

## **Exhibit 1—Original Agreement for Interstate Instrumentality**

This is an exhibit of an original agreement with an interstate instrumentality. Part (A) of the agreement is the definitions of terms. Part (B) sets out the scope of services covered and the exclusions. Part (C) provides that the instrumentality will comply with the regulations of the Commissioner of Social Security. Part (D) provides the basis for modifications of the agreement. Part (E) relates to effective dates. The appendix to the agreement provides Social Security coverage for a retirement system coverage group of employees.

### **AGREEMENT**

The Commissioner of Social Security, hereinafter called the Commissioner, and the *(Insert name of Interstate Instrumentality)*, hereinafter called the \_\_\_\_\_, hereby agree, in accordance with the terms and conditions stated in this agreement, to extend, in conformity with Section 218 of the Social Security Act, the insurance system established by Title II of the Social Security Act, to services performed by individuals as employees of *(Insert name of instrumentality)* and as members of the coverage groups listed in the appendix attached hereto and made a part hereof, except services expressly excluded from this agreement. The services covered under this agreement will constitute "services included under an agreement..." within the meaning of Section 3121(b)(7)(F) of the Internal Revenue Code.

#### **(A) Definitions**

For purposes of this agreement—

(1) The term "employee" means an employee as defined in Section 210(j) of the Social Security Act and shall include an officer of the *(name of instrumentality)*.

(2) The term "retirement system" means a pension, annuity, retirement, or similar fund or system established by *(name of instrumentality)* or by a State or by the States which created the *(name of instrumentality)*.

(3) A "coverage group" means a coverage group as defined in Section 218(b)(5) of the Social Security Act, and for the purpose of Section 218(c) of the Social Security Act only the term "coverage group" shall also mean a coverage group as defined in Section 218(d)(4) of the Social Security Act.

#### **(B) Services Covered**

This agreement includes all services listed in the appendix attached hereto, which are performed by individuals as employees of *(name of instrumentality)* and as members of those coverage groups listed in the appendix attached hereto except:

- (1) Service performed by individuals hired to be relieved from unemployment; (2) Service performed in a hospital, home or other institution by a patient or inmate thereof;
- (3) Services performed by an employee hired on a temporary basis in case of fire, storm, snow, earthquake, flood, or similar emergency;
- (5) Covered transportation service (as defined in Section 210(k) of the Social Security Act);

- (6) Services that would be excluded from employment under Section 210(a) of the Act;
- (7) Services performed by election officials and election workers paid less than the threshold amount mandated by law.
- (8) Services in any class(es) of part-time positions;
- (9) Services performed in a position compensated solely by fees;
- (10) Services performed by a student if the service would be excluded if performed for a private employer.

(C) Compliance with Regulations

(Name of Interstate Instrumentality) will comply with such regulations as the Commissioner may prescribe to carry out the purposes of Section 218 of the Social Security Act.

(D) Modification

This agreement will be modified at the request of *(name of instrumentality)* to include coverage groups or additional services not now included in this agreement, such modification to be consistent with the provisions of Section 218 of the Social Security Act.

(E) Effective Date

This agreement shall be effective as of \_\_\_\_\_ but shall be effective with respect to any coverage group or services listed in the appendix thereto on the date indicated in such appendix with respect to such coverage group or services, as the case may be.

This agreement is entered into this \_\_\_\_ day of \_\_\_\_\_, by the Commissioner of Social Security, pursuant to Section 218 of the Social Security Act, and the (Insert Name of Interstate Instrumentality), acting herein through its duly authorized representative, (Insert Name/Title of Designated Official), by virtue of authority granted by (Legal Cite, i.e., Public Law No., Resolution No.).

Name of Interstate Instrumentality

(Signed) \_\_\_\_\_  
Name/Title of Designated Official

Commissioner of Social Security

(Signed) \_\_\_\_\_  
Regional Commissioner (or authorized delegate)  
Social Security Administration

**APPENDIX**

**Services Covered:**

Services performed by individuals as employees of the (*insert name of interstate instrumentality*) as members of a coverage group (as defined in Section 218(d)(4) of the Act), of the \_\_\_\_\_ Retirement System, as provided in Section 218(g)(2) of the Act.

**Excluded Services:**

**Effective Date of Coverage:** \_\_\_\_\_

**Approximate Number of Employees:** \_\_\_\_\_

**Reporting Official Name:** \_\_\_\_\_

**Business Address**