

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 918

To prohibit the payment of certain Federal benefits to any person not lawfully present within the United States, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JUNE 13 (legislative day, JUNE 5), 1995

Mr. EXON introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To prohibit the payment of certain Federal benefits to any person not lawfully present within the United States, and for other purposes.

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 “Illegal Alien Benefits  
5       Prohibition Act of 1995”.

6       **SEC. 2. PROHIBITION ON PAYMENT OF FEDERAL BENEFITS**  
7                               **TO CERTAIN PERSONS.**

8       (a) IN GENERAL.—Notwithstanding any other provi-  
9       sion of law and except as provided in subsection (b), Fed-  
10      eral benefits shall not be paid or provided to any person

1 who is not a person lawfully present within the United  
2 States.

3 (b) EXCEPTIONS.—Subsection (a) shall not apply  
4 with respect to the following benefits:

5 (1) Emergency medical services under title XIX  
6 of the Social Security Act.

7 (2) Short-term emergency disaster relief.

8 (3) Assistance or benefits under the National  
9 School Lunch Act.

10 (4) Assistance or benefits under the Child Nu-  
11 trition Act of 1966.

12 (5) Public health assistance for immunizations  
13 with respect to immunizable diseases and for testing  
14 and treatment for communicable diseases.

15 (c) DEFINITIONS.—For purposes of this Act—

16 (1) FEDERAL BENEFIT.—The term “Federal  
17 benefit” means—

18 (A) the issuance of any grant, contract,  
19 loan, professional license, or commercial license  
20 provided by an agency of the United States or  
21 by appropriated funds of the United States; and

22 (B) any retirement, welfare, Social Secu-  
23 rity, health, disability, veterans benefit, public  
24 housing, education, food stamps, unemployment  
25 benefit, or any other similar benefit for which

1           payments or assistance are provided by an  
2           agency of the United States or by appropriated  
3           funds of the United States.

4           (2) VETERANS BENEFIT.—The term “veterans  
5           benefit” means all benefits provided to veterans,  
6           their families, or survivors by virtue of the service of  
7           a veteran in the Armed Forces of the United States.

8           (3) PERSON LAWFULLY PRESENT WITHIN THE  
9           UNITED STATES.—The term “person lawfully  
10          present within the United States” means a person  
11          who, at the time the person applies for, receives, or  
12          attempts to receive a Federal benefit, is a United  
13          States citizen, a permanent resident alien, an asylee,  
14          a refugee, a parolee, a national, or a national of the  
15          United States for purposes of the immigration laws  
16          of the United States (as defined in section  
17          101(a)(17) of the Immigration and Nationality Act  
18          (8 U.S.C. 1101(a)(17)).

19 **SEC. 3. STATE OBLIGATION.**

20          Notwithstanding any other provision of law, a State  
21          that administers a program that provides a Federal bene-  
22          fit (described in section 2(c)(1)) or provides State benefits  
23          pursuant to such a program shall not be required to pro-  
24          vide such benefit to a person who is not a person lawfully

1 present within the United States through a State agency  
2 or with appropriated funds of such State.

3 **SEC. 4. VERIFICATION OF ELIGIBILITY.**

4 (a) IN GENERAL.—Not later than 18 months after  
5 the date of the enactment of this Act, the Attorney Gen-  
6 eral of the United States, after consultation with the Sec-  
7 retary of Health and Human Services, shall promulgate  
8 regulations requiring verification that a person applying  
9 for a Federal benefit, including a benefit described in sec-  
10 tion 2(b), is a person lawfully present within the United  
11 States and is eligible to receive such benefit. Such regula-  
12 tions shall, to the extent feasible, require that information  
13 requested and exchanged be similar in form and manner  
14 to information requested and exchanged under section  
15 1137 of the Social Security Act.

16 (b) STATE COMPLIANCE.—Not later than 24 months  
17 after the date the regulations described in subsection (a)  
18 are adopted, a State that administers a program that pro-  
19 vides a Federal benefit described in such subsection shall  
20 have in effect a verification system that complies with the  
21 regulations.

22 (c) AUTHORIZATION OF APPROPRIATIONS.—There  
23 are authorized to be appropriated such sums as may be  
24 necessary to carry out the purpose of this section.

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