

“(I) the year immediately before the month in which such person became eligible for old-age insurance benefits or disability insurance benefits or died, whichever occurred first, or

“(II) if such person had a period of disability which continued until he or she became entitled to old-age insurance benefits or disability insurance benefits or died, the year immediately before the month in which such period of disability began.

“(D) An individual entitled to benefits under subsection (h) meets the residency requirements of this paragraph with respect to those benefits only if such individual has resided in the United States, and while so residing was a parent (within the meaning of subsection (h)(3)) of the person on whose wages and self-employment income such entitlement is based, for a total period of not less than 5 years.

“(E) This paragraph shall not apply with respect to any individual who is a citizen or resident of a foreign country with which the United States has an agreement in force concluded pursuant to section 233, except to the extent provided by such agreement.”.

42 USC 433.

42 USC 402.

(b) Paragraphs (2) and (4) of section 202(t) of such Act are each amended by striking out “Paragraph (1) shall not apply” and inserting in lieu thereof “Subject to paragraph (11), paragraph (1) shall not apply”.

(c) The amendments made by this section shall apply with respect to any individual who initially becomes eligible for benefits under section 202 or 223 after December 31, 1984.

Effective date.

42 USC 402 note.

ADDITION OF PUBLIC MEMBERS TO TRUST FUND BOARD OF TRUSTEES

SEC. 341. (a) Section 201(c) of the Social Security Act is amended—

Ante, p. 107.

(1) in the first sentence, by striking out “Secretary of Health, Education, and Welfare, all ex officio” and inserting in lieu thereof “Secretary of Health and Human Services, all ex officio, and of two members of the public (both of whom may not be from the same political party), who shall be nominated by the President for a term of four years and subject to confirmation by the Senate”; and

(2) by adding at the end thereof the following new sentence: “A person serving on the Board of Trustees shall not be considered to be a fiduciary and shall not be personally liable for actions taken in such capacity with respect to the Trust Funds.”.

(b) Section 1817(b) of such Act is amended—

Ante, p. 107.

(1) in the first sentence, by striking out “Secretary of Health, Education, and Welfare, all ex officio” and inserting in lieu thereof “Secretary of Health and Human Services, all ex officio, and of two members of the public (both of whom may not be from the same political party), who shall be nominated by the President for a term of four years and subject to confirmation by the Senate”; and

(2) by adding at the end thereof the following new sentence: “A person serving on the Board of Trustees shall not be considered to be a fiduciary and shall not be personally liable for actions taken in such capacity with respect to the Trust Fund.”.

(c) Section 1841(b) of such Act is amended—

Ante, p. 107.

(1) in the first sentence, by striking out “Secretary of Health, Education, and Welfare, all ex officio” and inserting in lieu