

114TH CONGRESS
1ST SESSION

H. R. 1996

To amend title II of the Social Security Act to prohibit the assignment of social security account numbers to certain individuals seeking employment in the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 23, 2015

Mr. SAM JOHNSON of Texas 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 to prohibit the assignment of social security account numbers to certain individuals seeking employment in 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 “No Social Security
5 Numbers and Benefits for Illegal Aliens Act of 2015”.

1 **SEC. 2. PROHIBITION ON ASSIGNMENT OF SOCIAL SECUR-**
2 **RITY ACCOUNT NUMBERS TO CERTAIN INDIV-**
3 **VIDUALS SEEKING EMPLOYMENT IN THE**
4 **UNITED STATES.**

5 Section 205(c)(2)(B) of the Social Security Act (42
6 U.S.C. 405(c)(2)(B)) is amended by adding at the end the
7 following:

8 “(iv) Notwithstanding clause (i), the Commissioner of
9 Social Security may not assign a social security account
10 number to any individual who—

11 “(I) receives deferred action on removal in ac-
12 cordance with—

13 “(aa) the memorandum of the Secretary of
14 Homeland Security dated June 15, 2012, and
15 entitled ‘Exercising Prosecutorial Discretion
16 with Respect to Individuals Who Came to the
17 United States as Children’; or

18 “(bb) the memorandum of the Secretary of
19 Homeland Security dated November 20, 2014,
20 and entitled ‘Exercising Prosecutorial Discre-
21 tion with Respect to Individuals Who Came to
22 the United States as Children and with Respect
23 to Certain Individuals Who Are the Parents of
24 U.S. Citizens or Permanent Residents’; and

25 “(II) would be subject to removal but for such
26 memoranda.”.

1 **SEC. 3. PROHIBITION ON PAYMENT OF TITLE II BENEFITS.**

2 (a) FULLY INSURED AND CURRENTLY INSURED IN-
3 DIVIDUALS.—Section 214(c)(1) of the Social Security Act
4 (42 U.S.C. 414(c)(1)) is amended by striking “subclause
5 (I) or (III) of section 205(c)(2)(B)(i)” and inserting “sub-
6 clause (I) or (III) of clause (i) of section 205(c)(2)(B) and
7 clause (iv) of such section”.

8 (b) DISABILITY BENEFITS.—Section 223(a)(1)(C)(i)
9 of the Social Security Act (42 U.S.C. 423(a)(1)(C)(i)) is
10 amended by striking “subclause (I) or (III) of section
11 205(c)(2)(B)(i)” and inserting “subclause (I) or (III) of
12 clause (i) of section 205(c)(2)(B) and clause (iv) of such
13 section”.

14 **SEC. 4. DENIAL OF CREDIT TOWARD BENEFITS FOR EARN-**
15 **INGS FROM UNAUTHORIZED WORK.**

16 (a) IN GENERAL.—Section 214 of the Social Security
17 Act (42 U.S.C. 414) is amended by adding at the end the
18 following:

19 “(d)(1) No quarters of coverage shall be credited for
20 purposes of this section or section 223(a)(1)(A) for any
21 calendar year in the case of any individual if—

22 “(A) on the last day of such year, such indi-
23 vidual is not a citizen or national of the United
24 States, and

25 “(B) the Secretary of Homeland Security deter-
26 mines, pursuant to paragraph (2), that such indi-

1 vidual was not authorized to be employed in the
2 United States during any portion of such calendar
3 year.

4 “(2)(A) The Secretary of Homeland Security shall
5 enter into an agreement with the Commissioner to provide,
6 in a form and manner specified by the Commissioner, such
7 information as the Commissioner determines necessary to
8 carry out the limitations on crediting quarters of coverage
9 for years under paragraph (1).

10 “(B) For the purpose of carrying out the Secretary’s
11 duties under subparagraph (A), the Secretary of Home-
12 land Security shall, in consultation with the Commis-
13 sioner, develop and maintain the following information:

14 “(i) The name, social security account number,
15 and date of birth of each individual who is author-
16 ized by the Secretary of Homeland Security or the
17 Secretary of State to be employed in the United
18 States.

19 “(ii) The date on which each such authorization
20 is granted.

21 “(iii) The date on which each such authoriza-
22 tion is revoked or terminated.

23 “(iv) The date of naturalization for each indi-
24 vidual who becomes a naturalized citizen of the
25 United States.

1 “(C) The information provided to the Commissioner
2 under subparagraph (A) relating to years in which an indi-
3 vidual was not authorized to be employed in the United
4 States during any portion of a year shall be the final de-
5 termination of the Secretary of Homeland Security after
6 an opportunity for review or appeal under procedures
7 which shall be established by the Secretary of Homeland
8 Security and shall not be reviewable by the Commissioner.

9 “(3) Paragraph (1) shall not apply with respect to
10 an individual who was assigned a social security account
11 number prior to the date of the enactment of the No Social
12 Security Numbers and Benefits for Illegal Aliens Act of
13 2015.”.

14 (b) DISREGARD OF EARNINGS FOR YEARS FOR
15 WHICH NO QUARTER OF COVERAGE MAY BE CRED-
16 ITED.—Section 215(e) of such Act (42 U.S.C. 415(e)) is
17 amended—

18 (1) by striking “and” at the end of paragraph

19 (1);

20 (2) by striking the period at the end of para-
21 graph (2) and inserting “; and”; and

22 (3) by adding at the end the following new
23 paragraph:

24 “(3) in computing the average indexed monthly
25 earnings of an individual, there shall not be counted

1 any annual wages or self-employment income for any
2 year for which no quarter of coverage may be cred-
3 ited to such individual as a result of the application
4 of section 214(d)(1).”.

5 (c) TRANSMISSION OF INFORMATION FROM COMMIS-
6 SIONER TO SECRETARY.—Section 205(c)(2) of such Act
7 (42 U.S.C. 405(c)(2)) is amended by adding at the end
8 the following new subparagraph:

9 “(I) The Commissioner and the Secretary of Home-
10 land Security shall enter into an agreement to establish
11 a system to transmit to the Secretary of Homeland Secu-
12 rity any social security account number assigned to an in-
13 dividual after the date of the enactment of the No Social
14 Security Numbers and Benefits for Illegal Aliens Act of
15 2015, and other identifying information relating to such
16 individual, in any case in which such individual is not a
17 citizen or national of the United States at the time of the
18 assignment of such number to such individual. The Sec-
19 retary of Homeland Security shall incorporate such num-
20 ber and other identifying information into all records of
21 the Department of Homeland Security maintained with re-
22 spect to such individual.”.

23 (d) EFFECTIVE DATES.—

24 (1) Section 214(d)(1) of the Social Security Act
25 (added by subsection (a)) shall be effective with re-

1 spect to quarters of coverage credited for calendar
2 years commencing after the date on which the Sec-
3 retary of Homeland Security and the Commissioner
4 certify, by publication in the Federal Register, that
5 the system for developing and maintaining informa-
6 tion pursuant to section 214(d)(2)(B) of the Social
7 Security Act (added by subsection (a)) is oper-
8 ational.

9 (2) The Commissioner of Social Security and
10 the Secretary of Homeland Security shall enter into
11 the agreement described in section 205(c)(2) of the
12 Social Security Act (added by subsection (c)) not
13 later than 180 days after the date of the enactment
14 of this Act.

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