

AMENDMENT NO. _____ Calendar No. _____

Purpose: To provide for certain work requirements for able-bodied adults without dependents and to require State agencies to operate a work activation program for eligible participants in the supplemental nutrition assistance program.

IN THE SENATE OF THE UNITED STATES—115th Cong., 2d Sess.

H. R. 2

To provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2023, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by
_____ to the amendment (No. 3224)
proposed by Mr. ROBERTS

Viz:

1 Strike section 4103 and insert the following:

2 **SEC. 4103. WORK REQUIREMENTS FOR ABLE-BODIED**

3 **ADULTS WITHOUT DEPENDENTS.**

4 (a) DECLARATION OF POLICY.—Section 2 of the

5 Food and Nutrition Act of 2008 (7 U.S.C. 2011) is

6 amended by adding at the end the following: “Congress

7 further finds that it should also be the purpose of the sup-

8 plemental nutrition assistance program to increase em-

1 ployment, to encourage healthy marriage, and to promote
2 prosperous self-sufficiency, which means the ability of
3 households to maintain an income above the poverty level
4 without services and benefits from the Federal Govern-
5 ment.”.

6 (b) DEFINITIONS.—

7 (1) FOOD.—Section 3(k) of the Food and Nu-
8 trition Act of 2008 (7 U.S.C. 2012(k)) is amended
9 by inserting before the period at the end the fol-
10 lowing: “, except that a food, food product, meal, or
11 other item described in this subsection shall be con-
12 sidered a food under this Act only if it is an essen-
13 tial (as determined by the Secretary)”.

14 (2) SUPERVISED JOB SEARCH.—Section 3 of
15 the Food and Nutrition Act of 2008 (7 U.S.C.
16 2012) is amended—

17 (A) by redesignating subsections (t)
18 through (v) as subsections (u) through (w), re-
19 spectively; and

20 (B) by inserting after subsection (s) the
21 following:

22 “(t) SUPERVISED JOB SEARCH.—The term ‘super-
23 vised job search’ means a job search program that has
24 the following characteristics:

1 “(1) The job search occurs at an official loca-
2 tion where the presence and activity of the recipient
3 can be directly observed, supervised, and monitored.

4 “(2) The entry, time onsite, and exit of the re-
5 cipient from the official job search location are re-
6 corded in a manner that prevents fraud.

7 “(3) The recipient is expected to remain and
8 undertake job search activities at the job search cen-
9 ter.

10 “(4) The quantity of time the recipient is ob-
11 served and monitored engaging in job search at the
12 official location is recorded for purposes of compli-
13 ance with the work and work activation require-
14 ments of sections 6(o) and 30.”.

15 (3) CONFORMING AMENDMENT.—Section
16 27(a)(2) of the Food and Nutrition Act of 2008 (7
17 U.S.C. 2036(a)(2)) is amended in subparagraphs
18 (C) and (E) by striking “3(u)(4)” each place it ap-
19 pears and inserting “3(v)(4)”.

20 (e) WORK REQUIREMENT FOR ABLE-BODIED
21 ADULTS WITHOUT DEPENDENTS.—Section 6(o) of the
22 Food and Nutrition Act of 2008 (7 U.S.C. 2015(o)) is
23 amended—

24 (1) in paragraph (2)—

1 (A) in the matter preceding subparagraph
2 (A), by striking “not less than 3 months (con-
3 secutive or otherwise)” and inserting “more
4 than 1 month”;

5 (B) in subparagraph (C), by striking “or”
6 at the end;

7 (C) in subparagraph (D), by striking the
8 period at the end and inserting “; or”; and

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

10 “(E) participate in supervised job search
11 for at least 8 hours per week.”;

12 (2) in paragraph (4), by adding at the end the
13 following:

14 “(C) TERMINATION.—Subparagraph (A)
15 shall not apply with respect to any fiscal year
16 that begins after the effective date of the Agri-
17 culture Improvement Act of 2018.”;

18 (3) in paragraph (6)—

19 (A) in the paragraph heading, by striking
20 “15-PERCENT” and inserting “5-PERCENT”;

21 (B) in subparagraph (A)(ii)(IV), by strik-
22 ing “3 months” and inserting “1 month”; and

23 (C) in subparagraph (D), by striking “15
24 percent” and inserting “5 percent”; and

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

1 “(1) ELIGIBLE PARTICIPANT.—The term ‘eligi-
2 ble participant’ means an individual who, during a
3 particular month, is—

4 “(A) a parent in a household with depend-
5 ent children;

6 “(B) at least 19, and not more than 55,
7 years of age;

8 “(C) not disabled;

9 “(D) a member of a household in which 1
10 or more parents or children receive supple-
11 mental nutrition assistance program benefits in
12 the month;

13 “(E) a member of a household that re-
14 ceived supplemental nutrition assistance pro-
15 gram benefits for more than 3 months in the
16 year; and

17 “(F) employed less than 100 hours in the
18 month.

19 “(2) MARRIED COUPLE HOUSEHOLD.—The
20 term ‘married couple household’ means a household
21 that includes 2 eligible participants who are married
22 to each other and have dependent children.

23 “(3) SUCCESSFUL ENGAGEMENT IN WORK ACTI-
24 VATION.—The term ‘successful engagement in work
25 activation’ means—

1 “(A) in the case of an individual who is eli-
2 gible and required to participate in interim
3 work activation, performance during the month
4 that fulfills the activity and hour requirements
5 of subsection (e);

6 “(B) in the case of an individual who is re-
7 quired to participate in full work activation,
8 performance during the month that fulfills the
9 activity and hour requirements of subsection
10 (d); and

11 “(C) in the case of an individual who
12 meets the eligibility criteria described in sub-
13 section (e)(1), performance that fulfills the ac-
14 tivity and hour requirements of that subsection.

15 “(4) WORK AND WORK PREPARATION ACTIVI-
16 TIES.—The term ‘work and work preparation activi-
17 ties’ means—

18 “(A) unsubsidized employment;

19 “(B) subsidized private sector employment;

20 “(C) subsidized public sector employment;

21 “(D) work experience (including work as-
22 sociated with the refurbishing of publicly as-
23 sisted housing) if sufficient private sector em-
24 ployment is not available;

25 “(E) on-the-job training;

1 “(F) job readiness assistance;

2 “(G) a community service program;

3 “(H) vocational educational training (not
4 to exceed 1 year with respect to any individual);

5 “(I) job skills training directly related to
6 employment;

7 “(J) education directly related to employ-
8 ment, in the case of a recipient who has not re-
9 ceived a high school diploma or a certificate of
10 high school equivalency;

11 “(K) satisfactory attendance at secondary
12 school or in a course of study leading to a cer-
13 tificate of general equivalence, in the case of a
14 recipient who has not completed secondary
15 school or received such a certificate;

16 “(L) the provision of child care services to
17 an individual who is participating in a commu-
18 nity service program;

19 “(M) workfare under section 20; and

20 “(N) supervised job search.

21 “(b) WORK ACTIVATION PROGRAM.—

22 “(1) IN GENERAL.—As a condition of receiving
23 supplemental nutrition assistance program funds
24 under this Act, a State agency shall be required to

1 operate a work activation program for eligible par-
2 ticipants.

3 “(2) SPECIAL RULES FOR MARRIED COUPLE
4 HOUSEHOLDS.—

5 “(A) IN GENERAL.—In the case of eligible
6 participants who are spouses in a married cou-
7 ple household—

8 “(i) the work activation requirement
9 of this section shall apply only if the sum
10 of the combined current employment of
11 both spouses is less than 100 hours per
12 month; and

13 “(ii) both spouses shall be considered
14 to have achieved successful engagement in
15 the work activation program if either
16 spouse fulfills the work activation require-
17 ments described in subsection (c), (d), or
18 (e)(1).

19 “(B) TOTAL REQUIRED HOURS.—The total
20 combined number of hours of required work
21 and work preparation activities for both spouses
22 in a married couple household shall not be
23 greater than the total number of hours required
24 for a single head of household.

1 “(C) REQUIREMENT.—In carrying out this
2 section, a State agency shall ensure that, for
3 any month—

4 “(i) the proportion that—

5 “(I) the number of married cou-
6 ple households that are required to
7 participate in work activation under
8 this section in a month; bears to

9 “(II) the number of all house-
10 holds that are required to participate
11 in work activation under this section
12 in the same month; is not greater
13 than—

14 “(ii) the proportion that—

15 “(I) the number of all married
16 couple households with eligible partici-
17 pants in the month; bears to

18 “(II) the number of all house-
19 holds with eligible participants in the
20 same month.

21 “(c) SHORT-TERM INTERIM WORK ACTIVATION.—

22 “(1) IN GENERAL.—A State agency may re-
23 quire eligible participants who meet the criteria in
24 paragraph (2) to engage in—

1 “(A) interim work activation as described
2 in this subsection; or

3 “(B) full work activation as described in
4 subsection (d).

5 “(2) ELIGIBILITY.—A State agency may re-
6 quire an eligible participant to participate in interim
7 work activation instead of full work activation if the
8 eligible participant has not engaged in work activa-
9 tion under this section in the preceding 3 years.

10 “(3) REQUIRED JOB SEARCH.—A participant in
11 interim work activation shall be required—

12 “(A) to participate in supervised job search
13 for at least 6 hours per week; and

14 “(B) to engage in such additional activities
15 as the State agency may require.

16 “(4) TIME LIMIT ON INTERIM WORK ACTIVA-
17 TION.—

18 “(A) IN GENERAL.—An eligible participant
19 shall not participate in interim work activation
20 for more than 3 months.

21 “(B) ADDITIONAL TIME.—After an eligible
22 participant has participated in interim work ac-
23 tivation for 3 months, the State agency shall re-
24 quire the eligible participant—

1 “(i) to maintain at least 100 hours of
2 employment per month; or

3 “(ii) to participate in full work activa-
4 tion.

5 “(d) FULL WORK ACTIVATION.—

6 “(1) IN GENERAL.—As a condition of receiving
7 supplemental nutrition assistance program funds
8 under this Act, a State agency shall require all or
9 part of the eligible participants in the State to en-
10 gage in full work activation under this section.

11 “(2) REQUIREMENTS.—An eligible participant
12 who is required to participate in full work activation
13 in a month shall be required to engage in 1 or more
14 work and work preparation activities for an average
15 of 100 hours per month.

16 “(3) LIMITATION.—Of the total number of re-
17 quired hours described in paragraph (2), not fewer
18 than 20 hours per week shall be attributable to an
19 activity described in subparagraph (A), (B), (C),
20 (D), (E), (F), (G), (H), (L), (M), or (N) of sub-
21 section (a)(4).

22 “(4) PARTICIPATION IN COMMUNITY SERVICE
23 OR WORKFARE.—At least 10 percent of the eligible
24 participants that a State requires to participate in
25 full work activation under this section shall be re-

1 quired to participate in activities described in sub-
2 paragraph (D), (G), or (M) of subsection (a)(4).

3 “(5) WORK ACTIVATION NOT EMPLOYMENT.—
4 Other than unsubsidized employment described in
5 subsection (a)(4)(A), participation in work and work
6 preparation activities under this section shall not
7 be—

8 “(A) considered to be employment; or

9 “(B) subject to any law pertaining to
10 wages, compensation, hours, or conditions of
11 employment under any law administered by the
12 Secretary of Labor.

13 “(6) ADDITIONAL REQUIRED ACTIVITY.—Ex-
14 cept as provided in subsection (g), nothing in this
15 section prevents a State from requiring more than
16 100 hours per month of participation in work and
17 work preparation activities.

18 “(e) LIMITATIONS AND SPECIAL RULES.—

19 “(1) SINGLE TEEN HEAD OF HOUSEHOLD OR
20 MARRIED TEEN WHO MAINTAINS SATISFACTORY
21 SCHOOL ATTENDANCE.—For purposes of deter-
22 mining monthly participation rates under this sec-
23 tion, an eligible participant who is married or a head
24 of household and who has not attained 20 years of
25 age shall be considered to have completed successful

1 engagement in work activation for a month if the eli-
2 gible participant—

3 “(A) maintains satisfactory attendance at
4 secondary school or the equivalent during the
5 month; or

6 “(B) participates in education directly re-
7 lated to employment for an average of at least
8 20 hours per week during the month.

9 “(2) LIMITATION ON NUMBER OF PERSONS
10 WHO MAY BE TREATED AS ENGAGED IN WORK ACTI-
11 VATION BY REASON OF PARTICIPATION IN EDU-
12 CATIONAL ACTIVITIES.—For purposes of deter-
13 mining monthly participation rates under this sec-
14 tion, not more than 30 percent of the number of in-
15 dividuals in a State who are treated as having com-
16 pleted successful engagement in work activation for
17 a month may be individuals who are determined to
18 be engaged in work activation for the month by rea-
19 son of participation in vocational educational train-
20 ing.

21 “(f) STATE OPTION FOR PARTICIPATION REQUIRE-
22 MENT EXEMPTIONS.—

23 “(1) IN GENERAL.—For any fiscal year, a State
24 agency, at the option of the State agency, may—

1 “(A) exempt a household that includes a
2 child who has not attained 12 months of age
3 from engaging in work activation; and

4 “(B) disregard that household in deter-
5 mining the monthly participation rates under
6 this section until the child has attained 12
7 months of age.

8 “(2) EXCLUSION.—For purposes of determining
9 monthly participation rates under this section, a
10 household that includes a child who has not attained
11 6 years of age shall be considered to be successfully
12 engaged in work activation for a month if a member
13 of the household receiving supplemental nutrition as-
14 sistance program benefits is engaged in work activa-
15 tion for an average of at least 20 hours per week
16 during the month.

17 “(g) PENALTIES AGAINST INDIVIDUALS.—

18 “(1) IN GENERAL.—Except as provided in para-
19 graph (3), if an eligible participant in a household
20 receiving assistance under the State program funded
21 under this section fails to complete successful en-
22 gagement in work activation in accordance with this
23 section, the State agency shall—

24 “(A) in accordance with paragraph (2), re-
25 duce the amount of assistance otherwise pay-

1 able to the entire household pro rata (or more,
2 at the option of the State agency) with respect
3 to the month immediately after any month in
4 which the eligible participant fails to perform;
5 or

6 “(B) terminate the assistance entirely.

7 “(2) PRO RATA REDUCTION.—For purposes of
8 paragraph (1)(A), the amount of the pro rata reduc-
9 tion shall equal the product obtained by multi-
10 plying—

11 “(A) the normal monthly amount of assist-
12 ance to the entire household that would have
13 been received if not for the reduction under
14 paragraph (1)(A); by

15 “(B) the proportion that—

16 “(i) the hours of required work and
17 work preparation activities performed by
18 the eligible participant during the month;
19 bears to

20 “(ii) the number or hours of work and
21 work preparation activities the State agen-
22 cy required the eligible participant to per-
23 form in accordance with this section.

24 “(3) EXCEPTION.—A State may not reduce or
25 terminate assistance under the State program fund-

1 ed under this section or any other State program
2 funded with qualified State expenditures (as defined
3 in section 409(a)(7)(B) of the Social Security Act
4 (42 U.S.C. 609(a)(7)(B))) based on a refusal of an
5 eligible participant to engage in work and work
6 preparation activities required under this section
7 if—

8 “(A) the eligible participant is a single cus-
9 todial parent caring for a child who has not at-
10 tained 6 years of age; and

11 “(B) the eligible participant proves that
12 the eligible participant has a demonstrated in-
13 ability (as determined by the State agency) to
14 obtain needed child care, due to—

15 “(i) unavailability of appropriate child
16 care within a reasonable distance from the
17 home or work site of the eligible partici-
18 pant; or

19 “(ii) unavailability of all affordable
20 child care arrangements, including formal
21 child care and all informal child care by a
22 relative or under other arrangements.

23 “(h) LIMITATION ON HOURS OF REQUIRED PARTICI-
24 PATION IN COMMUNITY SERVICE OR WORKFARE.—

1 “(1) IN GENERAL.—The maximum number of
2 hours during a month that an eligible participant
3 shall be required under this section to work in a
4 community service program or a workfare program
5 under section 20 shall not exceed the quotient ob-
6 tained by dividing—

7 “(A) the total dollar cost of all means-test-
8 ed benefits received by the household for that
9 month, as determined under paragraph (2); by

10 “(B) the Federal minimum wage.

11 “(2) TOTAL DOLLAR COST OF ALL MEANS-
12 TESTED BENEFITS DEFINED.—

13 “(A) IN GENERAL.—Except as provided in
14 subparagraph (B), the total dollar cost of all
15 means-tested benefits shall equal the sum of the
16 dollar cost of all benefits received by the house-
17 hold from—

18 “(i) the supplemental nutrition assist-
19 ance program;

20 “(ii) the State program funded under
21 part A of title IV of the Social Security
22 Act (42 U.S.C. 601 et seq.) or any other
23 State program funded with qualified State
24 expenditures (as defined in section

1 409(a)(7)(B)(i) of that Act (42 U.S.C.
2 609(a)(7)(B)(i)); and

3 “(iii) any assistance provided to a
4 household, landlord, or public housing
5 agency (as defined in section 3(b)(6) of the
6 United States Housing Act of 1937 (42
7 U.S.C. 1437a(b)(6))) to subsidize the rent-
8 al payment for a dwelling unit, including
9 assistance provided for public housing
10 dwelling units under section 3 of the
11 United States Housing Act of 1937 (42
12 U.S.C. 1437a) and assistance provided
13 under section 8 of that Act (42 U.S.C.
14 1437f).

15 “(B) VALUE OF BENEFITS DURING SANC-
16 TION.—For purposes of subparagraph (A), if
17 the dollar value of 1 or more benefits received
18 by a household in a month has been reduced
19 under subsection (g) or another sanction re-
20 quirement, the calculated dollar value of the
21 sanctioned benefits shall equal the dollar value
22 of the benefit that would have been received if
23 the benefit had not been reduced by the sanc-
24 tion.

1 “(3) ADDITIONAL ACTIVITIES.—Nothing in this
 2 subsection prevents a State agency from requiring
 3 an eligible participant to engage in activities not de-
 4 scribed in paragraph (1) for additional hours during
 5 the month.

6 “(i) WORK ACTIVATION PARTICIPATION GOALS.—

7 “(1) IN GENERAL.—As a condition of receiving
 8 supplemental nutrition assistance program funds
 9 under this Act, except as provided in paragraph (2),
 10 a State agency shall achieve for each quarter of the
 11 fiscal year with respect to all eligible participants re-
 12 ceiving assistance under the State program funded
 13 under this section for that fiscal year at least the
 14 participation rate specified in the following table:

“If the fiscal year is:	The quarterly participation rate shall be at least:
2019	20 percent
2020	35 percent
2021	50 percent
2022	65 percent
2023	80 percent.

15 “(2) ADJUSTMENT IF RECESSIONARY PE-
 16 RIOD.—If the average national unemployment rate
 17 during a quarter of a fiscal year, as determined by
 18 the Bureau of Labor Statistics of the Department of
 19 Labor, is more than 8 percent, the participation goal

1 for the immediately succeeding quarter shall equal
2 the product obtained by multiplying—

3 “(A) the applicable quarterly participation
4 rate under paragraph (1); by

5 “(B) 0.8.

6 “(j) CALCULATION OF WORK ACTIVATION PARTICI-
7 PATION RATES.—

8 “(1) DEFINITION OF SANCTIONED RECIPI-
9 ENT.—In this subsection, the term ‘sanctioned re-
10 cipient’ means any eligible participant who—

11 “(A) was required to participate in work
12 activation in a month;

13 “(B) failed to perform the assigned work
14 and work preparation activities so as to meet
15 the relevant hourly requirements in subsection
16 (c), (d), or (e)(2); and

17 “(C) was sanctioned by a reduced benefit
18 payment in the subsequent month under sub-
19 section (g).

20 “(2) REQUIREMENTS.—The work activation
21 participation rate for a State for any quarter of a
22 fiscal year shall equal the average of the monthly
23 participation rates for the State during the 3
24 months of that quarter.

1 “(3) MONTHLY PARTICIPATION RATE.—For
2 purposes of paragraph (2), the monthly participation
3 rate shall equal the ratio of all countable partici-
4 pants to all eligible participants in the month, as de-
5 termined under paragraph (4).

6 “(4) RATIO OF ALL COUNTABLE PARTICIPANTS
7 TO ALL ELIGIBLE PARTICIPANTS.—Subject to para-
8 graph (5), the ratio of all countable participants to
9 all eligible participants in a month equals the pro-
10 portion that—

11 “(A) the sum obtained by adding—

12 “(i) all eligible participants who—

13 “(I) were required by the State
14 to engage in interim work activation,
15 full work activation, or education
16 under subsection (e)(1) during the
17 month; and

18 “(II) fulfilled the criteria for suc-
19 cessful engagement in work activation
20 for that activity during the month;
21 and

22 “(ii) all sanctioned recipients for that
23 month; bears to

24 “(B) the average number of eligible par-
25 ticipants in the State in that month.

1 “(5) MULTIPLE ELIGIBLE PARTICIPANTS.—A
2 married couple household consisting of more than 1
3 eligible participant shall be counted as a single eligi-
4 ble participant for purposes of calculating the par-
5 ticipation rate under this subsection.

6 “(k) PENALTIES FOR INADEQUATE STATE PERFORM-
7 ANCE.—

8 “(1) IN GENERAL.—Beginning in the first
9 quarter of fiscal year 2020 and for each subsequent
10 quarter of fiscal year 2020 and of each subsequent
11 fiscal year, each State shall count the monthly aver-
12 age number of countable participants under this sec-
13 tion.

14 “(2) REDUCTION IN FUNDING.—If the monthly
15 average number of countable participants in a State
16 of a fiscal year is not sufficient to fulfill the relevant
17 work activation participation goal under subsection
18 (i) during that quarter, the supplemental nutrition
19 assistance program funding for the State under this
20 Act shall be reduced for the fiscal quarter that be-
21 gins 180 days after the first day of the quarter in
22 which the inadequate performance occurred in ac-
23 cordance with paragraph (3).

24 “(3) FUNDING IN PENALIZED QUARTER.—The
25 total amount of funding a State shall receive for all

1 households with eligible participants for a quarter
2 for which funding is reduced under paragraph (2)
3 shall equal the product obtained by multiplying—

4 “(A) the total amount of funding that the
5 State would have received in the preceding
6 quarter for all households with eligible partici-
7 pants if no reduction had been in place; by

8 “(B) the ratio of all countable participants
9 to all eligible participants (as determined under
10 subsection (j)(4)) for the quarter that began
11 180 days before the first day of the quarter for
12 which funding is reduced.

13 “(l) FUNDING TO ADMINISTER WORK ACTIVA-
14 TION.—

15 “(1) TANF FUNDING.—

16 “(A) IN GENERAL.—Notwithstanding any
17 other provision of law, for fiscal year 2019 and
18 each subsequent fiscal year, a State that re-
19 ceives supplemental nutrition assistance pro-
20 gram funds under this Act may use during that
21 fiscal year to carry out the work activation pro-
22 gram of the State under this section—

23 “(i) any of the Federal funds available
24 to the State through the State program
25 funded under part A of title IV of the So-

1 “(3) SUPPLEMENTAL NUTRITION ASSISTANCE
2 PROGRAM EMPLOYMENT AND TRAINING PROGRAM.—
3 Notwithstanding any other provision of law, for fis-
4 cal year 2019 and each subsequent fiscal year, a
5 State that receives Federal funds under this Act for
6 an employment and training program under section
7 6(d) may use those funds during that fiscal year to
8 carry out the work activation program of the State
9 under this section.”.

10 (e) IDENTIFICATION FOR CARD USE.—Section
11 7(h)(9) of the Food and Nutrition Act of 2008 (7 U.S.C.
12 2016(h)(9)) is amended—

13 (1) in the paragraph heading, by striking “OP-
14 TIONAL PHOTOGRAPHIC IDENTIFICATION” and in-
15 serting “IDENTIFICATION FOR CARD USE”;

16 (2) by redesignating subparagraphs (A) and
17 (B) as clauses (i) and (ii), respectively, and indent-
18 ing appropriately;

19 (3) by inserting before clause (i) (as so redesign-
20 nated) the following:

21 “(A) LISTED BENEFICIARIES.—A State
22 agency shall require that an electronic benefit
23 card lists the names of—

24 “(i) the head of the household;

1 “(ii) each adult member of the house-
2 hold; and

3 “(iii) each adult that is not a member
4 of the household that is authorized to use
5 that card.

6 “(B) PHOTOGRAPHIC IDENTIFICATION RE-
7 QUIRED.—

8 “(i) IN GENERAL.—Except as pro-
9 vided under clause (ii), any individual list-
10 ed on an electronic benefit card under sub-
11 paragraph (A) shall be required to show
12 photographic identification at the point of
13 sale when using the card.

14 “(ii) HEAD OF HOUSEHOLD.—A head
15 of a household is not required to show pho-
16 tographic identification under clause (i) if
17 the electronic benefit card contains a pho-
18 tograph of that individual under subpara-
19 graph (C)(i).

20 “(C) OPTIONAL PHOTOGRAPHIC IDENTI-
21 FICATION.—”;

22 (4) in subparagraph (C) (as so designated)—

23 (A) in clause (i) (as so redesignated), by
24 striking “1 or more members of a” and insert-
25 ing “the head of the”; and

1 (B) in clause (ii) (as so redesignated)—
2 (i) by striking “subparagraph (A)”
3 and inserting “clause (i)”; and
4 (ii) by inserting “subject to subpara-
5 graph (B)(i)” after “the card”; and
6 (5) by adding at the end the following:
7 “(D) VISUAL VERIFICATION.—Any indi-
8 vidual that is shown photographic identification
9 or an electronic benefit card containing a photo-
10 graph, as applicable, under subparagraph (B)
11 shall visually confirm that the photograph on
12 the identification or the electronic benefit card,
13 as applicable, is a clear and accurate likeness of
14 the individual using the electronic benefit
15 card.”.