Amendments to the Food Stamp Act
P.L. 96-249, 94 Stat. 357-370
May 26, 1980

- Allowed women and their children who are temporarily living in houses or shelters for battered women to use food stamps.
- Excluded energy assistance payments from consideration as income.
- Consumer Price Index to be used in all FSP calculations is the new index developed to cover all urban consumers, not merely wage or clerical workers.
- Allowed a separate dependent care deduction at a maximum of $90 per household per month. This deduction will not be indexed. To be implemented January 1, 1982.
- Threshold above which all medical costs to be deducted by those 60 or older or on SSI or receiving disability payments under title II of the SSA lowered from $35 to $25 a month. Medical expenses incurred by the spouse of an elderly, blind, or disabled household member allowed to be included in the deduction, even if he/she were not elderly, blind, or disabled. To be implemented January 1, 1982.
- Medical deduction for the blind and disabled extended to cover blind or disabled persons in Puerto Rico, Guam, and the Virgin Islands who are covered by titles II, X and XIV of the SSA, but not SSI, which does not apply to those areas.
- Provided States the option of applying retrospective accounting procedures.
- Excluded a vehicle which is used for a physically disabled person from consideration as a resource.
- Provided States the option to conduct administrative fraud hearings or seek civil/criminal action.
- States with retrospective accounting would have to require periodic reporting; other States could, with Secretary's approval.
- Certification periods for households required to submit periodic reports 6-12 months.
- Secretary allowed to modify income exclusion for infrequent or irregular income.
- Secretary allowed to modify timeliness standard for notice of expiration and recertification application.
- Households with strikers as members are only eligible if they meet program requirements.
- The income, less a pro-rata share, and resources of ineligible individuals must be considered in determining a household's eligibility and allotment.
- States permitted to expand their use of third-party information or documentation to verify household size and any other factor shown to be subject to substantial error in connection with error-prone household profiles developed from quality control statistics.
- Required all certified eligible households (other than those certified at home or by mail) to have photo ID's in project areas in which the Secretary, after consultation with the Inspector General, finds that mandating such a procedure in the project area in question would help protect the program's integrity. The ID to be used in conjunction with the ATP in obtaining coupons.
- Required certification workers to report an ineligible alien to INS if the worker determines the alien is in the country illegally.
- States agencies provided the option of establishing and operating ADP and information retrieval systems that meet the Secretary's standards.
- Required the Secretary to conduct an investigation of a State on evidence of a pattern of non-compliance and if such non-compliance was found and the State did not take corrective action, the Secretary could withhold administrative funds.
- Replaced the simplified affidavit with a "simple application" for SSI joint processing.
- Provided for a special financial audit review by OIG of high participation States where 60% of population receives stamps. Limited the mandatory auditing of any one State by the OIG to one audit with any remaining audits to be at the option of the Inspector General.
- Provided for the forfeiture of nonfood items or funds obtained in illegal transactions.
- As of October 1, 1980 incentives provided for States to reduce errors. Incentives increased Federal cost sharing to 65% for States with error rates of under 5% and reasonable rates of invalid denials; allowed 60% Federal cost sharing for States with error rates of more than 5% but less than 8%; and 55% Federal cost sharing for States that reduce error rates by 25% or more. No State to receive more than one incentive.

- Provided for an error rate sanction system which imposed a penalty upon those States that failed to meet certain specified performance standards in controlling their error rates. States liable for all erroneous allotments over their prescribed limit out of the Federal administrative cost-sharing.
- Allowed Department and State agency employees (upon written request) to obtain SSA wage, net earnings from self-employment, and benefit records (including information from IRS returns previously turned over to the SSA) as well as unemployment compensation wage and benefit information and information relating to refusal of an offer of employment. Request subject to HEW safeguards designed to insure that the information will be used only to determine a household's eligibility to receive food stamps, or to verify information in the household's application.
- Permitted payment of legal fees of departmental employees involved in job-related suits.
- Allowed Secretary to pay 75% of State costs for computerization, except for leasing of computers. Effective October 1, 1980.
- SSI cash-out pilot project continued through October 1, 1981 even if welfare reform legislation (which cashes out SSI recipients) is passed, if the State requests a continuation.
- Workfare job search time period changed from 30 days to 10 days in at least one workfare pilot project area.
- Workfare pilot project extended to September 30, 1981 with interim reports due October 1, 1979, October 1, 1980, and March 30, 1981. 50% cost share funding for administrative expenses in workfare pilot projects.
- Required a report to Congress by CBO, in conjunction with the Secretaries of Agriculture, Commerce and Labor, of the CPI and other indices to determine their validity for current and future projections. Due February 1, 1981.
- Denied use of federal funds by groups using such funds to impede implementation of the FSA.
- Provided for the annual rather than semi-annual adjustment of the TFP. Annual adjustment to be done on a January to January basis. Allotment adjustment canceled July 1, 1980. Adjustments effective January 1981 to be based on changes for the 12 months ending September 30, 1980. The January, 1982 adjustment to be based on changes for the 12 months ending the preceding September 30 and the subsequent three months ending December 31 projected by the Secretary; and thereafter every January 1 for the 9 months ending the preceding September 30 and the subsequent 3 months ending December 31, as projected by the Secretary.
- Provided for the annual rather than semi-annual adjustment of the standard deduction, every January 1. Canceled the annual excess shelter deduction adjustment for July 1, 1980 and adjusted this every January 1 thereafter. Adjustments effective January 1981 to be based on changes for the 12 months ending September 30, 1980. January 1982 adjustment based on changes for the 12 months ending the preceding September 30 and the subsequent three months ending December 31 projected by the Secretary; and thereafter every January 1 for the 9 months ending the preceding September 30 and the subsequent 3 months ending December 31, as projected by the Secretary.
- Poverty line no longer updated by more current CPI data resulting in the net income limit reflecting the poverty line as it was 12-24 months ago rather than 4-15 months ago as it was previously.
- Asset limit (except for households of two or more that contain an elderly person) dropped from $1,750 to $1,500.
- Eliminated all post-secondary school students from the program excepting only: 1) those who could not be expected to work because they are under 18, over 60 or disabled; 2) are already working at least half-time; 3) have dependents; or 4) are participating in the WIN program.