

103D CONGRESS
1ST SESSION

S. 505

To amend the Food Stamp Act of 1977 to identify and curtail fraud in the food stamp program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 4 (legislative day, MARCH 3), 1993

Mr. MCCONNELL (for himself, Mr. DOLE, and Mr. LUGAR) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To amend the Food Stamp Act of 1977 to identify and curtail fraud in the food stamp program, 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 “Food Stamp Anti-
5 Fraud Act of 1993”.

1 **TITLE I—RETAIL FOOD STORES**
2 **AND WHOLESALE FOOD CON-**
3 **CERNS**

4 **SEC. 101. USE OF APPLICATION INFORMATION.**

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

7 (1) by designating the first sentence as para-
8 graph (1);

9 (2) by designating the second and third sen-
10 tences as subparagraphs (A) and (C), respectively,
11 of paragraph (2); and

12 (3) in paragraph (2)—

13 (A) in subparagraph (A) (as so des-
14 igned), by inserting before the period at the
15 end the following: “or officers or employees of
16 Federal or State law enforcement or investiga-
17 tive agencies for purposes of administering or
18 enforcing the provisions of this Act or any other
19 Federal or State law and the regulations issued
20 under this Act or such law”;

21 (B) by inserting after subparagraph (A)
22 (as so designated) the following new subpara-
23 graph:

24 “(B) An officer or employee described in subpara-
25 graph (A) who publishes, divulges, discloses, or makes

1 known in any manner or to any extent not authorized by
2 law any information obtained under the authority granted
3 by this subsection shall be subject to section 1905 of title
4 18, United States Code.”; and

5 (C) in subparagraph (C) (as so des-
6 ignated), by striking “Such purposes” and in-
7 serting “The purposes referred to in subpara-
8 graph (A)”.

9 **SEC. 102. PENALTIES FOR TRAFFICKING IN FOOD STAMPS.**

10 Section 12(b)(3)(B) of the Food Stamp Act of 1977
11 (7 U.S.C. 2021(b)(3)(B)) is amended by striking “(except
12 that the amount of civil money penalties imposed during
13 a 2-year period may not exceed \$40,000)”.

14 **SEC. 103. PENALTIES FOR STORES FOR TRADING FIRE-**
15 **ARMS, AMMUNITION, EXPLOSIVES, OR CON-**
16 **TROLLED SUBSTANCES FOR FOOD STAMPS.**

17 Section 12(b)(3)(C) of the Food Stamp Act of 1977
18 (7 U.S.C. 2021(b)(3)(C)) is amended by striking “(except
19 that the amount of civil money penalties imposed during
20 a 2-year period may not exceed \$40,000)”.

21 **SEC. 104. USE OF TAXPAYER IDENTIFICATION NUMBERS.**

22 (a) SOCIAL SECURITY ACCOUNT NUMBERS.—Clause
23 (iii) of section 205(c)(2)(C) of the Social Security Act (42
24 U.S.C. 405(c)(2)(C)(iii)) (as added by section 1735(a)(3)
25 of the Food, Agriculture, Conservation, and Trade Act of

1 1990 (Public Law 101–624; 104 Stat. 3791)) is amend-
2 ed—

3 (1) in the second sentence—

4 (A) by inserting after “Department of Ag-
5 riculture” the following: “, or officer or em-
6 ployee of a Federal or State law enforcement or
7 investigative agency,”; and

8 (B) by inserting before the period at the
9 end the following: “or for the administration or
10 enforcement of such Act or any other Federal
11 or State law”; and

12 (2) in the third sentence, by inserting before
13 the period at the end the following: “or officers and
14 employees of Federal or State law enforcement or
15 investigative agencies whose duties or responsibilities
16 require access for the administration or enforcement
17 of such Act or any other Federal or State law”.

18 (b) EMPLOYER IDENTIFICATION NUMBERS.—Section
19 6109(f) of the Internal Revenue Code of 1986 (relating
20 to access to employer identification numbers by the Sec-
21 retary of Agriculture for purposes of the Food Stamp Act
22 of 1977) is amended—

23 (1) in the second sentence of paragraph (1)—

24 (A) by inserting after “Secretary of Agri-
25 culture” the following: “, or an officer or em-

1 “(II) the first occasion of a finding of the
2 trading of firearms, ammunition, explosives, or
3 controlled substances (as the term is defined in
4 section 802 of title 21, United States Code) for
5 coupons.”.

6 **SEC. 202. USE OF PENALTIES COLLECTED FROM RETAIL**
7 **FOOD STORES AND WHOLESALE FOOD CON-**
8 **CERNS.**

9 Section 18 of the Food Stamp Act of 1977 (7 U.S.C.
10 2027) is amended by adding at the end the following new
11 subsection:

12 “(g) Funds collected from claims against retail food
13 stores or wholesale food concerns under section 12 shall—

14 “(1) be credited to the food stamp program ap-
15 propriation account for the fiscal year in which the
16 collection occurs, and remain available until ex-
17 pended; and

18 “(2) be used for investigation and enforcement
19 activities under this Act relating to retail food stores
20 and wholesale food concerns.”.

21 **TITLE III—EFFECTIVE DATES**

22 (a) IN GENERAL.—Except as provided in subsection
23 (b), the amendments made by this Act shall become effec-
24 tive and implemented not later than 120 days after the

1 date of issuance of final regulations by the Secretary of
2 Agriculture to carry out the amendments.

3 (b) EXCEPTIONS.—The amendments made by sec-
4 tions 102, 103, and 202 shall become effective on the date
5 of enactment of this Act.

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