

108TH CONGRESS  
1ST SESSION

# H. R. 489

To amend title II of the Social Security Act and the Internal Revenue Code of 1986 to provide prospectively that wages earned, and self-employment income derived, by individuals who are not citizens or nationals of the United States shall not be credited for coverage under the old-age, survivors, and disability insurance program under such title, and to provide the President with authority to enter into agreements with other nations taking into account such limitation on crediting of wages and self-employment income.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 29, 2003

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

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## A BILL

To amend title II of the Social Security Act and the Internal Revenue Code of 1986 to provide prospectively that wages earned, and self-employment income derived, by individuals who are not citizens or nationals of the United States shall not be credited for coverage under the old-age, survivors, and disability insurance program under such title, and to provide the President with authority to enter into agreements with other nations taking into account such limitation on crediting of wages and self-employment income.

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.**

4       This Act may be cited as the “Social Security for  
5       Americans Only Act of 2003”.

6       **SEC. 2. LIMITATIONS ON COVERAGE OF INDIVIDUALS**  
7                       **BASED ON EARNINGS OF INDIVIDUALS WHO**  
8                       **ARE NOT CITIZENS OR NATIONALS OF THE**  
9                       **UNITED STATES.**

10       Section 215(e) of the Social Security Act (42 U.S.C.  
11       415(e)) is amended—

12               (1) by redesignating paragraphs (1) and (2) as  
13       subparagraphs (A) and (B), respectively;

14               (2) by inserting “(1)” after “(e)”; and

15               (3) by adding at the end the following new  
16       paragraph:

17               “(2) For purposes of subsections (b) and (d), in  
18       computing an individual’s average indexed monthly  
19       earnings, or in the case of an individual whose pri-  
20       mary insurance amount is computed under section  
21       215(a) as in effect prior to January 1979, average  
22       monthly wage, such individual shall not be credited  
23       with—

24               “(A) any wages paid to such individual  
25       after December 31, 2003, while such individual

1 is not a citizen or national of the United States,  
2 or  
3 “(B) any self-employment income derived  
4 by such individual during any taxable year be-  
5 ginning after December 31, 2003, while such  
6 individual is not a citizen or national of the  
7 United States. ”.

8 **SEC. 3. REVISION OF AUTHORIZATION FOR TOTALIZATION**  
9 **AGREEMENTS.**

10 (a) IN GENERAL.—Section 233 of the Social Security  
11 Act (42 U.S.C. 433) is amended to read as follows:

12 “INTERNATIONAL AGREEMENTS

13 “SEC. 233. The President is authorized to enter into  
14 agreements (subject to the other provisions of this title  
15 and of chapters 2 and 21 of the Internal Revenue Code  
16 of 1986) establishing arrangements between the United  
17 States and any foreign country for the purpose of resolv-  
18 ing questions of entitlement to, and participation in, the  
19 social security system established by this title and the so-  
20 cial security system of such foreign country. Any such  
21 agreement shall take into account the limitations on the  
22 crediting of wages and self-employment income under sec-  
23 tion 215(e)(2). ”.

24 (b) EFFECTIVE DATE; TERMINATION OF EXISTING  
25 AGREEMENTS.—The amendment made by subsection (a)  
26 shall apply with respect to agreements taking effect after

1 the date of the enactment of this Act. Any agreement in  
2 effect on such date which was entered into under section  
3 233 of the Social Security Act (as in effect immediately  
4 before such date of enactment) shall terminate on Decem-  
5 ber 31, 2003 (or as provided in such agreement, if earlier).

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