15 (2) by striking subsection (m).

16 **SEC. 202. CHILD SUPPORT PAYMENTS TO NON-HOUSEHOLD**
17 **MEMBERS.**

18 Section 5(d)(6) of the Act (7 U.S.C. 2014(d)(6)) is
19 amended by striking the comma at the end and inserting
20 the following: “: *Provided*, That child support payments
21 made by a household member to or for a person who is
22 not a member of the household shall be excluded from the
23 income of the household of the person making such pay-
24 ments if such household member was legally obligated to
25 make such payments,”.

1 **SEC. 203. VEHICLES NEEDED TO SEEK AND CONTINUE EM-**
2 **PLOYMENT AND FOR HOUSEHOLD TRANS-**
3 **PORTATION.**

4 Section 5(g)(2) of the Act (7 U.S.C. 2014(g)(2)) is
5 amended by striking "\$4,500" and inserting the following:
6 "a level set by the Secretary, which shall be \$4,500
7 through September 30, 1993, and which shall be adjusted
8 from \$4,500 on October 1, 1993, and on each October
9 1 thereafter, to reflect changes in the Consumer Price
10 Index for All Urban Consumers published by the Bureau
11 of Labor Statistics, for new cars, for the 12-month period
12 ending the preceding June 30, and rounded to the nearest
13 \$50".

14 **SEC. 204. VEHICLES NECESSARY TO CARRY FUEL OR**
15 **WATER.**

16 Section 5(g)(2) of the Act (7 U.S.C. 2014(g)(2)) is
17 amended by adding at the end the following: "The Sec-
18 retary shall exclude from financial resources the value of
19 a vehicle that a household depends upon to carry fuel for
20 heating or water for home use when such transported fuel
21 or water is the primary source of fuel or water for the
22 household.".

1 **SEC. 205. IMPROVING ACCESS TO EMPLOYMENT AND**
2 **TRAINING ACTIVITIES.**

3 (a) **DEPENDENT CARE DEDUCTION.**—Section 5(e) of
4 the Act (7 U.S.C. 2014(e)) is amended in clause (1) of
5 the fourth sentence—

6 (1) by striking “\$160 a month for each depend-
7 ent” and inserting “\$200 a month for a dependent
8 child under age 2 and \$175 a month for any other
9 dependent”; and

10 (2) by striking “, regardless of the dependent’s
11 age,”.

12 (b) **REIMBURSEMENTS TO PARTICIPANTS.**—(1) Sec-
13 tion 6(d)(4)(I)(i)(I) of the Act (7 U.S.C.
14 2015(d)(4)(I)(i)(I)) is amended by striking “\$25” and in-
15 serting “\$75”.

16 (2) Subclause (II) of section 6(d)(4)(I)(i) of the Act
17 (7 U.S.C. 2015(d)(4)(I)(i)(II)) is amended by striking
18 “reimbursements exceed \$160” and all that follows
19 through the end of such subclause, and inserting “reim-
20 bursements exceed the applicable local market rate as de-
21 termined by procedures consistent with any such deter-
22 mination under the Social Security Act. Individuals sub-
23 ject to the program under this paragraph may not be re-
24 quired to participate if dependent care costs exceed the
25 limit established by the State agency under this paragraph

1 (which limit shall not be less than the limit for the depend-
2 ent care deduction under section 5(e)).”.

3 (c) REIMBURSEMENTS TO STATE AGENCIES.—Sec-
4 tion 16(h)(3) of the Act (7 U.S.C. 2025(h)(3)) is amend-
5 ed—

6 (1) by striking “\$25” and all that follows
7 through “dependent care costs)” and inserting “the
8 payment made under section 6(d)(4)(I)(i)(I) but not
9 more than \$75 per participant per month”; and

10 (2) by striking “representing \$160 per month
11 per dependent” and inserting “equal to the payment
12 made under section 6(d)(4)(I)(i)(II) but not more
13 than the applicable local market rate”.

14 **TITLE III—SIMPLIFYING THE PROVISION**
15 **OF FOOD ASSISTANCE**

16 **SEC. 301. SIMPLIFYING THE HOUSEHOLD DEFINITION FOR**
17 **HOUSEHOLDS WITH CHILDREN AND OTHERS.**

18 The first sentence of section 3(i) of the Act (7 U.S.C.
19 2012(i)) is amended—

20 (1) by striking “(2)” and inserting “or (2)”;

21 (2) by striking “, or (3) a parent of minor chil-
22 dren and that parent’s children” and all that follows
23 through “parents and children, or siblings,” and in-
24 serting “. Parents and their minor children who live
25 together and spouses”; and

1 (3) by striking “, unless one of” and all that
2 follows through “disabled member”.

3 **SEC. 302. RESOURCES OF HOUSEHOLDS WITH DISABLED**
4 **MEMBERS.**

5 Section 5(g)(1) of the Act (7 U.S.C. 2014(g)(1)) is
6 amended by striking “a member who is 60 years of age
7 or older,” and inserting “an elderly or disabled member,”.

8 **SEC. 303. ASSURING ADEQUATE FUNDING FOR THE FOOD**
9 **STAMP PROGRAM.**

10 Section 18 of the Act (7 U.S.C. 2027) is amended
11 by striking subsections (b), (c), and (d) and redesignating
12 subsections (e) and (f) as subsections (b) and (c), respec-
13 tively.

14 **TITLE IV—COMMODITY DISTRIBUTION TO**
15 **NEEDY FAMILIES.**

16 **SEC. 401—COMMODITY PURCHASES.**

17 Section 214(e) of the Emergency Food Assistance
18 Act of 1983 (7 U.S.C. 612c note) is amended—

19 (1) by striking “\$175,000,000” and all that fol-
20 lows through “1992, and”;

21 (2) by inserting after the first sentence the fol-
22 lowing:

23 “During fiscal year 1994, the Secretary shall spend
24 \$220,000,000 to purchase, process, and distribute addi-
25 tional commodities under this section.”; and

1 (3) in the last sentence by striking “1991
2 through” and inserting “1993 and”.

3 **TITLE V—IMPLEMENTATION AND**
4 **EFFECTIVE DATES**

5 **SEC. 501. EFFECTIVE DATES.**

6 (a) GENERAL EFFECTIVE DATE.—Except as other-
7 wise provided in this Act, the provisions of this Act shall
8 become effective and be implemented on October 1, 1993.

9 (b) SPECIAL EFFECTIVE DATE.—Sections 103, 106,
10 201, 202, 204, 205, 301, and 302 of this Act shall become
11 effective and be implemented on July 1, 1994.

12 **SEC. 502. BUDGET NEUTRALITY REQUIREMENT.**

13 None of the provisions of this Act shall become effec-
14 tive unless the costs are fully offset in each fiscal year
15 through fiscal year 1998. No agriculture price or income
16 support program administered through the Commodity
17 Credit Corporation under the Agricultural Act of 1949
18 may be reduced to achieve such offset.

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