

113TH CONGRESS
2D SESSION

H. R. 5739

To amend the Social Security Act to provide for the termination of social security benefits for individuals who participated in Nazi persecution, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 19, 2014

Mr. SAM JOHNSON of Texas (for himself, Mr. BECERRA, Mr. CAMP, Mr. LEVIN, Mrs. BLACK, Mr. BLUMENAUER, Mr. BUCHANAN, Mr. CROWLEY, Mr. DANNY K. DAVIS of Illinois, Mr. DOGGETT, Mr. GERLACH, Mr. GRIFFIN of Arkansas, Ms. JENKINS, Mr. KELLY of Pennsylvania, Mr. LARSON of Connecticut, Mr. LEWIS, Mr. NUNES, Mr. PASCRELL, Mr. RANGEL, Mr. REICHERT, Ms. LINDA T. SÁNCHEZ of California, Mr. SCHOCK, Ms. SCHWARTZ, Mr. THOMPSON of California, Mr. TIBERI, Mr. BURGESS, Ms. CLARKE of New York, Mr. COHEN, Mr. DIAZ-BALART, Ms. ESTY, Mr. FINCHER, Ms. FUDGE, Mr. JOYCE, Mr. LANCE, Mr. SMITH of Missouri, and Ms. SPEIER) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend the Social Security Act to provide for the termination of social security benefits for individuals who participated in Nazi persecution, 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 for
5 Nazis Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) Congress enacted social security legislation
4 to provide earned benefits for workers and their
5 families, should they retire, become disabled, or die.

6 (2) Congress never intended for participants in
7 Nazi persecution to be allowed to enter the United
8 States or to reap the benefits of United States resi-
9 dency or citizenship, including participation in the
10 Nation's Social Security program.

11 **SEC. 3. TERMINATION OF BENEFITS.**

12 (a) IN GENERAL.—Section 202(n)(3) of the Social
13 Security Act (42 U.S.C. 402(n)(3)) is amended to read
14 as follows:

15 “(3) For purposes of paragraphs (1) and (2) of this
16 subsection—

17 “(A) an individual against whom a final order
18 of removal has been issued under section
19 237(a)(4)(D) of the Immigration and Nationality
20 Act on grounds of participation in Nazi persecution
21 shall be considered to have been removed under such
22 section as of the date on which such order became
23 final;

24 “(B) an individual with respect to whom an
25 order admitting the individual to citizenship has
26 been revoked and set aside under section 340 of the

1 Immigration and Nationality Act in any case in
2 which the revocation and setting aside is based on
3 conduct described in section 212(a)(3)(E)(i) of such
4 Act (relating to participation in Nazi persecution),
5 concealment of a material fact about such conduct,
6 or willful misrepresentation about such conduct shall
7 be considered to have been removed as described in
8 paragraph (1) as of the date of such revocation and
9 setting aside; and

10 “(C) an individual who pursuant to a settle-
11 ment agreement with the Attorney General has ad-
12 mitted to conduct described in section
13 212(a)(3)(E)(i) of the Immigration and Nationality
14 Act (relating to participation in Nazi persecution)
15 and who pursuant to such settlement agreement has
16 lost status as a national of the United States by a
17 renunciation under section 349(a)(5) of the Immi-
18 gration and Nationality Act shall be considered to
19 have been removed as described in paragraph (1) as
20 of the date of such renunciation.”.

21 (b) OTHER BENEFITS.—Section 202(n) of such Act
22 (42 U.S.C. 402(n)) is amended by adding at the end the
23 following:

1 “(4) In the case of any individual described in para-
2 graph (3) whose monthly benefits are terminated under
3 paragraph (1)—

4 “(A) no benefits otherwise available under sec-
5 tion 202 based on the wages and self-employment
6 income of any other individual shall be paid to such
7 individual for any month after such termination; and

8 “(B) no supplemental security income benefits
9 under title XVI shall be paid to such individual for
10 any such month, including supplementary payments
11 pursuant to an agreement for Federal administra-
12 tion under section 1616(a) and payments pursuant
13 to an agreement entered into under section 212(b)
14 of Public Law 93–66”.

15 **SEC. 4. NOTIFICATIONS.**

16 Section 202(n)(2) of the Social Security Act (42
17 U.S.C. 402(n)(2)) is amended to read as follows:

18 “(2)(A) In the case of the removal of any indi-
19 vidual under any of the paragraphs of section 237(a)
20 of the Immigration and Nationality Act (other than
21 under paragraph (1)(C) of such section) or under
22 section 212(a)(6)(A) of such Act, the revocation and
23 setting aside of citizenship of any individual under
24 section 340 of the Immigration and Nationality Act
25 in any case in which the revocation and setting aside

1 is based on conduct described in section
2 212(a)(3)(E)(i) of such Act (relating to participation
3 in Nazi persecution), or the renunciation of nation-
4 ality by any individual under section 349(a)(5) of
5 such Act pursuant to a settlement agreement with
6 the Attorney General where the individual has ad-
7 mitted to conduct described in section
8 212(a)(3)(E)(i) of the Immigration and Nationality
9 Act (relating to participation in Nazi persecution)
10 occurring after the date of the enactment of the No
11 Social Security for Nazis Act, the Attorney General
12 or the Secretary of Homeland Security shall notify
13 the Commissioner of Social Security of such re-
14 moval, revocation and setting aside, or renunciation
15 of nationality not later than 7 days after such re-
16 moval, revocation and setting aside, or renunciation
17 of nationality (or, in the case of any such removal,
18 revocation and setting aside, of renunciation of na-
19 tionality that has occurred prior to the date of the
20 enactment of the No Social Security for Nazis Act,
21 not later than 7 days after such date of enactment).

22 “(B)(i) Not later than 30 days after the enact-
23 ment of the No Social Security for Nazis Act, the
24 Attorney General shall certify to the Committee on
25 Ways and Means of the House of Representatives

1 and the Committee on Finance of the Senate that
2 the Commissioner of Social Security has been noti-
3 fied of each removal, revocation and setting aside, or
4 renunciation of nationality described in subpara-
5 graph (A).

6 “(ii) Not later than 30 days after each notifica-
7 tion with respect to an individual under subpara-
8 graph (A), the Commissioner of Social Security shall
9 certify to the Committee on Ways and Means of the
10 House of Representatives and the Committee on Fi-
11 nance of the Senate that such individual’s benefits
12 were terminated under this subsection.”.

13 **SEC. 5. EFFECTIVE DATE.**

14 The amendments made by this Act shall apply with
15 respect to benefits paid for any month beginning after the
16 date of the enactment of this Act.

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