

The original documents are located in Box 26, folder “1975/06/28 HR6698 Assistance to Repatriated Americans Food Stamp Eligibility for Supplemental Security Income Beneficiaries” of the White House Records Office: Legislation Case Files at the Gerald R. Ford Presidential Library.

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86/28/75

APPROVED
JUN 28 1975

ACTION

THE WHITE HOUSE
WASHINGTON

Last Day: July 4

June 27, 1975

MEMORANDUM FOR THE PRESIDENT

FROM: JIM CANNON *[Signature]*

SUBJECT: Enrolled Bill H.R. 6698 - Assistance to Repatriated Americans; Food Stamp Eligibility for Supplemental Security Income Beneficiaries

Palmer 6/30
TORREKUES 6/30

Attached for your consideration is H.R. 6698, sponsored by Representatives Fulton and Vander Jagt, which:

- Makes permanent the authority of the Secretary of HEW to provide temporary assistance to American citizens and their dependents who return or are brought back to the U.S. because they are destitute, ill or because of war, invasion and similar crises, and who are without available resources.
- Extends for one year provisions of present law which have the effect of maintaining eligibility of supplemental security income beneficiaries for food stamps through June 30, 1976.

Additional information is provided in OMB's enrolled bill report at Tab A.

OMB recommends approval of the enrolled bill and recommends it be signed by July 1, to remove any uncertainties the States may have regarding the SSI/food stamp question. Max Friedersdorf, Phil Buchen (Lazarus) NSC and I concur.

RECOMMENDATION

That you sign H.R. 6698 at Tab B.





EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

JUN 26 1975

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 6698 - Assistance to repatriated Americans; food stamp eligibility for Supplemental Security Income beneficiaries
Sponsor - Rep. Fulton (D) Tenn. and Rep. Vander Jagt (R) Mich.

Last Day for Action

July 4, 1975 - Friday--Recommend action on or before June 30, as explained below.

Purpose

Makes permanent HEW's authority to provide assistance to U.S. citizens and their dependents who have been repatriated from foreign countries; extends for one year provisions of present law which have the effect of maintaining eligibility of supplemental security income beneficiaries for food stamps through June 30, 1976.

Agency Recommendations

Office of Management and Budget	Approval
Department of Health, Education, and Welfare	Approval
Department of Agriculture	Approval
Department of State	Approval

Discussion

The provisions of the enrolled bill concerning assistance to repatriated Americans represent a modified form of a draft bill submitted to the Congress by HEW on April 24, 1975. Those concerning the eligibility of supplemental security income (SSI) beneficiaries for food stamps were supported by Administration witnesses in testimony.



Assistance to repatriated Americans

Sections 1 and 2 of H.R. 6698 would make permanent, with some modifications, the authority of the Secretary of HEW under section 1113 of the Social Security Act to provide temporary assistance to American citizens and their dependents who return or are brought to this country because they are destitute or ill or because of war, invasion, or similar crises, and who are without available resources.

Under this program, the Department of State is responsible for bringing the individuals involved back to this country. State then refers them to HEW, which provides temporary financial assistance, reception, care, help in planning for resettlement, and transportation to the individual's destination.

Section 1113 was originally enacted in 1961 for one year, and was extended several times, but was allowed to expire on June 30, 1973, although the Administration was at that time seeking its permanent extension.

As noted above, HEW again proposed a permanent extension earlier this year, citing the urgency of enactment in view of recent events in Southeast Asia. The enrolled bill departs from the Administration proposal in two respects:

First, it would place an \$8 million ceiling on the total amount of temporary assistance to be provided under section 1113 during the period from enactment through September 30, 1976. For each succeeding fiscal year, it would impose a ceiling of \$300,000.

Second, it would place a 90-day limit on the duration of assistance furnished to any eligible individual, but would allow the Secretary to continue assistance beyond that period if warranted by the circumstances of a particular case.

In its views letter on the enrolled bill, HEW states that the limitations provided in the bill are acceptable. The Department estimates that, in fact, expenditures during the period subject to the \$8 million ceiling will be substantially below \$1 million. The annual limit of \$300,000 starting with fiscal year 1977 is reasonable in view of past experience, in which the average annual caseload has been about 500 per year, with annual costs ranging from \$146,000 to \$252,000. The latter figure was included in the 1976 Budget on the assumption that the section 1113 authority would be reactivated.



SSI - food stamp eligibility

Section 3 of H.R. 6698, a rider added by the Senate, would extend for twelve additional months (from June 30, 1975 through June 30, 1976) the present statutory provisions applicable to food stamp eligibility of SSI recipients. As explained below, if the status quo is not extended, current law will require an extremely burdensome and administratively complex system for determining such eligibility to take effect on July 1, 1975. The present situation is the result of a series of laws enacted in recent years, which can be summarized as follows.

P.L. 92-603, the Social Security Amendments of 1972, established the SSI program, effective January 1974, to replace the old Federal-State adult welfare program. Under this law, SSI beneficiaries were excluded from eligibility under the food stamp program. This was done because the new Federal SSI payments coupled with State supplementary payments were expected to "cash out" food stamp assistance, i.e. to provide SSI beneficiaries with cash assistance sufficient to replace the bonus value of the food stamps they had been receiving.

The provisions of P.L. 92-603 terminating food stamp eligibility for SSI recipients never became effective. Since States were not required to supplement the Federal payments in an amount sufficient to cover food stamp benefits, concern developed that these benefits might be lost. Reflecting this concern, the Congress, in P.L. 93-86, the Agriculture and Consumer Protection Act of 1973, restored food stamp eligibility to SSI beneficiaries whose combined SSI payments and State supplementation did not equal the amount they would have received under the old State welfare program and the food stamp program as of December 1973. Those receiving more than that amount would not be eligible for food stamps.

The President's August 10, 1973 signing statement on P.L. 93-86, noted that this provision would perpetuate a massively complex eligibility determination process--that it would, in effect, require the States to maintain the records and staff involved in the present welfare system merely to make the determination of whether or not a person would be eligible for food stamps.

Faced with the administrative complexities involved in determining on a case by case basis how much income applicants would have had under the rules of State welfare programs no longer operative, the States concluded that

the provision of P.L. 93-86 was unworkable. Accordingly, in December 1973, the Congress included in P.L. 93-233, the Social Security Amendments of 1973, provisions suspending through June 30, 1974 the P.L. 93-86 provisions described above. P.L. 93-233 provided, instead, that until July 1, 1974, SSI beneficiaries would be eligible to purchase food stamps in States where there had not been a specific food stamp "cash out," but would not be eligible in the "cash out" States--California, New York, Massachusetts, Wisconsin and Nevada. The 6-month suspension of the P.L. 93-86 provision was intended as an interim measure to permit further study of the problems of administration and provision of equitable treatment in food stamp eligibility for SSI recipients.

On May 23, 1974, Agriculture submitted draft legislation to the Congress intended to provide a permanent solution to the problem. Under the Agriculture proposal, SSI recipients would be eligible to participate in the food stamp program on the basis of the nationwide income and resources criteria used for all households not receiving public assistance.

No action was taken on the Administration bill. Instead, P.L. 93-335 was enacted and approved on July 8, 1974, extending through June 30, 1975 the relevant provisions of P.L. 93-233 for another 12 months in the 45 States which have not cashed out food stamps. In addition, P.L. 93-233 required the 5 "cash out" States to provide supplementary payments sufficient to include the bonus value of food stamps to their SSI beneficiaries. This provision was added because of a technical deficiency which left some beneficiaries in the "cash out" States not, in fact, receiving an SSI benefit equal to the sum of the old cash benefits, plus the food stamp benefits for which the recipient had been eligible. That is, some individuals had not actually been cashed out.

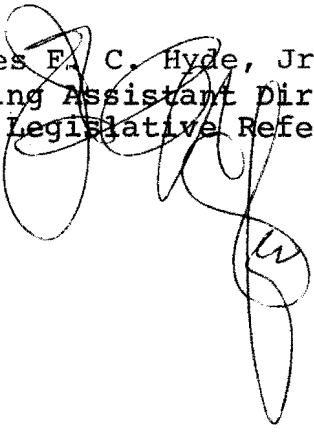
H.R. 6698 would, technically, extend the provisions of P.L. 93-233, as amended by P.L. 93-335, for still another year. Otherwise, the administratively costly and virtually unworkable provisions of P.L. 93-86 would take effect on July 1, 1975. Both HEW and Agriculture support this approach, and the latest official budget estimates for fiscal year 1976, released on May 30, 1975, assume continuation of the status quo through June 30, 1976.



* * * * *

We join HEW, Agriculture, and State in recommending approval of H.R. 6698 and suggest that the bill be signed as soon as possible, but in any event before July 1, to remove any uncertainties the States may be experiencing concerning the SSI/food stamp question. Hopefully, a permanent solution to this problem will be worked out before the expiration of the temporary extension represented by H.R. 6698.

James E. C. Hyde, Jr.
Acting Assistant Director
for Legislative Reference



Enclosures



To: J. G. ...
6-27-75
10:00 a.m.



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

JUN 26 1975

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 6698 - Assistance to repatriated Americans; food stamp eligibility for Supplemental Security Income beneficiaries
Sponsor - Rep. Fulton (D) Tenn. and Rep. Vander Jagt (R) Mich.

Last Day for Action

July 4, 1975 - Friday--Recommend action on or before June 30, as explained below.

Purpose

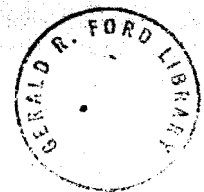
Makes permanent HEW's authority to provide assistance to U.S. citizens and their dependents who have been repatriated from foreign countries; extends for one year provisions of present law which have the effect of maintaining eligibility of supplemental security income beneficiaries for food stamps through June 30, 1976.

Agency Recommendations

Office of Management and Budget	Approval
Department of Health, Education, and Welfare	Approval
Department of Agriculture	Approval
Department of State	Approval

Discussion

The provisions of the enrolled bill concerning assistance to repatriated Americans represent a modified form of a draft bill submitted to the Congress by HEW on April 24, 1975. Those concerning the eligibility of supplemental security income (SSI) beneficiaries for food stamps were supported by Administration witnesses in testimony.



NATIONAL SECURITY COUNCIL

June 27, 1975

MEMORANDUM FOR: JIM CAVANAUGH

FROM: Jeanne W. Dav *JWD*

SUBJECT: Enrolled Bill H. R. 6698 - Assistance
to Repatriated Americans; Food Stamp
Eligibility for Supplemental Security
Income Beneficiaries

The NSC Staff concurs in the proposed Enrolled Bill H. R. 6698 - Assistance to repatriated Americans; food stamp eligibility for Supplemental Security Income beneficiaries.





DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

JUN 25 1975

Honorable James T. Lynn
Director, Office of Management
and Budget
Washington, D. C. 20503

Dear Mr. Lynn:

This is in response to Mrs. Sweeney's oral request for a report on H.R. 6698, an enrolled bill "To amend section 1113 of the Social Security Act to make permanent the program of temporary assistance for United States citizens returned from abroad, subject to specific limitations on the aggregate dollar amount of such assistance which may be provided and on the period for which such assistance may be furnished in any particular case, and for other purposes."

The first section of the bill would make permanent the program conducted under section 1113 of the Social Security Act, under which the Secretary provides temporary assistance to citizens of the United States and their dependents who return or are brought to this country because they are destitute or ill or because of war, invasion, or similar crisis, and who are without available resources.

In a letter of April 24, 1975, we informed the Congress that permanent extension of the program would be in accord with the program of the President. The enrolled bill departs from our recommendation in several respects. First, it places an \$8 million ceiling on the aggregate amount of temporary assistance to be provided under the section during the period embracing fiscal years 1975 and 1976, and the three-month fiscal year transition period. Thereafter it imposes a ceiling of \$300,000 during each succeeding fiscal year.

Second, section 2 of the enrolled bill would limit assistance under the section to ninety days in the generality of cases, but would allow the Secretary to continue assistance beyond that period in particular cases in circumstances necessitating it.



The immediate need for this aspect of the legislation arises from the evacuation of substantial numbers of American citizens and their dependents from South Vietnam. The limitations added to the bill that we proposed are acceptable with this need in mind. In this regard, we estimate that expenditures over the period subject to the \$8 million ceiling will, in fact, fall substantially below \$1 million.

The limitation of \$300,000 per year for fiscal years beginning on or after October 1, 1976, is also acceptable. The average annual case load, apart from the Vietnam situation, is about 500 per year, at an annual cost ranging from \$146,000 to \$252,000.

Section 3 of the bill would extend for an additional twelve months (from July 1, 1975, through June 30, 1976) the provisions of Public Law 93-233, as amended by Public Law 93-335, which govern the food stamp eligibility of supplemental security income recipients. Under these provisions, SSI recipients may be eligible to participate in the food stamp program unless they live in a State that receives partial Federal funding of State supplementary payments that include the bonus value of food stamps. In such States SSI recipients are prohibited from participating in the food stamp program. However, under a provision of Public Law 93-335, SSI recipients in these States who were public assistance recipients for December 1973 are assured that their incomes will be at least \$10 higher (\$20 in the case of an eligible couple) than their incomes in December 1973; this cash-out of food stamps for December 1973 public assistance recipients is provided through State supplementary payments required by Federal law in cases in which the Federal SSI levels are lower than the recipients' December 1973 income increased by the food stamp cash-out amount.

If the present food stamp eligibility provisions are not extended, the provisions of Public Law 93-86 concerning the eligibility of SSI recipients for food stamps will take effect on July 1, 1975. Under these provisions an SSI recipient would be eligible to participate in the food stamp program in any month if the recipient's SSI benefit for that month, together with any State supplementary

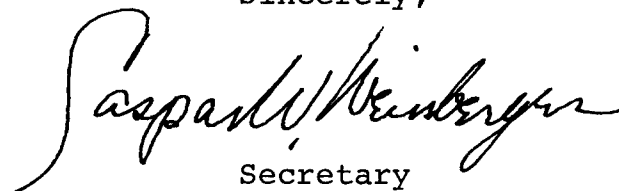


payment, was less than the cash assistance he would have received in that month under the applicable State plan program in effect in December 1973 plus the bonus value of food stamps to that individual under the food stamp schedule in effect for July 1973. We believe that these provisions, because of the complexity and frequency of the required calculations and the need to obtain information from several State and Federal sources before they could be performed, would unreasonably burden the administration of the food stamp program. In any case, the provisions cannot be implemented by the States by July 1 of this year.

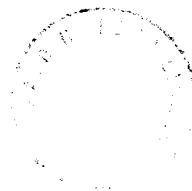
Therefore, it is our judgment that preservation of the status quo in all respects through extension of the current law governing food stamp eligibility for SSI recipients is preferable to implementation of Public Law 93-86. Although we would prefer the replacement of food stamp benefits with unrestricted cash assistance, we recognize that this long-term objective is not immediately obtainable.

For the above reasons, we strongly recommend that the enrolled bill be approved.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sargent Shriver".

Secretary





DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D. C. 20250

Honorable James T. Lynn
Office of Management and Budget
Washington, D. C. 20503

June 25, 1975

Dear Mr. Lynn:

This is in reply to a request from your office for a report on the enrolled enactment of Section 3 of H. R. 6698, which would amend Public Law 93-233 to extend for an additional twelve months (through June 30, 1976) the eligibility of supplemental security income recipients for food stamps.

The Department recommends that the President approve the bill.

Public Law 93-233, as amended, currently provides for the participation of certain Supplemental Security Income (SSI) recipients in the Food Stamp Program through June 30, 1975. Under Public Law 93-233, the eligibility of SSI recipients is determined by whether or not the State in which the SSI recipient resides includes the bonus value of food stamps in its supplementation of basic SSI payments. Five States have entered into agreements to include the bonus value of food stamps in their supplementary payments and, thus, SSI recipients in those States are ineligible to participate in the Food Stamp Program. In all other States, SSI recipients may participate in the program regardless of income or resources.

Upon the expiration of this temporary provision of Public Law 93-233, the costly and complicated provisions of Public Law 93-86 would become effective. Under Public Law 93-86, the Food Stamp Program eligibility of SSI recipients would be determined individually based upon a number of calculations. If the individual's SSI payment plus any State supplementation for a particular month equalled or exceeded the amount he would have been entitled to receive for such month if the State's December 1973 welfare plan plus the July 1973 schedule of coupon issuance were in effect, then the SSI recipient would be ineligible for the Food Stamp Program. The enactment of H. R. 6698 would forestall the implementation of these administratively impossible provisions of Public Law 93-86.

The Department's budget estimates for fiscal year 1976 assumed the continuation of the provisions of Public Law 93-233, as amended.

It is our understanding that since the remaining provisions fall under the jurisdiction of the Department of Health, Education, and Welfare, that Department will discuss these aspects of the bill.

Sincerely,

J. Phil Campbell
Acting Secretary





DEPARTMENT OF STATE

Washington, D.C. 20520

JUN 24 1975

Honorable James T. Lynn
Director, Office of
Management and Budget
Washington, D.C. 20503

Dear Mr. Lynn:

I have received your communication of June 23 requesting our views and recommendations with respect to the Enrolled Bill Request (H.R. 6698) "To amend Section 1113 of the Social Security Act...".

The Department of State is in full agreement with the intent of the above bill and recommends its approval.

The Social Security Act's assistance program within the United States for destitute American citizens returned from abroad is complementary to the repatriation to a United States port of entry of these citizens by the Department of State. The program has been extremely helpful in assisting in the reception, travel and resettlement of repatriates upon arrival in the United States. It has been beneficial to the States concerned, particularly New York, California and Florida whose ports receive the bulk of repatriated destitute citizens.

Sincerely,

Robert J. McCloskey
Robert J. McCloskey
Assistant Secretary
for Congressional Relations





DEPARTMENT OF STATE

Washington, D.C. 20520

JUN 24 1975

Honorable James T. Lynn
Director, Office of
Management and Budget
Washington, D.C. 20503

Dear Mr. Lynn:

I have received your communication of June 23 requesting our views and recommendations with respect to the Enrolled Bill Request (H.R. 6698) "To amend Section 1113 of the Social Security Act...".

The Department of State is in full agreement with the intent of the above bill and recommends its approval.

The Social Security Act's assistance program within the United States for destitute American citizens returned from abroad is complementary to the repatriation to a United States port of entry of these citizens by the Department of State. The program has been extremely helpful in assisting in the reception, travel and resettlement of repatriates upon arrival in the United States. It has been beneficial to the States concerned, particularly New York, California and Florida whose ports receive the bulk of repatriated destitute citizens.

Sincerely,

Robert J. McCloskey
Assistant Secretary
for Congressional Relations



THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: June 27

Time: 1030am

FOR ACTION: Art Quern *AQ*

cc (for information):

Max Friedersdorf

Jim Cavanaugh

Ken Lazarus *KL*

Jack Marsh

Paul *NSC* *Davis* *or*

FROM THE STAFF SECRETARY

DUE: Date: Friday, June 27

Time: 500pm

SUBJECT:

H. R. 6898 Assistance to repatriated Americans; food stamp eligibility for Supplemental Security Income beneficiaries

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

K. R. COLE, JR.
For the President



Date: June 27

Time: 1030am

FOR ACTION: Art Quern
 Max Friedersdorf
 Ken Lazarus
 Paul

cc (for information):

Jim Cavanaugh
 Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date: Friday, June 27

Time: 500pm

SUBJECT:

H. R. 6698 Assistance to repatriated Americans; food stamp
 eligibility for Supplemental Security Income beneficiaries

ACTION REQUESTED:

 For Necessary Action For Your Recommendations Prepare Agenda and Brief Draft Reply For Your Comments Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

No objection. -- BNR for Ken Lazarus 6/27/75

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a
 delay in submitting the required material, please
 telephone the Staff Secretary immediately.

SEARCHED BY _____
 SERIALIZED BY _____



THE WHITE HOUSE

WASHINGTON

June 27, 1975

MEMORANDUM FOR: JIM CAVANAUGH
FROM: MAX L. FRIEDERSDORF *M. G.*
SUBJECT: H.R. 6698 Assistance to repatriated Americans
food stamp eligibility for Supplemental
Security Income beneficiaries

The Office of Legislative Affairs concurs with the agencies
that the subject bill be signed.

Attachments



THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: June 27

Time: 1030am

FOR ACTION: Art Quern ✓
Max Friedersdorf
Ken Lazarus
Paul

cc (for information):

Jim Cavanaugh
Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date: Friday, June 27

Time: 500pm

SUBJECT:

H. R. 6698 Assistance to repatriated Americans; food stamp eligibility for Supplemental Security Income beneficiaries

ACTION REQUESTED:

___ For Necessary Action

___ For Your Recommendations

___ Prepare Agenda and Brief

___ Draft Reply

___ For Your Comments

___ Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

Recommends approval.

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

John W. ...
200 ...



TEMPORARY ASSISTANCE FOR U.S. CITIZENS RETURNED FROM ABROAD

MAY 14, 1975.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. ULLMAN, from the Committee on Ways and Means,
submitted the following

REPORT

[To accompany H.R. 6698]

The Committee on Ways and Means to whom was referred the bill (H.R. 6698) to amend section 1113 of the Social Security Act to make permanent the program of temporary assistance for United States citizens returned from abroad, subject to specific limitations on the aggregate dollar amount of such assistance which may be provided and on the period for which such assistance may be furnished in any particular case, having considered the same, report favorably thereon without amendments and recommend that the bill do pass.

PURPOSE

The purpose of H.R. 6698 is to make permanent the authority under section 1113 of the Social Security Act permitting the Secretary of Health, Education, and Welfare to provide temporary assistance to American citizens and their dependents who have been repatriated from foreign countries. A limitation of \$8 million is provided on the authorization for the period from enactment of the bill through September 30, 1976, and of \$300,000 for any fiscal years beginning on or after October 1, 1976. The immediate need for legislation arises from the evacuation of substantial numbers of American citizens and their dependents from South Vietnam.

GENERAL STATEMENT

It is estimated that more than a million U.S. citizens and their dependents live, work, study, and travel abroad. These people are subject to the same hazards as Americans living at home, including illness, loss of employment, desertion, and family breakup. In the event



that these U.S. citizens become public charges in foreign countries, they are subject to deportation.

Section 1113 of the Social Security Act authorizes the Secretary of Health, Education, and Welfare to provide temporary assistance to citizens of the United States who are without resources and who are identified by the Department of State as having returned or having been brought from foreign countries to the United States because they are destitute, or ill, or because of war, invasion, or a similar crisis.

Temporary assistance, financed from Federal funds, to the extent needed, includes financial assistance, reception, care, and transportation from the port of entry to the individual's final destination. The program also provides for help in planning for resettlement, obtaining and using existing resources, and locating friends and relatives.

While this program has helped only a relatively few people, the help has been vital to the individuals who have been involved. The Department of State is responsible for bringing the individuals to the shores of the United States, but it has no authority to provide help after arrival in the United States. Under section 1113, temporary assistance is provided only after an individual returns to the United States and has been referred to the Department of Health, Education, and Welfare by the Department of State, which certifies that the repatriate is a citizen and the reason for his return.

Provisions are also included in the program for reception, care and temporary assistance for U.S. citizens evacuated to the United States in the event of an international crisis. The range of available assistance and services, the requirement for certification by the Department of State, and the operating methods are essentially the same as those listed above. Most evacuees, however, need only reception services at the port of entry, temporary care, and help in locating friends or relatives. Since 1961, the program has assisted U.S. citizens repatriated from two countries because of international crises—Cuba and the Dominican Republic. The potential need arising from the evacuation of American citizens from South Vietnam greatly exceeds amounts which have actually been used in former international crises.

The Social and Rehabilitation Service of the Department of Health, Education, and Welfare is responsible for the administration of this program and arranges for the facilities of State and local welfare agencies to be utilized in carrying out the program. These agencies are reimbursed for their costs.

Section 1113 was originally enacted in 1961 and has been extended on several occasions for periods of 1 or 2 years. It was permitted to expire June 30, 1973, when a bill providing for its continuation became controversial and due to other extensions of authority in it (not related to section 1113) it was put aside by the Committee on Ways and Means.

Expenditures in recent years have ranged from \$146,000 to \$252,000. The number of cases referred has been approximately 500 per year.

OTHER MATTERS REQUIRED TO BE DISCUSSED UNDER HOUSE RULES

In compliance with rule XIII, clause 7 (a), the authorization figures contained in the bill represent the maximum estimates by the committee of the amounts likely to be needed for the program for the period

from the date of enactment to September 30, 1976 (primarily the fiscal year 1976). The committee believes that \$8 million may well be sufficient even if a temporary need of Americans and their dependents returned from Vietnam has to be fully met under this authority. The authorization of \$300,000 for each of the succeeding 4 fiscal years is slightly larger than the recent rate of expenditure—\$252,000. The authorization figure representing the committee's estimate consists of a rounding to the next higher million dollars in the case of the initial figure and the next higher \$100,000 figure in the case of subsequent figures. The Department of Health, Education, and Welfare agrees that it was the correct figure.

In compliance with rule XI, clause 2(1) (2) (B) the bill was ordered reported by a unanimous voice vote.

In compliance with rule XI, clause 2(1) (4) it is not expected that this legislation would have any inflationary impact. The United States has assumed responsibility for the persons involved and the amount of money involved is insignificant in comparison with the total budget.

In compliance with rule XI, clause 2(1) (3) (A) the Committee on Ways and Means has periodically reviewed the operation of this program in connection with the extension of the authority. It has not discovered any deviation from congressional intent. In view of the small size of the program no more formal oversight activities have been carried on.

In accordance with rule XI, clause 2(1) (3) (B) the bill would provide new budget authority aggregating \$8 million for the fiscal years 1975 and 1976 and the transition quarter—July 1 to September 30, 1976. It would provide budget authority of \$300,000 for each fiscal year beginning on or after October 1, 1976. In accordance with rule XI, clause 2(1) (3) (C) no estimate has been received from the Director of the Congressional Budget Office.

In compliance with rule XI, clause 2(1) (3) (D) no oversight findings or recommendations have been received by the Committee on Ways and Means from the Committee on Government Operations.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of Rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman) :

SECTION 1113 OF THE SOCIAL SECURITY ACT

ASSISTANCE FOR UNITED STATES CITIZENS RETURNED FROM FOREIGN COUNTRIES

SEC. 1113. (a) (1) The Secretary is authorized to provide temporary assistance to citizens of the United States and to dependents of citizens of the United States, if they (A) are identified by the Department of State as having returned, or been brought, from a foreign country to the United States because of the destitution of the citizen of the United States or the illness of such citizen or any of his dependents or because

of war, threat of war, invasion, or similar crisis, and (B) are without available resources.

(2) Except in such cases or classes of cases as are set forth in regulations of the Secretary, provision shall be made for reimbursement to the United States by the recipients of the temporary assistance to cover the cost thereof.

(3) The Secretary may provide assistance under paragraph (1) directly or through utilization of the services and facilities of appropriate public or private agencies and organizations, in accordance with agreements providing for payment, in advance or by way of reimbursement, as may be determined by the Secretary, of the cost thereof. Such cost shall be determined by such statistical, sampling, or other method as may be provided in the agreement.

(b) The Secretary is authorized to develop plans and make arrangements for provision of temporary assistance within the United States to individuals specified in subsection (a) (1). Such plans shall be developed and such arrangements shall be made after consultation with the Secretary of State, the Attorney General, and the Secretary of Defense. To the extent feasible, assistance provided under subsection (a) shall be provided in accordance with the plans developed pursuant to this subsection, as modified from time to time by the Secretary.

(c) For purposes of this section, the term "temporary assistance" means money payments, medical care, temporary billeting, transportation, and other goods and services necessary for the health or welfare of individuals (including guidance, counseling, and other welfare services) furnished to them within the United States upon their arrival in the United States and for such period after their arrival, *not exceeding 90 days*, as may be provided in regulations of the Secretary; *except that assistance under this section may be furnished beyond such 90-day period in the case of any citizen or dependent upon a finding by the Secretary that the circumstances involved necessitate or justify the furnishing of assistance beyond such period in that particular case.*

[(d) No temporary assistance may be provided under this section after June 30, 1973.]

(d) *The total amount of temporary assistance provided under this section shall not exceed—*

(1) *\$8,000,000 during the fiscal years ending June 30, 1975, and June 30, 1976, and the succeeding calendar quarter, or*

(2) *\$300,000 during any fiscal year beginning on or after October 1, 1976.*



TEMPORARY ASSISTANCE FOR U.S. CITIZENS RETURNED FROM ABROAD

JUNE 5, 1975.—Ordered to be printed

Mr. LONG, from the Committee on Finance,
submitted the following

REPORT

[To accompany H.R. 6698]

The Committee on Finance, to which was referred the bill (H.R. 6698) to amend section 1113 of the Social Security Act to make permanent the program of temporary assistance for United States citizens returned from abroad, subject to specific limitations on the aggregate dollar amount of such assistance which may be provided and on the period for which such assistance may be furnished in any particular case having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE

The purpose of H.R. 6698 is to make permanent the authority under section 1113 of the Social Security Act permitting the Secretary of Health, Education, and Welfare to provide temporary assistance to American citizens and their dependents who have been repatriated from foreign countries. A limitation of \$8 million is provided on the authorization for the period from enactment of the bill through September 30, 1976, and of \$300,000 for any fiscal year beginning on or after October 1, 1976. The immediate need for legislation arises from the evacuation of substantial numbers of American citizens and their dependents from South Vietnam.

GENERAL STATEMENT

It is estimated that more than a million U.S. citizens and their dependents live, work, study, and travel abroad. These people are subject to the same hazards as Americans living at home, including ill-



ness, loss of employment, desertion, and family breakup. In the event that these U.S. citizens become public charges in foreign countries, they are subject to deportation.

Section 1113 of the Social Security Act authorizes the Secretary of Health, Education, and Welfare to provide temporary assistance to citizens of the United States who are without resources and who are identified by the Department of State as having returned or having been brought from foreign countries to the United States because they are destitute, or ill, or because of war, invasion, or a similar crisis.

Temporary assistance, financed from Federal funds, to the extent needed, includes financial assistance, reception, medical care, and transportation from the port of entry to the individual's final destination. The program also provides for help in planning for resettlement, obtaining and using existing resources, and locating friends and relatives.

While this program has helped only a relatively few people, the help has been vital to the individuals who have been involved. The Department of State is responsible for bringing the individuals to the shores of the United States, but it has no authority to provide help after arrival in the United States. Under section 1113, temporary assistance is provided only after an individual returns to the United States and has been referred to the Department of Health, Education, and Welfare by the Department of State, which certifies that the repatriate is a citizen and states the reason for his return.

Provisions are also included in the program for reception, medical care and temporary assistance for U.S. citizens evacuated to the United States in the event of an international crisis. The range of available assistance and services, the requirement for certification by the Department of State, and the operating methods are essentially the same as those listed above. Most evacuees, however, need only reception services at the port of entry, temporary care, and help in locating friends or relatives. Since 1961, the program has assisted U.S. citizens repatriated from two countries because of international crises—Cuba and the Dominican Republic. The potential need arising from the evacuation of American citizens from South Vietnam greatly exceeds amounts which have actually been used in former international crises.

The Social and Rehabilitation Service of the Department of Health, Education, and Welfare is responsible for the administration of this program and arranges for the facilities of State and local welfare agencies to be utilized in carrying out the program. These agencies are reimbursed for their costs.

Section 1113 was originally enacted in 1961 and has been extended on several occasions for periods of 1 or 2 years. Expenditures in recent years have ranged from \$146,000 to \$252,000. The number of cases referred has been approximately 500 per year.

COSTS OF CARRYING OUT THE BILL AND VOTE OF THE COMMITTEE IN REPORTING THE BILL

In compliance with section 252(a) of the Legislative Reorganization Act of 1970, the following statement is made relative to the costs incurred in carrying out this bill. The authorization figures contained in the bill represent the maximum estimates by the committee of the

amounts likely to be needed for the program for the period from the date of enactment to September 30, 1976 (primarily the fiscal year 1976). The committee believes that \$8 million will be sufficient even if the temporary needs of Americans and their dependents returned from Vietnam have to be fully met under this authority. The authorization of \$300,000 for each of the succeeding 4 fiscal years is slightly larger than the recent rate of expenditure—\$252,000. The Department of Health, Education, and Welfare agrees with these estimates.

In compliance with section 133 of the Legislative Reorganization Act of 1946, the following statement is made relative to the vote by the committee to report the bill. The bill was ordered reported by voice vote.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with subsection (4) of Rule XXIX of the standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman) :

SECTION 1113 OF THE SOCIAL SECURITY ACT

ASSISTANCE FOR UNITED STATES CITIZENS RETURNED FROM FOREIGN COUNTRIES

SEC. 1113. (a) (1) The Secretary is authorized to provide temporary assistance to citizens of the United States and to dependents of citizens of the United States, if they (A) are identified by the Department of State as having returned, or been brought, from a foreign country to the United States because of the destitution of the citizen of the United States or the illness of such citizen or any of his dependents or because of war, threat of war, invasion, or similar crisis, and (B) are without available resources.

(2) Except in such cases or classes of cases as are set forth in regulations of the Secretary, provision shall be made for reimbursement to the United States by the recipients of the temporary assistance to cover the cost thereof.

(3) The Secretary may provide assistance under paragraph (1) directly or through utilization of the services and facilities of appropriate public or private agencies and organizations, in accordance with agreements providing for payment, in advance or by way of reimbursement, as may be determined by the Secretary, of the cost thereof. Such cost shall be determined by such statistical, sampling, or other method as may be provided in the agreement.

(b) The Secretary is authorized to develop plans and make arrangements for provision of temporary assistance within the United States to individuals specified in subsection (a) (1). Such plans shall be developed and such arrangements shall be made after consultation with the Secretary of State, the Attorney General, and the Secretary of Defense. To the extent feasible, assistance provided under subsection

(a) shall be provided in accordance with the plans developed pursuant to this subsection, as modified from time to time by the Secretary.

(c) For purposes of this section, the term "temporary assistance" means money payments, medical care, temporary billeting, transportation, and other goods and services necessary for the health or welfare of individuals (including guidance, counseling, and other welfare services) furnished to them within the United States upon their arrival in the United States and for such period after their arrival, *not exceeding 90 days*, as may be provided in regulations of the Secretary; *except that assistance under this section may be furnished beyond such 90-day period in the case of any citizen or dependent upon a finding by the Secretary that the circumstances involved necessitate or justify the furnishing of assistance beyond such period in that particular case.*

[(d) No temporary assistance may be provided under this section after June 30, 1973.]

(d) *The total amount of temporary assistance provided under this section shall not exceed—*

(1) *\$8,000,000 during the fiscal years ending June 30, 1975, and June 30, 1976, and the succeeding calendar quarter, or*

(2) *\$300,000 during any fiscal year beginning on or after October 1, 1976.*





Ninety-fourth Congress of the United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Tuesday, the fourteenth day of January,
one thousand nine hundred and seventy-five*

An Act

To amend section 1113 of the Social Security Act to make permanent the program of temporary assistance for United States citizens returned from abroad, subject to specific limitations on the aggregate dollar amount of such assistance which may be provided and on the period for which such assistance may be furnished in any particular case, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1113(d) of the Social Security Act is amended to read as follows:

“(d) The total amount of temporary assistance provided under this section shall not exceed—

“(1) \$8,000,000 during the fiscal years ending June 30, 1975, and June 30, 1976, and the succeeding calendar quarter, or

“(2) \$300,000 during any fiscal year beginning on or after October 1, 1976.”.

SEC. 2. Section 1113(c) of the Social Security Act is amended by striking out “for such period after their arrival as may be provided in regulations of the Secretary” and inserting in lieu thereof the following: “for such period after their arrival, not exceeding ninety days, as may be provided in regulations of the Secretary; except that assistance under this section may be furnished beyond such ninety-day period in the case of any citizen or dependent upon a finding by the Secretary that the circumstances involved necessitate or justify the furnishing of assistance beyond such period in that particular case”.

SEC. 3. (a) Section 8(a)(1) of Public Law 93-233, as amended, is amended by striking out “18-month period”, where it appears in the matter preceding the colon and in the new sentence added by such section, and inserting in lieu thereof in each instance “30-month period”.

(b) Subsections (a)(2), (b)(1), (b)(2), (b)(3), and (e) of section 8 of such public law, as amended, are each amended by striking out “18-month period” and inserting in lieu thereof “30-month period”.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*

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June 23, 1975

Dear Mr. Director:

The following bills were received at the White House on June 23rd:

H.J. Res. 499
H.R. 37
H.R. 6054
H.R. 6698

Please let the President have reports and recommendations as to the approval of these bills as soon as possible.

Sincerely,

Robert D. Linder
Chief Executive Clerk

The Honorable James T. Lynn
Director
Office of Management and Budget
Washington, D. C.

