

**(b) Adjustments for increases in health care spending**

In the case of any fiscal year beginning after September 30, 2014, the dollar amount in effect under subsection (a)(2) for such fiscal year shall be equal to the sum of such dollar amount for the previous fiscal year (determined after the application of this subsection), plus an amount equal to the product of—

- (1) such dollar amount for the previous fiscal year, multiplied by
  - (2) the percentage increase in the projected per capita amount of National Health Expenditures, as most recently published by the Secretary before the beginning of the fiscal year.
- (Aug. 14, 1935, ch. 531, title XI, § 1183, as added Pub. L. 111-148, title VI, § 6301(d), Mar. 23, 2010, 124 Stat. 741.)

## REFERENCES IN TEXT

The Internal Revenue Code of 1986, referred to in subsec. (a), is classified generally to Title 26, Internal Revenue Code.

**§ 1320e-3. Information exchange with payroll data providers****(a) In general**

The Commissioner of Social Security may enter into an information exchange with a payroll data provider for purposes of—

- (1) efficiently administering—
  - (A) monthly insurance benefits under subsections (d)(1)(B)(ii), (d)(6)(A)(ii), (d)(6)(B), (e)(1)(B)(ii), and (f)(1)(B)(ii) of section 402 of this title and subsection (a)(1) of section 423 of this title; and
  - (B) supplemental security income benefits under subchapter XVI; and
- (2) preventing improper payments of such benefits without the need for verification by independent or collateral sources.

**(b) Notification requirements**

Before entering into an information exchange pursuant to subsection (a), the Commissioner shall publish in the Federal Register a notice describing the information exchange and the extent to which the information received through such exchange is—

- (1) relevant and necessary to—
  - (A) accurately determine entitlement to, and the amount of, benefits described under subparagraph (A) of subsection (a)(1);
  - (B) accurately determine eligibility for, and the amount of, benefits described in subparagraph (B) of such subsection; and
  - (C) prevent improper payment of such benefits; and
- (2) sufficiently accurate, up-to-date, and complete.

**(c) Definitions**

For purposes of this section:

**(1) Payroll data provider**

The term “payroll data provider” means payroll providers, wage verification companies, and other commercial or non-commercial entities that collect and maintain data regarding employment and wages, without regard to

whether the entity provides such data for a fee or without cost.

**(2) Information exchange**

The term “information exchange” means the automated comparison of a system of records maintained by the Commissioner of Social Security with records maintained by a payroll data provider.

(Aug. 14, 1935, ch. 531, title XI, § 1184, as added Pub. L. 114-74, title VIII, § 824(a), Nov. 2, 2015, 129 Stat. 607.)

## EFFECTIVE DATE

Section effective one year after Nov. 2, 2015, see section 824(e) of Pub. L. 114-74, set out as an Effective Date of 2015 Amendment note under section 425 of this title.

## REGULATIONS

Pub. L. 114-74, title VIII, § 824(d), Nov. 2, 2015, 129 Stat. 610, provided that: “Not later than 1 year after the date of the enactment of this Act [Nov. 2, 2015], the Commissioner of Social Security shall prescribe by regulation procedures for implementing the Commissioner’s access to and use of information held by payroll providers, including—

- “(1) guidelines for establishing and maintaining information exchanges with payroll providers, pursuant to section 1184 of the Social Security Act [42 U.S.C. 1320e-3];
- “(2) beneficiary authorizations;
- “(3) reduced wage reporting responsibilities for individuals who authorize the Commissioner to access information held by payroll data providers through an information exchange; and
- “(4) procedures for notifying individuals in writing when they become subject to such reduced wage reporting requirements and when such reduced wage reporting requirements no longer apply to them.”

## SUBCHAPTER XII—ADVANCES TO STATE UNEMPLOYMENT FUNDS

**§ 1321. Eligibility requirements for transfer of funds; reimbursement by State; application; certification; limitation**

(a)(1) Advances shall be made to the States from the Federal unemployment account in the Unemployment Trust Fund as provided in this section, and shall be repayable, with interest to the extent provided in section 1322(b) of this title, in the manner provided in sections 1101(d)(1), 1103(b)(2), and 1322 of this title. An advance to a State for the payment of compensation in any 3-month period may be made if—

- (A) the Governor of the State applies therefor no earlier than the first day of the month preceding the first month of such 3-month period, and
- (B) he furnishes to the Secretary of Labor his estimate of the amount of an advance which will be required by the State for the payment of compensation in each month of such 3-month period.

(2) In the case of any application for an advance under this section to any State for any 3-month period, the Secretary of Labor shall—

- (A) determine the amount (if any) which he finds will be required by such State for the payment of compensation in each month of such 3-month period, and
- (B) certify to the Secretary of the Treasury the amount (not greater than the amount esti-