



Passage of Murray/Gorton Amendment

June, 19 1997

Public Law 105-18 allows States to issue benefits to persons ineligible for food stamps due to the time limits or the non-citizen restrictions in the 1996 welfare reform legislation. This letter and H.R.1871 (Public Law 105-18, June 12, 1997) was sent to all Food and Consumer Service regional offices for their use in informing State agencies of the change.

To: All Regional Administrators Food and Consumer Service

Attached for your information is a copy of the Murray/Gorton amendment to the supplemental appropriations bill which was passed by Congress as H.R. 1871 on June 12, 1997 and was signed into law as Public Law 105-18 on the same date.

The Murray/Gorton amendment provides that a State agency may, with the approval of the Secretary, issue benefits to an individual who is ineligible to participate in the Food Stamp Program solely as a result of the time limits in Section 6(o)(2) of the Food Stamp Act or the noncitizen restrictions under Section 402 or 403 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. The State must pay the Secretary the value of the benefits issued, the cost of printing, shipping, and redeeming coupons, and other Federal costs incurred in providing the benefits.

We are committed to working with the States to successfully implement this new legislation. Please inform States immediately about this law - as you know, most noncitizens now getting food stamps will lose eligibility at the end of August. We have already joined two Regional Offices and our Financial Management staff in working actively with two States on State proposals. If your staff has any questions concerning this issue please have them contact Virginia K. Gerbasi, Assistant Branch Chief of the Program Design Branch, Program Development Division, at (703) 305-2519.

/S/

Yvette S. Jackson
Deputy Administrator
Food Stamp Program

Attachment:

H.R.1871 (Public Law 105-18, June 12, 1997)

1997 Emergency Supplemental Appropriations Act for Recovery from Natural Disasters, and for Overseas Peacekeeping Efforts, Including Those in Bosnia

TITLE VII--FOOD STAMP PROGRAM

State Option to Issue Food Stamp Benefits to Certain Individuals Made Ineligible by Welfare Reform

(a) IN GENERAL- Section 7 of the Food Stamp Act of 1977 (7 U.S.C. 2016) is amended--

(1) in subsection (a), by inserting after 'necessary, and' the following: '(except as provided in subsection (j))';
and

(2) by adding at the end the following:

“(j) STATE OPTION TO ISSUE BENEFITS TO CERTAIN INDIVIDUALS MADE INELIGIBLE BY WELFARE REFORM-

“(1) IN GENERAL- Notwithstanding any other provision of law, a State agency may, with the approval of the Secretary, issue benefits under this Act to an individual who is ineligible to participate in the food stamp program solely as a result of section 6(o)(2) of this Act or section 402 or 403 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612 or 1613).

“(2) STATE PAYMENTS TO SECRETARY-

` (A) IN GENERAL- Not later than the date the State agency issues benefits to individuals under this subsection, the State agency shall pay the Secretary, in accordance with procedures established by the Secretary, an amount that is equal to--

` (i) the value of the benefits; and

` (ii) the costs of printing, shipping, and redeeming coupons, and other Federal costs, incurred in providing the benefits, as determined by the Secretary.

` (B) CREDITING- Notwithstanding section 3302(b) of title 31, United States Code, payments received under subparagraph (A) shall be credited to the food stamp program appropriation account or the account from which the costs were drawn, as appropriate, for the fiscal year in which the payment is received.

` (3) REPORTING- To be eligible to issue benefits under this subsection, a State agency shall comply with reporting requirements established by the Secretary to carry out this subsection.

` (4) PLAN- To be eligible to issue benefits under this subsection, a State agency shall--

` (A) submit a plan to the Secretary that describes the conditions and procedures under which the benefits will be issued, including eligibility standards, benefit levels, and the methodology the State agency will use to determine amounts due the Secretary under paragraph (2); and

` (B) obtain the approval of the Secretary for the plan.

` (5) VIOLATIONS- A sanction, disqualification, fine, or other penalty prescribed under Federal law (including sections 12 and 15) shall apply to a violation committed in connection with a coupon issued under this subsection.

` (6) INELIGIBILITY FOR ADMINISTRATIVE REIMBURSEMENT- Administrative and other costs incurred in issuing a benefit under this subsection shall not be eligible for Federal funding under this Act.

` (7) EXCLUSION FROM ENHANCED PAYMENT ACCURACY SYSTEMS- Section 16(c) shall not apply to benefits issued under this subsection.'

(b) CONFORMING AMENDMENTS- Section 17(b)(1)(B)(iv) of the Food Stamp Act of 1977 (7 U.S.C. 2026(b)(1)(B)(iv)) is amended--

(1) in subclause (V), by striking ` or' at the end;

(2) in subclause (VI), by striking the period at the end and inserting ` ; or'; and

(3) by adding at the end the following:

` (VII) waives a provision of section 7(j).'