



With you through
life's journey...



Tribal Social Security Fairness Act 2018

What is it

The Tribal Social Security Fairness Act of 2018 was signed into law on September 20, 2018. This new law allows federally recognized Indian tribes to extend Social Security coverage to tribal council positions voluntarily through an agreement with the Commissioner of Social Security under Section 218A of the Social Security Act.

Under this new legislation, if a tribe chooses to enter into an agreement for coverage, then all tribal council positions are covered. Coverage will apply to any current and future tribal council members, and cannot be terminated once granted.

Interested Tribes will need to complete the Tribal Council Member Coverage Agreement to request coverage. The tribes will communicate directly with SSA regional specialists to execute the agreements.

Coverage will be effective the month after the month the agreement is signed, unless the tribe requests a later effective date.

Retroactivity

Tribes may request retroactive coverage for periods for which they have already paid Federal Insurance Contributions Act (FICA) taxes and not received a refund. Retroactivity can go back as far as needed without limit as long as FICA taxes were paid.

If you did not pay FICA during the retroactive period, you will not be charged. You cannot pay into the retroactive period.

For More Information

ssa.gov/slge/specialists.htm

ssa.gov/people/aian

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and tomorrow

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