

Public Law 94-379  
94th Congress

An Act

To permit a State which no longer qualifies for hold harmless treatment under the supplemental security income program to elect to remain a food stamp cashout State upon condition that it pass through a part of the 1976 cost-of-living increase in SSI benefits and all of any subsequent increases in such benefits.

Aug. 10, 1976  
[H.R. 14514]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) section 8 of Public Law 93-233 is amended by redesignating subsections (d) and (e) as subsections (e) and (f), respectively, and by inserting after subsection (c) the following new subsection:

SSI program.  
California  
supplementary  
payment level.  
42 USC 1382e  
notes.

“(d) Upon the request of the State of California the Secretary shall find, for purposes of the provisions specified in subsection (c) of this section, that the level of such State’s supplementary payments of the type described in section 1616(a) of the Social Security Act has been specifically increased for any month after June 1976 so as to include the bonus value of food stamps if—

42 USC 1382e.

“(1) the State law as in effect for such month specifically provides for increases in such payments on account of increases in the level of benefits payable under title XVI of the Social Security Act in a manner designed to assure that, whenever a cost-of-living increase in the level of benefits payable under such title XVI becomes effective for any month after June 1976, the amount of the State supplementary payment payable, for each month with respect to which such cost-of-living increase is effective, to any individual or to any individual with an eligible spouse, will be increased by such amount as is necessary to assure that—

“(A) the aggregate of (i) the amount payable for such month to such individual, or to such individual with an eligible spouse, under such title XVI, and (ii) the amount payable for such month to such individual, or to such individual with an eligible spouse, under the State’s supplementary payments program, will exceed, by an amount which is not less than the monthly amount of such cost-of-living increase (plus the monthly amount of any previous cost-of-living increases in the level of benefits payable under title XVI of the Social Security Act which became effective for months after June 1976)—

“(B) the aggregate of the amounts which would otherwise have been payable, to such individual (or to such individual with an eligible spouse), under such title XVI and under the State’s supplementary payments program for such month under the law as in effect on June 1, 1976; and

“(2) such month is (A) the month of July 1976, or (B) a month thereafter which is in a period of consecutive months the first of which is July 1976 and each of which is a month with respect to which the conditions of paragraph (1) are met.

As used in this subsection, the term ‘cost-of-living increase in the level of benefits payable under title XVI of the Social Security Act’ means an increase in benefits payable under such title XVI by reason of the

Definition.

42 USC 1382f.  
42 USC 1381.

operation of section 1617 of such Act; except that the cost-of-living increase in the level of benefits payable under such title XVI which became effective for the month of July 1976 shall be deemed (for purposes of determining the amount of the required excess referred to in the matter following subparagraph (A) and preceding subparagraph (B) in paragraph (1)) to have provided an increase of \$3.00 per month in the case of an individual without an eligible spouse and \$4.50 per month in the case of an individual with an eligible spouse.”

42 USC 1382e  
note.

(b) The provision of section 8 of Public Law 93-233 redesignated as subsection (f) by subsection (a) of this section is amended by striking out “subsection (d)” and inserting in lieu thereof “subsection (e)”.

Approved August 10, 1976.

**LEGISLATIVE HISTORY:**

HOUSE REPORT No. 94-1310 (Comm. on Ways and Means).  
CONGRESSIONAL RECORD, Vol. 122 (1976):

July 29, considered and passed House and Senate.  
WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 12, No. 33:  
Aug. 11, Presidential statement.