

113TH CONGRESS
2^D SESSION

H. R. 5774

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

DECEMBER 1, 2014

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 2014”.

1 **SEC. 2. PROHIBITION ON ASSIGNMENT OF SOCIAL SECU-**
2 **RITY ACCOUNT NUMBERS TO CERTAIN INDI-**
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) the Secretary of Homeland Security has
12 determined has been authorized to be employed in
13 the United States in accordance with the Depart-
14 ment of Homeland Security memorandum dated No-
15 vember 20, 2014 with the subject line ‘Exercising
16 Prosecutorial Discretion with Respect to Individuals
17 Who Came to the United States as Children and
18 with Respect to Certain Individuals Who Are the
19 Parents of U.S. Citizens or Permanent Residents’;
20 and

21 “(II) would not be so authorized but for such
22 Department of Homeland Security memorandum.”.

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

24 (a) FULLY INSURED AND CURRENTLY INSURED IN-
25 DIVIDUALS.—Section 214(c)(1) of the Social Security Act
26 (42 U.S.C. 414(c)(1)) is amended by striking “subclause

1 (I) or (III) of section 205(c)(2)(B)(i)” and inserting “sub-
2 clause (I) or (III) of clause (i) of section 205(c)(2)(B) and
3 clause (iv) of such section”.

4 (b) **DISABILITY BENEFITS.**—Section 223(a)(1)(C)(i)
5 of the Social Security Act (42 U.S.C. 423(a)(1)(C)(i)) is
6 amended by striking “subclause (I) or (III) of section
7 205(c)(2)(B)(i)” and inserting “subclause (I) or (III) of
8 clause (i) of section 205(c)(2)(B) and clause (iv) of such
9 section”.

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

12 (a) **IN GENERAL.**—Section 214 of the Social Security
13 Act (42 U.S.C. 414) is amended by adding at the end the
14 following:

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

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

21 “(B) the Secretary of Homeland Security deter-
22 mines, pursuant to paragraph (2), that such indi-
23 vidual was not authorized to be employed in the
24 United States during any portion of such calendar
25 year.

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

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

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

16 “(ii) The date on which each such authorization
17 is granted.

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

20 “(iv) The date of naturalization for each indi-
21 vidual who becomes a naturalized citizen of the
22 United States.

23 “(C) The information provided to the Commissioner
24 under subparagraph (A) relating to years in which an indi-
25 vidual was not authorized to be employed in the United

1 States during any portion of a year shall be the final de-
2 termination of the Secretary of Homeland Security after
3 an opportunity for review or appeal under procedures
4 which shall be established by the Secretary of Homeland
5 Security and shall not be reviewable by the Commissioner.

6 “(3) Paragraph (1) shall not apply with respect to
7 an individual who was assigned a social security account
8 number prior to the date of the enactment of the No Social
9 Security Numbers and Benefits for Illegal Aliens Act of
10 2014.”.

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

15 (1) by striking “and” at the end of paragraph
16 (1);

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

19 (3) by adding at the end the following new
20 paragraph:

21 “(3) in computing the average indexed monthly
22 earnings of an individual, there shall not be counted
23 any annual wages or self-employment income for any
24 year for which no quarter of coverage may be cred-

1 ited to such individual as a result of the application
2 of section 214(d)(1).”.

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

7 “(I) The Commissioner and the Secretary of Home-
8 land Security shall enter into an agreement to establish
9 a system to transmit to the Secretary of Homeland Secu-
10 rity any social security account number assigned to an in-
11 dividual after the date of the enactment of the No Social
12 Security Numbers and Benefits for Illegal Aliens Act of
13 2014, and other identifying information relating to such
14 individual, in any case in which such individual is not a
15 citizen or national of the United States at the time of the
16 assignment of such number to such individual. The Sec-
17 retary of Homeland Security shall incorporate such num-
18 ber and other identifying information into all records of
19 the Department of Homeland Security maintained with re-
20 spect to such individual.”.

21 (d) EFFECTIVE DATES.—

22 (1) Section 214(d)(1) of the Social Security Act
23 (added by subsection (a)) shall be effective with re-
24 spect to quarters of coverage credited for calendar
25 years commencing after the date on which the Sec-

1 retary of Homeland Security and the Commissioner
2 certify, by publication in the Federal Register, that
3 the system for developing and maintaining informa-
4 tion pursuant to section 214(d)(2)(B) of the Social
5 Security Act (added by subsection (a)) is oper-
6 ational.

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

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