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Congress of the United States  
House of Representatives

BARBARA CUBIN

WYOMING—AT LARGE

Support an Increase in Social Security Oversight  
Support the STAR Act

WASHINGTON OFFICE:  
1114 LONGWORTH HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515  
(202) 225-2311  
FAX: (202) 225-3057

WYOMING OFFICES:  
100 EAST B STREET  
SUITE 4003  
P.O. Box 44003  
CASPER, WY 82602-5014  
(307) 261-6595  
FAX: (307) 261-6597

2120 CAPITOL AVENUE  
SUITE 2015  
CHEYENNE, WY 82001  
(307) 772-2595  
FAX: (307) 772-2597

2515 FOOTHILL BOULEVARD  
SUITE 204  
ROCK SPRINGS, WY 82901  
(307) 362-4095  
FAX: (307) 362-4097

Dear Colleague:

Currently on the books, there is a detrimental statutory flaw regarding U.S. Totalization Agreements, which allows for the recognition of retirement contributions between the U.S. and another country's retirement system so that citizens who work abroad get credit for the work they do while in another country.

Under current law, if the President enters into a Totalization Agreement with another country, Congress has only 60 days to pass a resolution of disapproval to reject that agreement once it has been submitted. If no action occurs in that time frame, Congress is deemed to be in support of the agreement – essentially a passive confirmation. If either House of Congress, however, were to pass a resolution of disapproval, Supreme Court precedent suggests that it would be an unconstitutional legislative veto. In short, Congress has no true oversight over these agreements.

Since 1978, the U.S. has entered into bilateral Totalization Agreements with 21 nations. In 2004, the U.S. reached a Totalization Agreement with Mexico, but the President has yet to submit it to Congress. The expected impact was made public by a Freedom of Information Act request, which makes it clear that the agreement does nothing to prevent employees from collecting benefits for work done while in the United States illegally. The Government Accountability Office has indicated that this agreement will increase the number of unauthorized workers eligible for Social Security benefits.

H.R. 279, the Social Security Totalization Agreement Reform Act of 2007 or STAR Act, would establish expedited consideration of any Totalization Agreement, requiring an affirmative approval from both Houses of Congress for that agreement to take effect. Similar to legislation I introduced last Congress, the STAR Act also increases the amount of information that must accompany the agreement once the President submits it to Congress.

Modeled after the approval process for trade agreements, H.R. 279 ensures that Congressional jurisdiction is not ceded to the Executive Branch. The Legislative branch must protect its jurisdiction, and Members deserve the opportunity to vote their conscience on Totalization Agreements.

Please join me in protecting our rightful jurisdiction by cosponsoring H.R. 279. For more information or to cosponsor, please contact Josh Morrison in my office at 5-6663, or by email at [josh.morrison@mail.house.gov](mailto:josh.morrison@mail.house.gov).

Sincerely,

Barbara Cubin  
Member of Congress