

Public Law 94-585  
94th Congress

An Act

To amend the Social Security Act with respect to food stamp purchases by welfare recipients.

Oct. 21, 1976  
[H.R. 13500]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

Food stamps.

FOOD STAMP DISTRIBUTION TO AFDC FAMILIES

That (a) Part A of title IV of the Social Security Act is amended by adding at the end thereof the following new section:

“FOOD STAMP DISTRIBUTION

“Sec. 410. (a) Any State plan for aid and services to needy families with children may (but is not required under this title or any other provision of Federal law to) provide for the institution of procedures, in any or all areas of the State, by the State agency administering or supervising the administration of such plan under which any household participating in the food stamp program established by the Food Stamp Act of 1964, as amended, will be entitled, if it so elects, to have the charges, if any, for its coupon allotment under such program deducted from any aid, in the form of money payments, which is (or, except for the deduction of such charge, would be) payable to or with respect to such household (or any member or members thereof) under such plan and have its coupon allotment distributed to it with such aid. 42 USC 610.

“(b) Any deduction made pursuant to an option provided in accordance with subsection (a) shall not be considered to be a payment described in section 406(b)(2). 7 USC 2011 note.

“(c) Notwithstanding any other provision of law, no agency which is designated as a State agency for any State under or pursuant to the Food Stamp Act of 1964, as amended, shall be regarded as having failed to comply with any requirement imposed by or pursuant to such Act solely because of the failure, of the State agency administering or supervising the administration of the State plan (approved under this part) of such State, to institute or carry out a procedure, described in subsection (a).” 42 USC 606.

(b) Administrative costs incurred by a State plan for aid and services to needy families with children, approved under Part A of title IV of the Social Security Act, in conducting procedures (described in section 410 of such Act, as added by subsection (a) of this section) in connection with the food stamp program shall be paid from funds appropriated to carry out the Food Stamp Act of 1964, as amended. 42 USC 610 note.

SEC. 2. (a) Title XVI of the Social Security Act is amended by adding immediately after section 1617 the following new section: 42 USC 601.

“OPERATION OF STATE SUPPLEMENTATION PROGRAMS

“Sec. 1618. (a) In order for any State which makes supplementary payments of the type described in section 1616(a) (including pay- 42 USC 1382g. 42 USC 1382e.

87 Stat. 155.  
42 USC 1396.

ments pursuant to an agreement entered into under section 212(a) of Public Law 93-66), on or after June 30, 1977, to be eligible for payments pursuant to title XIX with respect to expenditures for any calendar quarter which begins—

“(1) after June 30, 1977, or, if later,

“(2) after the calendar quarter in which it first makes such supplementary payments,

such State must have in effect an agreement with the Secretary whereby the State will—

“(3) continue to make such supplementary payments, and

“(4) maintain such supplementary payments at levels which are not lower than the levels of such payments in effect in December 1976, or, if no such payments were made in that month, the levels for the first subsequent month in which such payments were made.

“(b) The Secretary shall not find that a State has failed to meet the requirements imposed by paragraph (4) of subsection (a) with respect to the levels of its supplementary payments for a particular month or months if the State's expenditures for such payments in the twelve-month period (within which such month or months fall) beginning on the effective date of any increase in the level of supplemental security income benefits pursuant to section 1617 are not less than its expenditures for such payments in the preceding twelve-month period.”

42 USC 1382f.

42 USC 1382e  
note.

(b) Section 401(a) (2) of the Social Security Amendments of 1972 is amended—

(1) by inserting “(subject to the second sentence of this paragraph)” immediately after “Act” where it first appears in subparagraph (B), and

(2) by adding at the end thereof the following new sentence: “In determining the difference between the level specified in subparagraph (A) and the benefits and income described in subparagraph (B) there shall be excluded any part of any such benefit which results from (and would not be payable but for) any cost-of-living increase in such benefits under section 1617 of such Act (or any general increase enacted by law in the dollar amounts referred to in such section) becoming effective after June 30, 1977.”

Effective date.  
42 USC 1382g  
note.

(c) The provisions of this section shall be effective with respect to benefits payable for months after June 1977.

Approved October 21, 1976.

#### LEGISLATIVE HISTORY:

HOUSE REPORT No. 94-1210 (Comm. on Ways and Means).

SENATE REPORT No. 94-1345 (Comm. on Finance).

CONGRESSIONAL RECORD, Vol. 122 (1976):

June 8, considered and passed House.

Oct. 1, considered and passed Senate, amended; House concurred in Senate amendments.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 12, No. 44:

Oct. 22, Presidential statement.