

113<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5739

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IN THE SENATE OF THE UNITED STATES

DECEMBER 3, 2014

Received

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## AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “No Social Security for  
3 Nazis Act”.

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

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

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

14 **SEC. 3. TERMINATION OF BENEFITS.**

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

18 “(3) For purposes of paragraphs (1) and (2) of this  
19 subsection—

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

1           “(B) an individual with respect to whom an  
2           order admitting the individual to citizenship has  
3           been revoked and set aside under section 340 of the  
4           Immigration and Nationality Act in any case in  
5           which the revocation and setting aside is based on  
6           conduct described in section 212(a)(3)(E)(i) of such  
7           Act (relating to participation in Nazi persecution),  
8           concealment of a material fact about such conduct,  
9           or willful misrepresentation about such conduct shall  
10          be considered to have been removed as described in  
11          paragraph (1) as of the date of such revocation and  
12          setting aside; and

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

1 (b) OTHER BENEFITS.—Section 202(n) of such Act  
2 (42 U.S.C. 402(n)) is amended by adding at the end the  
3 following:

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

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

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

18 **SEC. 4. NOTIFICATIONS.**

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

21 “(2)(A) In the case of the removal of any indi-  
22 vidual under any of the paragraphs of section 237(a)  
23 of the Immigration and Nationality Act (other than  
24 under paragraph (1)(C) of such section) or under  
25 section 212(a)(6)(A) of such Act, the revocation and

1 setting aside of citizenship of any individual under  
2 section 340 of the Immigration and Nationality Act  
3 in any case in which the revocation and setting aside  
4 is based on conduct described in section  
5 212(a)(3)(E)(i) of such Act (relating to participation  
6 in Nazi persecution), or the renunciation of nation-  
7 ality by any individual under section 349(a)(5) of  
8 such Act pursuant to a settlement agreement with  
9 the Attorney General where the individual has ad-  
10 mitted to conduct described in section  
11 212(a)(3)(E)(i) of the Immigration and Nationality  
12 Act (relating to participation in Nazi persecution)  
13 occurring after the date of the enactment of the No  
14 Social Security for Nazis Act, the Attorney General  
15 or the Secretary of Homeland Security shall notify  
16 the Commissioner of Social Security of such re-  
17 moval, revocation and setting aside, or renunciation  
18 of nationality not later than 7 days after such re-  
19 moval, revocation and setting aside, or renunciation  
20 of nationality (or, in the case of any such removal,  
21 revocation and setting aside, of renunciation of na-  
22 tionality that has occurred prior to the date of the  
23 enactment of the No Social Security for Nazis Act,  
24 not later than 7 days after such date of enactment).

1           “(B)(i) Not later than 30 days after the enact-  
2           ment of the No Social Security for Nazis Act, the  
3           Attorney General shall certify to the Committee on  
4           Ways and Means of the House of Representatives  
5           and the Committee on Finance of the Senate that  
6           the Commissioner of Social Security has been noti-  
7           fied of each removal, revocation and setting aside, or  
8           renunciation of nationality described in subpara-  
9           graph (A).

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

17 **SEC. 5. EFFECTIVE DATE.**

18           The amendments made by this Act shall apply with  
19           respect to benefits paid for any month beginning after the  
20           date of the enactment of this Act.

          Passed the House of Representatives December 2,  
2014.

Attest:

KAREN L. HAAS,

*Clerk.*