

111TH CONGRESS
1ST SESSION

H. R. 160

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.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 2009

Mr. PAUL (for himself, Mr. JONES, Mr. BARTLETT, and Mr. GARRETT of New Jersey) introduced the following bill; which was referred to the Committee on Ways and Means

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 2009”.

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 com-
 18 puting an individual’s average indexed monthly earnings,
 19 or in the case of an individual whose primary insurance
 20 amount is computed under section 215(a) as in effect
 21 prior to January 1979, average monthly wage, such indi-
 22 vidual shall not be credited with—

23 “(A) any wages paid to such individual after
 24 December 31, 2009, while such individual is not a
 25 citizen or national of the United States, or

1 “(B) any self-employment income derived by
 2 such individual during any taxable year beginning
 3 after December 31, 2009, while such individual is
 4 not a citizen or national of the United States.”.

5 **SEC. 3. REVISION OF AUTHORIZATION FOR TOTALIZATION**
 6 **AGREEMENTS.**

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

9 “INTERNATIONAL AGREEMENTS

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

21 (b) EFFECTIVE DATE; TERMINATION OF EXISTING
 22 AGREEMENTS.—The amendment made by subsection (a)
 23 shall apply with respect to agreements taking effect after
 24 the date of the enactment of this Act. Any agreement in
 25 effect on such date which was entered into under section
 26 233 of the Social Security Act (as in effect immediately

1 before such date of enactment) shall terminate on Decem-
2 ber 31, 2009 (or as provided in such agreement, if earlier).

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