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Agriculture Improvement Act of 2018

Sec. 4013

- (A) by striking “paragraphs (2) and (3)” and inserting “paragraph (2)”; and
- (B) by striking “in the planning” and inserting the following: “in the—
“(A) planning”,
- (4) in clause (v), as so redesignated, of subparagraph (A), as so designated, by striking “implementation, including through pilot projects in limited areas for major systems changes as determined under rules promulgated by the Secretary, data from which” and inserting the following: “implementation, including a requirement that—
“(I) such testing shall be accomplished through pilot projects in limited areas for major systems changes (as determined under rules promulgated by the Secretary);
“(II) each pilot project described in subclause (I) that is carried out before the implementation of a system shall be conducted in a live-production environment; and
“(III) the data resulting from each pilot project carried out under this clause”;
- (5) in clause (vi), as so redesignated, by striking the period at end and inserting “; and”, and
- (6) by adding at the end the following:
“(B) operation of 1 or more automatic data processing and information retrieval systems that the Secretary determines may continue to be operated in accordance with clauses (i) through (vii) of subparagraph (A).”.

SEC. 4013. QUALITY CONTROL IMPROVEMENTS.

(a) **RECORDS.**—Section 11(a)(3)(B) of the Food and Nutrition Act of 2008 (7 U.S.C. 2020(a)(3)(B)) is amended—

(1) by striking “Records described” and inserting “All records, and the entire information systems in which records are contained, that are covered”, and

(2) by amending clause (i) to read as follows:

“(i) be made available for inspection and audit by the Secretary, subject to data and security protocols agreed to by the State agency and Secretary;”.

(b) **QUALITY CONTROL SYSTEM.**—Section 16(c)(1)(B) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(c)(1)(B)) is amended to read as follows:

“(B) **QUALITY CONTROL SYSTEM INTEGRITY.**—

“(i) **IN GENERAL.**—Not later than 180 days after the date of enactment of the Agriculture Improvement Act of 2018, the Secretary shall issue interim final regulations that—

“(I) ensure that the quality control system established under this subsection produces valid statistical results;

“(II) provide for oversight of contracts entered into by a State agency for the purpose of improving payment accuracy;

“(III) ensure the accuracy of data collected under the quality control system established under this subsection; and

“(IV) for each fiscal year, to the maximum extent practicable, provide for the evaluation of the integrity of the quality control process of not fewer than 2 State agencies, selected in accordance with criteria determined by the Secretary.

“(ii) DEBARMENT.—In accordance with the non-procurement debarment procedures under part 417 of title 2, Code of Federal Regulations, or successor regulations, the Secretary shall debar any person that, in carrying out the quality control system established under this subsection, knowingly submits, or causes to be submitted, false information to the Secretary.”.

(c) REPORTING REQUIREMENTS.—The 1st sentence of section 16(c)(4) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(c)(4)) is amended by inserting “, including providing access to applicable State records and the entire information systems in which the records are contained,” after “necessary”.

(d) STATE PERFORMANCE INDICATORS.—Section 16(d) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(d)) is amended—

(1) by striking the heading and inserting “State Performance Indicators”,

(2) in paragraph (2)—

(A) in the heading by striking “and thereafter” and inserting “through 2017”,

(B) in subparagraph (A) by striking “and each fiscal year thereafter” and inserting “through fiscal year 2017”, and

(C) in subparagraph (B) by striking “and each fiscal year thereafter” and inserting “through fiscal year 2017”, and

(3) by adding at the end the following:

“(6) FISCAL YEAR 2018 AND FISCAL YEARS THEREAFTER.—

“(A) With respect to fiscal year 2018 and each fiscal year thereafter, the Secretary shall establish, by regulation, performance criteria relating to—

“(i) actions taken to correct errors, reduce rates of error, and improve eligibility determinations; and

“(ii) other indicators of effective administration determined by the Secretary.

“(B) The Secretary shall not award performance bonus payments to State agencies in fiscal year 2019 for fiscal year 2018 performance.”.

(e) COST SHARING FOR COMPUTERIZATION.—Section 16(g)(1)(A) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(g)(1)(A)), as amended by section 4012, is amended—

(1) in clause (v)(III) by striking “and”, and

(2) by adding at the end the following:

“(vii) would be accessible by the Secretary for inspection and audit under section 11(a)(3)(B); and”.