

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 922

To amend the Social Security Act and related provisions of law to make miscellaneous improvements in the old-age, survivors, and disability insurance program.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 17, 1993

Mr. JACOBS introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To amend the Social Security Act and related provisions of law to make miscellaneous improvements in the old-age, survivors, and disability insurance program.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Social Security Miscellaneous Amendments Act of  
6 1993”.

7 (b) TABLE OF CONTENTS.—

Sec. 1. Short title and table of contents.

Sec. 2. Explicit requirements for maintenance of telephone access to local offices of the Social Security Administration.

- Sec. 3. Expansion of State option to exclude service of election officials or election workers from coverage.
- Sec. 4. Treatment of certain noncash remuneration for agricultural labor.
- Sec. 5. Use of social security numbers by States and local governments and Federal district courts for jury selection purposes.
- Sec. 6. Authorization for all States to extend coverage to State and local policemen and firemen under existing coverage agreements.
- Sec. 7. Limited exemption for Canadian ministers from certain self-employment tax liability.
- Sec. 8. Exclusion of totalization benefits from the application of the windfall elimination provision.
- Sec. 9. Exclusion of military reservists from application of the Government pension offset and windfall elimination provisions.
- Sec. 10. Repeal of the facility-of-payment provision.
- Sec. 11. Maximum family benefits in guarantee cases.
- Sec. 12. Authorization for disclosure by the Secretary of Health and Human Services of information for purposes of public or private epidemiological and similar research.

1 **SEC. 2. EXPLICIT REQUIREMENTS FOR MAINTENANCE OF**  
 2 **TELEPHONE ACCESS TO LOCAL OFFICES OF**  
 3 **THE SOCIAL SECURITY ADMINISTRATION.**

4 (a) MAINTENANCE OF SERVICE TO LOCAL OF-  
 5 FICES.—

6 (1) IN GENERAL.—Section 5110(a) of the Om-  
 7 nibus Budget Reconciliation Act of 1990 (104 Stat.  
 8 1388-272) is amended by adding at the end the fol-  
 9 lowing new sentences: “In carrying out the require-  
 10 ments of the preceding sentence, the Secretary shall  
 11 reestablish and maintain in service at least the same  
 12 number of telephone lines to each such local office  
 13 as was in place as of such date, including telephone  
 14 sets for connections to such lines.”.

15 (2) EFFECTIVE DATE.—The Secretary of  
 16 Health and Human Services shall ensure that the  
 17 requirements of the amendment made by paragraph

1 (1) are carried out no later than 90 days after the  
2 date of the enactment of this Act.

3 (3) GAO REPORT.—The Comptroller General of  
4 the United States shall make an independent deter-  
5 mination of the number of telephone lines to each  
6 local office of the Social Security Administration  
7 which are in place as of 90 days after the enactment  
8 of this Act and shall report his findings to the Com-  
9 mittee on Ways and Means of the House of Rep-  
10 resentatives and the Committee on Finance of the  
11 Senate no later than 150 days after the date of the  
12 enactment of this Act.

13 (b) MAINTENANCE OF TOLL-FREE TELEPHONE  
14 NUMBER SERVICE.—The Secretary of Health and Human  
15 Services shall ensure that toll-free telephone service pro-  
16 vided by the Social Security Administration is maintained  
17 at a level which is at least equal to that in effect on the  
18 date of the enactment of this Act.

19 **SEC. 3. EXPANSION OF STATE OPTION TO EXCLUDE SERV-**  
20 **ICE OF ELECTION OFFICIALS OR ELECTION**  
21 **WORKERS FROM COVERAGE.**

22 (a) LIMITATION ON MANDATORY COVERAGE OF  
23 STATE ELECTION OFFICIALS AND ELECTION WORKERS  
24 WITHOUT STATE RETIREMENT SYSTEM.—

1           (1) AMENDMENT TO SOCIAL SECURITY ACT.—  
2           Section 210(a)(7)(F)(iv) of the Social Security Act  
3           (42 U.S.C. 410(a)(7)(F)(iv)) (as amended by section  
4           11332(a) of the Omnibus Budget Reconciliation Act  
5           of 1990) is amended by striking “\$100” and insert-  
6           ing “\$1,000 with respect to service performed dur-  
7           ing 1994, and the exempt remuneration amount de-  
8           termined under section 218(c)(8)(B) with respect to  
9           service performed thereafter”.

10           (2) AMENDMENT TO FICA.—Section 3121(b)(7)  
11           of the Internal Revenue Code of 1986 (as amended  
12           by section 11332(b) of the Omnibus Budget Rec-  
13           onciliation Act of 1990) is amended by striking  
14           “\$100” and inserting “\$1,000 with respect to serv-  
15           ice performed during 1994, and the exempt remu-  
16           neration amount determined under section  
17           218(c)(8)(B) of the Social Security Act with respect  
18           to service performed thereafter”.

19           (b) CONFORMING AMENDMENTS RELATING TO MED-  
20           ICARE QUALIFIED GOVERNMENT EMPLOYMENT.—

21           (1) AMENDMENT TO SOCIAL SECURITY ACT.—  
22           Section 210(p)(2)(E) of the Social Security Act (42  
23           U.S.C. 410(p)(2)(E)) is amended by striking  
24           “\$100” and inserting “\$1,000 with respect to serv-  
25           ice performed during 1994, and the exempt remu-

1       neration amount determined under section  
2       218(c)(8)(B) with respect to service performed  
3       thereafter”.

4               (2)       AMENDMENT       TO       FICA.—Section  
5       3121(u)(2)(B)(ii)(V) of the Internal Revenue Code  
6       of 1986 is amended by striking “\$100” and insert-  
7       ing “\$1,000 with respect to service performed dur-  
8       ing 1994, and the exempt remuneration amount de-  
9       termined under section 218(c)(8)(B) of the Social  
10       Security Act with respect to service performed there-  
11       after”.

12       (c)   AUTHORITY FOR STATES TO MODIFY COVERAGE  
13   AGREEMENTS WITH RESPECT TO ELECTION OFFICIALS  
14   AND ELECTION WORKERS.—Section 218(c)(8) of the So-  
15   cial Security Act (42 U.S.C. 418(c)(8)) is amended—

16               (1) by striking “on or after January 1, 1968,”  
17       and inserting “at any time”;

18               (2) by striking “\$100” and inserting “\$1,000  
19       with respect to service performed during 1994, and  
20       the exempt remuneration amount determined under  
21       subparagraph (B) with respect to service performed  
22       thereafter”;

23               (3) by striking the last sentence and inserting  
24       the following new sentence: “Any modification of an  
25       agreement pursuant to this paragraph shall be effec-

1       tive with respect to services performed in and after  
2       the calendar year in which the modification is mailed  
3       or delivered by other means to the Secretary.”.

4       (d) INDEXATION OF EXEMPT REMUNERATION  
5 AMOUNT.—

6           (1) IN GENERAL.—Section 218(c)(8) of the So-  
7       cial Security Act (as amended by subsection (c)) is  
8       further amended—

9           (A) by inserting “(A)” after “(8)”; and

10          (B) by adding at the end the following new  
11       subparagraphs:

12       “(B) The Secretary shall, on or before November 1  
13 of 1994 and of every year thereafter, determine and pub-  
14 lish in the Federal Register the exempt remuneration  
15 amount which shall be effective with respect to service per-  
16 formed during the following calendar year.

17       “(C) The exempt remuneration amount determined  
18 under subparagraph (B) shall be the larger of—

19           “(i) the dollar amount in effect under subpara-  
20       graph (A) with respect to service performed during  
21       the calendar year in which the determination under  
22       subparagraph (B) is made, or

23           “(ii) the product of—

24           “(I) \$1,000, and

1           “(II) the indexing ratio described in sub-  
2           paragraph (D).

3           “(D) For purposes of subparagraph (C)(ii)(II), the  
4 indexing ratio is the ratio of—

5           “(i) the deemed average total wages (as defined  
6           in section 209(k)(1)) for the calendar year before  
7           the calendar year in which the determination under  
8           subparagraph (B) is made, to

9           “(ii) the average of the total wages (as defined  
10          in regulations of the Secretary and computed with-  
11          out regard to the limitations specified in section  
12          209(a)(1)) reported to the Secretary of the Treasury  
13          or his delegate for 1991 (as published in the Federal  
14          Register in accordance with section 215(a)(1)(D)),  
15 with such product, if not a multiple of \$100, being round-  
16 ed to the next higher multiple of \$100 where such product  
17 is a multiple of \$50 but not of \$100 and to the nearest  
18 multiple of \$100 in any other case.”.

19           (2) CONFORMING AMENDMENT.—Section  
20          209(k)(1) of such Act (42 U.S.C. 409(k)(1)) is  
21          amended by inserting “218(c)(8)(D)(i),” after  
22          “215(b)(3)(A)(ii),”.

23           (e) EFFECTIVE DATE.—The amendments made by  
24 subsections (a), (b), and (c) shall apply with respect to  
25 service performed on or after January 1, 1994.

1 **SEC. 4. TREATMENT OF CERTAIN NONCASH REMUNERA-**  
2 **TION FOR AGRICULTURAL LABOR.**

3 (a) AMENDMENTS TO 1986 CODE.—Paragraph (8) of  
4 section 3121(a) of the Internal Revenue Code of 1986 (de-  
5 fining wages) is amended—

6 (1) by striking so much of such paragraph as  
7 precedes subparagraph (B) thereof and inserting the  
8 following:

9 “(8)(A) remuneration for agricultural labor to  
10 the extent such remuneration consists of—

11 “(i) meals or lodging furnished on the  
12 premises of the employer to the employee, the  
13 employee’s spouse, or any of the employee’s de-  
14 pendants, or

15 “(ii) in the case of an employee who is a  
16 seasonal worker, temporary lodging furnished in  
17 reasonable proximity to such premises to the  
18 employee, the employee’s spouse, or any of the  
19 employee’s dependents;” and

20 (2) by striking “cash remuneration” each place  
21 it appears in subparagraph (B) and inserting “re-  
22 muneration (not excluded under subparagraph  
23 (A))”.

24 (b) AMENDMENTS TO SOCIAL SECURITY ACT.—Para-  
25 graph (7) of section 209(a) of the Social Security Act (42  
26 U.S.C. 409(a)(7)) is amended—

1 (1) by striking so much of such paragraph as  
2 precedes subparagraph (B) thereof and inserting the  
3 following:

4 “(7)(A) Remuneration for agricultural labor to  
5 the extent such remuneration consists of—

6 “(i) meals or lodging furnished on the  
7 premises of the employer to the employee, the  
8 employee’s spouse, or any of the employee’s de-  
9 pendants, or

10 “(ii) in the case of an employee who is a  
11 seasonal worker, temporary lodging furnished in  
12 reasonable proximity to such premises to the  
13 employee, the employee’s spouse, or any of the  
14 employee’s dependents;”, and

15 (2) in subparagraph (B)—

16 (A) by striking “Cash remuneration” and  
17 inserting “Remuneration (not excluded under  
18 subparagraph (A))”, and

19 (B) by striking “cash remuneration” and  
20 inserting “remuneration (not excluded under  
21 subparagraph (A))”.

22 (c) EFFECTIVE DATE.—The amendments made by  
23 this section shall apply to remuneration paid after Decem-  
24 ber 31, 1993.

1 **SEC. 5. USE OF SOCIAL SECURITY NUMBERS BY STATES**  
2 **AND LOCAL GOVERNMENTS AND FEDERAL**  
3 **DISTRICT COURTS FOR JURY SELECTION**  
4 **PURPOSES.**

5 (a) IN GENERAL.—Section 205(c)(2) of the Social  
6 Security Act (42 U.S.C. 405(c)(2)) is amended—

7 (1) in subparagraph (B)(i), by striking “(E)” in  
8 the matter preceding subclause (I) and inserting  
9 “(F)”;

10 (2) by redesignating subparagraphs (E) and  
11 (F) as subparagraphs (F) and (G), respectively; and

12 (3) by inserting after subparagraph (D) the fol-  
13 lowing:

14 “(E)(i) It is the policy of the United States that—

15 “(I) any State (or any political subdivision of a  
16 State) may utilize the social security account num-  
17 bers issued by the Secretary for the additional pur-  
18 poses described in clause (ii) if such numbers have  
19 been collected and are otherwise utilized by such  
20 State (or political subdivision) in accordance with  
21 applicable law, and

22 “(II) any district court of the United States  
23 may use, for such additional purposes, any such so-  
24 cial security account numbers which have been so  
25 collected and are so utilized by any State.

1       “(ii) The additional purposes described in this clause  
2 are the following:

3           “(I) identifying duplicate names of individuals  
4 on master lists used for jury selection purposes, and

5           “(II) identifying on such master lists those indi-  
6 viduals who are ineligible to serve on a jury by rea-  
7 son of their conviction of a felony.

8       “(iii) To the extent that any provision of Federal law  
9 enacted before the date of the enactment of this subpara-  
10 graph is inconsistent with the policy set forth in clause  
11 (i), such provision shall, on and after that date, be null,  
12 void, and of no effect.

13       “(iv) For purposes of this subparagraph, the term  
14 ‘State’ has the meaning such term has in subparagraph  
15 (D).”.

16       (b) EFFECTIVE DATE.—The amendments made by  
17 subsection (a) shall take effect on the date of the enact-  
18 ment of this Act.

19 **SEC. 6. AUTHORIZATION FOR ALL STATES TO EXTEND COV-**  
20 **ERAGE TO STATE AND LOCAL POLICEMEN**  
21 **AND FIREMEN UNDER EXISTING COVERAGE**  
22 **AGREEMENTS.**

23       (a) IN GENERAL.—Section 218(l) of the Social Secu-  
24 rity Act (42 U.S.C. 418(l)) is amended—

1 (1) in paragraph (1), by striking “(1)” after  
2 “(l)”, and by striking “the State of” and all that fol-  
3 lows through “date of the enactment of this sub-  
4 section” and inserting “a State entered into pursu-  
5 ant to this section”; and

6 (2) by striking paragraph (2).

7 (b) CONFORMING AMENDMENT.—Section  
8 218(d)(8)(D) of such Act (42 U.S.C. 418(d)(8)(D)) is  
9 amended by striking “agreements with States named in”  
10 and inserting “State agreements modified as provided in”.

11 (c) EFFECTIVE DATE.—The amendments made by  
12 this section shall apply with respect to modifications filed  
13 by States after the date of the enactment of this Act.

14 **SEC. 7. LIMITED EXEMPTION FOR CANADIAN MINISTERS**  
15 **FROM CERTAIN SELF-EMPLOYMENT TAX LI-**  
16 **ABILITY.**

17 (a) IN GENERAL.—Notwithstanding any other provi-  
18 sion of law, if—

19 (1) an individual performed services described  
20 in section 1402(c)(4) of the Internal Revenue Code  
21 of 1986 which are subject to tax under section 1401  
22 of such Code,

23 (2) such services were performed in Canada at  
24 a time when no agreement between the United

1 States and Canada pursuant to section 233 of the  
2 Social Security Act was in effect, and

3 (3) such individual was required to pay con-  
4 tributions on the earnings from such services under  
5 the social insurance system of Canada,  
6 then such individual may file a certificate under this sec-  
7 tion in such form and manner, and with such official, as  
8 may be prescribed in regulations issued under chapter 2  
9 of such Code. Upon the filing of such certificate, notwith-  
10 standing any judgment which has been entered to the con-  
11 trary, such individual shall be exempt from payment of  
12 such tax and from any penalties or interest for failure to  
13 pay such tax or to file a self-employment tax return as  
14 required under section 6017 of such Code.

15 (b) PERIOD FOR FILING.—A certificate referred to  
16 in subsection (a) may be filed only during the 180-day  
17 period commencing with the date on which the regulations  
18 referred to in subsection (a) are issued.

19 (c) TAXABLE YEARS AFFECTED BY CERTIFICATE.—  
20 A certificate referred to in subsection (a) shall be effective  
21 for taxable years ending after December 31, 1978, and  
22 before January 1, 1985.

23 (d) RESTRICTION ON CREDITING OF EXEMPT SELF-  
24 EMPLOYMENT INCOME.—In any case in which an individ-  
25 ual is exempt under this section from paying a tax im-

1 posed under section 1401 of the Internal Revenue Code  
2 of 1986, any income on which such tax would have been  
3 imposed but for such exemption shall not constitute self-  
4 employment income under section 211(b) of the Social Se-  
5 curity Act (42 U.S.C. 411(b)), and, if such individual's  
6 primary insurance amount has been determined under sec-  
7 tion 215 of such Act (42 U.S.C. 415), notwithstanding  
8 section 215(f)(1) of such Act, the Secretary of Health and  
9 Human Services shall recompute such primary insurance  
10 amount so as to take into account the provisions of this  
11 subsection.

12 **SEC. 8. EXCLUSION OF TOTALIZATION BENEFITS FROM**  
13 **THE APPLICATION OF THE WINDFALL ELIMI-**  
14 **NATION PROVISION.**

15 (a) IN GENERAL.—Section 215(a)(7) of the Social  
16 Security Act (42 U.S.C. 415(a)(7)) is amended—

17 (1) in subparagraph (A), by striking “but ex-  
18 cluding” and all that follows through “1937” and  
19 inserting “but excluding (I) a payment under the  
20 Railroad Retirement Act of 1974 or 1937, and (II)  
21 a payment by a social security system of a foreign  
22 country based on an agreement concluded between  
23 the United States and such foreign country pursuant  
24 to section 233”; and



1 (42 U.S.C. 402 (b)(4), (c)(2), (e)(7), (f)(2), and (g)(4))  
2 are each amended—

3 (1) in subparagraph (A)(ii), by striking “unless  
4 subparagraph (B) applies.”;

5 (2) in subparagraph (A), by striking “The” in  
6 the matter following clause (ii) and inserting “unless  
7 subparagraph (B) applies. The”; and

8 (3) in subparagraph (B), by redesignating the  
9 existing matter as clause (ii), and by inserting before  
10 such clause (ii) (as so redesignated) the following:

11 “(B)(i) Subparagraph (A)(i) shall not apply with re-  
12 spect to monthly periodic benefits based wholly on service  
13 as a member of a uniformed service (as defined in section  
14 210(m)).”.

15 (b) EXCLUSION FROM WINDFALL ELIMINATION  
16 PROVISIONS.—Section 215(a)(7)(A) of such Act (as  
17 amended by section 8(a) of this Act) and section 215(d)(3)  
18 of such Act (as amended by section 8(b) of this Act) are  
19 each further amended—

20 (1) by striking “and” before “(II)”; and

21 (2) by striking “section 233” and inserting  
22 “section 233, and (III) a payment based wholly on  
23 service as a member of a uniformed service (as de-  
24 fined in section 210(m))”.

1 (c) EFFECTIVE DATE.—The amendments made by  
2 this section shall apply (notwithstanding section 215(f) of  
3 the Social Security Act) with respect to benefits payable  
4 for months after October 1993.

5 **SEC. 10. REPEAL OF THE FACILITY-OF-PAYMENT PROVI-**  
6 **SION.**

7 (a) REPEAL OF RULE PRECLUDING REDISTRIBUTION  
8 UNDER FAMILY MAXIMUM.—Section 203(i) of the Social  
9 Security Act (42 U.S.C. 403(i)) is repealed.

10 (b) COORDINATION UNDER FAMILY MAXIMUM OF  
11 REDUCTION IN BENEFICIARY'S AUXILIARY BENEFITS  
12 WITH SUSPENSION OF AUXILIARY BENEFITS OF OTHER  
13 BENEFICIARY UNDER EARNINGS TEST.—Section  
14 203(a)(4) of such Act (42 U.S.C. 403(a)(4)) is amended  
15 by striking “section 222(b). Whenever” and inserting the  
16 following: “section 222(b). Notwithstanding the preceding  
17 sentence, any reduction under this subsection in the case  
18 of an individual who is entitled to a benefit under sub-  
19 section (b), (c), (d), (e), (f), (g), or (h) of section 202 for  
20 any month on the basis of the same wages and self-em-  
21 ployment income as another person—

22 “(A) who also is entitled to a benefit under sub-  
23 section (b), (c), (d), (e), (f), (g), or (h) of section  
24 202 for such month,

1           “(B) who does not live in the same household  
2           as such individual, and

3           “(C) whose benefit for such month is suspended  
4           (in whole or in part) pursuant to subsection (h)(3)  
5           of this section,

6 shall be made before the suspension under subsection  
7 (h)(3). Whenever”.

8           (c) CONFORMING AMENDMENT APPLYING EARNINGS  
9 REPORTING REQUIREMENT DESPITE SUSPENSION OF  
10 BENEFITS.—The third sentence of section 203(h)(1)(A)  
11 of such Act (42 U.S.C. 403(h)(1)(A)) is amended by strik-  
12 ing “Such report need not be made” and all that follows  
13 through “The Secretary may grant” and inserting the fol-  
14 lowing: “Such report need not be made for any taxable  
15 year—

16           “(i) beginning with or after the month in which  
17           such individual attained age 70, or

18           “(ii) if benefit payments for all months (in such  
19           taxable year) in which such individual is under age  
20           70 have been suspended under the provisions of the  
21           first sentence of paragraph (3) of this subsection,  
22           unless—

23           “(I) such individual is entitled to benefits  
24           under subsection (b), (c), (d), (e), (f), (g), or  
25           (h) of section 202,

1           “(II) such benefits are reduced under sub-  
2           section (a) of this section for any month in such  
3           taxable year, and

4           “(III) in any such month there is another  
5           person who also is entitled to benefits under  
6           subsection (b), (c), (d), (e), (f), (g), or (h) of  
7           section 202 on the basis of the same wages and  
8           self-employment income and who does not live  
9           in the same household as such individual.

10 The Secretary may grant”.

11           (d) CONFORMING AMENDMENT DELETING SPECIAL  
12 INCOME TAX TREATMENT OF BENEFITS NO LONGER RE-  
13 QUIRED BY REASON OF REPEAL.—Section 86(d)(1) of the  
14 Internal Revenue Code of 1986 (relating to income tax  
15 on social security benefits) is amended by striking the last  
16 sentence.

17           (e) EFFECTIVE DATES.—

18           (1) The amendments made by subsections (a),  
19           (b), and (c) shall apply with respect to benefits pay-  
20           able for months after December 1994.

21           (2) The amendment made by subsection (d)  
22           shall apply with respect to benefits received after  
23           December 31, 1994, in taxable years ending after  
24           such date.

1 **SEC. 11. MAXIMUM FAMILY BENEFITS IN GUARANTEE**  
2 **CASES.**

3 (a) IN GENERAL.—Section 203(a) of the Social Secu-  
4 rity Act (42 U.S.C. 403(a)) is amended by adding at the  
5 end the following new paragraph:

6 “(10)(A) Subject to subparagraphs (B) and (C)—

7 “(i) the total monthly benefits to which bene-  
8 ficiaries may be entitled under sections 202 and 223  
9 for a month on the basis of the wages and self-em-  
10 ployment income of an individual whose primary in-  
11 surance amount is computed under section  
12 215(a)(2)(B)(i) shall equal the total monthly bene-  
13 fits which were authorized by this section with re-  
14 spect to such individual’s primary insurance amount  
15 for the last month of his prior entitlement to disabil-  
16 ity insurance benefits, increased for this purpose by  
17 the general benefit increases and other increases  
18 under section 215(i) that would have applied to such  
19 total monthly benefits had the individual remained  
20 entitled to disability insurance benefits until the  
21 month in which he became entitled to old-age insur-  
22 ance benefits or reentitled to disability insurance  
23 benefits or died, and

24 “(ii) the total monthly benefits to which bene-  
25 ficiaries may be entitled under sections 202 and 223  
26 for a month on the basis of the wages and self-em-

1       employment income of an individual whose primary in-  
2       surance amount is computed under section  
3       215(a)(2)(C) shall equal the total monthly benefits  
4       which were authorized by this section with respect to  
5       such individual's primary insurance amount for the  
6       last month of his prior entitlement to disability in-  
7       surance benefits.

8       “(B) In any case in which—

9               “(i) the total monthly benefits with respect to  
10              such individual's primary insurance amount for the  
11              last month of his prior entitlement to disability in-  
12              surance benefits was computed under paragraph (6),  
13              and

14             “(ii) the individual's primary insurance amount  
15             is computed under subparagraph (B)(i) or (C) of  
16             section 215(a)(2) by reason of the individual's enti-  
17             tlement to old-age insurance benefits or death,

18       the total monthly benefits shall equal the total monthly  
19       benefits that would have been authorized with respect to  
20       the primary insurance amount for the last month of his  
21       prior entitlement to disability insurance benefits if such  
22       total monthly benefits had been computed without regard  
23       to paragraph (6).

24       “(C) This paragraph shall apply before the applica-  
25       tion of paragraph (3)(A), and before the application of

1 section 203(a)(1) of this Act as in effect in December  
2 1978.”.

3 (b) CONFORMING AMENDMENT.—Section 203(a)(8)  
4 of such Act (42 U.S.C. 403(a)(8)) is amended by striking  
5 “Subject to paragraph (7),” and inserting “Subject to  
6 paragraph (7) and except as otherwise provided in para-  
7 graph (10)(C),”.

8 (c) EFFECTIVE DATE.—The amendments made by  
9 this section shall apply for the purpose of determining the  
10 total monthly benefits to which beneficiaries may be enti-  
11 tled under sections 202 and 223 of the Social Security  
12 Act based on the wages and self-employment income of  
13 an individual who—

14 (1) becomes entitled to an old-age insurance  
15 benefit under section 202(a) of such Act,

16 (2) becomes reentitled to a disability insurance  
17 benefit under section 223 of such Act, or

18 (3) dies,

19 after October 1993.

1 **SEC. 12. AUTHORIZATION FOR DISCLOSURE BY THE SEC-**  
2 **RETARY OF HEALTH AND HUMAN SERVICES**  
3 **OF INFORMATION FOR PURPOSES OF PUBLIC**  
4 **OR PRIVATE EPIDEMIOLOGICAL AND SIMI-**  
5 **LAR RESEARCH.**

6 (a) IN GENERAL.—Section 1106 of the Social Secu-  
7 rity Act (42 U.S.C. 1306) is amended—

8 (1) by redesignating subsections (d) and (e) as  
9 subsections (e) and (f), respectively;

10 (2) in subsection (f) (as so redesignated), by  
11 striking “subsection (d)” and inserting “subsection  
12 (e)”; and

13 (3) by inserting after subsection (c) the follow-  
14 ing new subsection:

15 “(d) Notwithstanding any other provision of this sec-  
16 tion, in any case in which—

17 “(1) information regarding whether an individ-  
18 ual is shown on the records of the Secretary as  
19 being alive or deceased is requested from the Sec-  
20 retary for purposes of epidemiological or similar re-  
21 search which the Secretary finds may reasonably be  
22 expected to contribute to a national health interest,  
23 and

24 “(2) the requester agrees to reimburse the Sec-  
25 retary for providing such information and to comply  
26 with limitations on safeguarding and rerelease or

1       redisclosure of such information as may be specified  
2       by the Secretary,  
3 the Secretary shall comply with such request, except to  
4 the extent that compliance with such request would con-  
5 stitute a violation of the terms of any contract entered  
6 into under section 205(r).”.

7       (b) AVAILABILITY OF INFORMATION RETURNS RE-  
8 GARDING WAGES PAID EMPLOYEES.—Section 6103(l)(5)  
9 of the Internal Revenue Code of 1986 (relating to disclo-  
10 sure of returns and return information to the Department  
11 of Health and Human Services for purposes other than  
12 tax administration) is amended—

13           (1) by striking “for the purpose of” and insert-  
14           ing “for the purpose of—”;

15           (2) by striking “carrying out, in accordance  
16           with an agreement” and inserting the following:

17                   “(A) carrying out, in accordance with an  
18                   agreement”;

19           (3) by striking “program.” and inserting “pro-  
20           gram; or”; and

21           (4) by adding at the end the following new sub-  
22           paragraph:

23                   “(B) providing information regarding the  
24                   mortality status of individuals for epidemiolog-

1           ical and similar research in accordance with  
2           section 1106(d) of the Social Security Act.”.

3           (c) EFFECTIVE DATE.—The amendments made by  
4 this section shall apply with respect to requests for infor-  
5 mation made after the date of the enactment of this Act.

○

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