



## SOCIAL SECURITY

April 10, 2017

Dear [REDACTED]:

I am responding to your October 30, 2014 Freedom of Information Act (FOIA) request for all Social Security Administration (SSA) records since January 1997 to present that the agency's Office of International Programs, Office of International Operations, Office of the Commissioner, Office of the General Counsel and the Office of Legislation and Congressional Affairs may have about Social Security benefits and suspected Nazi War Criminals.

We reviewed your request under FOIA (5 U.S.C. § 552) and we located approximately 2,422 pages of responsive documents. We are releasing 185 pages of SSA's final records in connection with this request. We are withholding 1,965 pages under FOIA Exemptions 5 and 6, as described below. Included in our search, we located 269 pages that we believe belong to the U.S. Department of Justice (DOJ) and three (3) pages that we believe belong to the U.S. Department of State (DOS). Accordingly, we have referred the records to DOJ and to DOS for processing and direct response to you.

### **FOIA Exemption 5**

We are withholding documents based on FOIA Exemption 5 that protects the deliberative process. FOIA Exemption 5 protects advice, opinions, recommendations, predecisional discussion, and evaluative remarks that are part of the government decision-making process. Release of such predecisional advisory communications would harm the quality of agency decision-making and the policy of encouraging frank, open discussion among agency personnel before making a decision (5 U.S.C. §552 (b)(5)).

The most commonly invoked privilege within Exemption 5 is the deliberative process privilege. The general purposes of this privilege are to prevent injury to the quality of agency decisions and to protect government agencies' decision-making processes. The deliberative process privilege allows agencies to freely explore alternative avenues of action and to engage in internal debates without fear of public scrutiny (Missouri ex rel.

Shorr v. United States Army Corps of Engineers, 147 F.3d 708, 710 (8<sup>th</sup> Cir. 1998)). Exemption 5 protects not merely documents, but also the integrity of the deliberative process itself, where the exposure of that process could result in harm.

We are also withholding documents containing attorney-client information under FOIA Exemption 5 (5 U.S.C. § 552(b)(5)). The underlying purpose of this privilege is to protect confidential communications between the attorney and the client. The attorney-client privilege applies to facts divulged by a client to his attorney, and to opinions given by an attorney to his client based on those facts. Schlefer v. United States, 702 F.2d 233, 245 (D.C. Cir. 1983).

### **FOIA Exemption 6**

When we receive a request from a member of the public to release personal information about another individual from our records, we must balance the individual's privacy interest in withholding the information against the public interest in disclosing the information. We must determine whether disclosure would affect a personal privacy interest. Individuals clearly have a substantial personal privacy interest in the personal details furnished to the Government. On the other hand, the only public interest we must consider is whether the information sought would shed light on the way an agency performs its statutory duties. We may not consider the identity of the requester or the purpose for which the information is requested. While the public has an interest in knowing how the Social Security Administration administers the Social Security Act, disclosing records containing personal information about named individuals would not shed light on how the agency performs its statutory duties. Therefore, disclosing the names and contact information of certain individuals would be a clearly unwarranted invasion of personal privacy, and FOIA Exemption 6 (5 U.S.C. § 552(b)(6)) does not require disclosure.

If you would like further assistance with your request, you may contact our FOIA Public Liaison by email at [FOIA.Public.Liaison@ssa.gov](mailto:FOIA.Public.Liaison@ssa.gov); by phone at 410-965-1727, by choosing Option 2; or facsimile at 410-965-0869. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road – OGIS, College Park, MD 20740-6001; email at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll-free at 1-877-684-6448; or facsimile at 202-741-5769.

You may contact DOJ and DOS as follows:

Office of Information Policy  
U.S. Department of Justice  
Suite 11050  
1425 New York Avenue  
Washington, DC 20530  
Email: [DOJ.OIP.FOIA@usdoj.gov](mailto:DOJ.OIP.FOIA@usdoj.gov)  
Facsimile: 202-514-1009

Ms. Kellie Robinson, Public Liaison  
U.S. Department of State  
A/GIS/IPS/PP  
SA-2, Suite 8100  
Washington, DC 20522-0208  
Phone: 202-663-2222  
Email: [RobinsonKN@state.gov](mailto:RobinsonKN@state.gov)  
Facsimile: 202-663-2764

If you disagree with this decision, you may file a written appeal with the Executive Director for the Office of Privacy and Disclosure, Social Security Administration, 617 Altmeyer Building, 6401 Security Boulevard, Baltimore, Maryland 21235. Your appeal must be postmarked or electronically transmitted to [^FOIA.PA.Officers@ssa.gov](mailto:FOIA.PA.Officers@ssa.gov) within 90 days of the date of our response to your initial request. Please mark the envelope or subject line with “Freedom of Information Appeal.”

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Chyn', with a stylized flourish at the end.

Monica Chyn  
Acting Freedom of Information Officer

Enclosure

COMMON 005025

005025/150200



# SOCIAL SECURITY

Office of International Policy  
P.O. Box 17741  
Baltimore, Maryland 21235

MAR - 6 1997

Refer to: (b) (6)

(b) (6)

Dear (b) (6):

We have recently learned that you have lost your U.S. citizenship and are no longer living in the United States. Please note that people receiving Social Security benefits are responsible for notifying us whenever they move to a new address. We discussed this reporting requirement with you when you filed your application for retirement benefits.

In order to determine if you can continue to receive your benefits while you are abroad, we need to know your current citizenship status and the address where you now reside. Please send this information to me at the above address within 30 days from the date of this letter. (You can use the enclosed envelope to mail your reply.)

If we do not hear from you within 30 days, we will take action to stop your monthly payments.

Sincerely,

Barry L. Powell  
Deputy Associate Commissioner  
for International Policy

Enclosure

TRANSACTION REPORT

MAR- 6-97 WED 14:48

DATE	START	RECEIVER	TX TIME	PAGES	TYPE	NOTE
MAR- 6	14:48	914157442937	1' 49"	2	SEND	OK



# SOCIAL SECURITY

Office of International Policy  
P.O. Box 17741  
Baltimore, Maryland 21235

MAR 28 1997

Refer to:

(b) (6)

(b) (6)

Dear

(b) (6)

This refers to your letter of March 18, 1997 advising us of your current address and "stateless" status.

We need additional information and evidence from you in order to determine whether you can continue to receive your retirement benefits outside the United States. We have asked the Federal Benefits Unit (FBU) of the American Consulate General in Frankfurt to get in touch with you about this. You should be hearing from the FBU shortly.

For your information, we are enclosing a booklet entitled "Social Security--Your Payments While You Are Outside The United States."

Sincerely,

Barry L. Powell  
Deputy Associate Commissioner  
for International Policy

Enclosure



OFFICE OF SPECIAL INVESTIGATIONS  
CRIMINAL DIVISION

# TELEFAX

TRANSMITTED TO:

TELEPHONE (FAX #): 410-966-7025

NAME:

Ms. TERRY FAHEY

ORGANIZATION: Office of International Policy  
Social Security Administration

ADDRESS: P.O. Box 17741  
Baltimore, MD 21235

TELEPHONE/EXTENSION (Voice):  
410-965-3566

TRANSMITTED FROM:

TELEPHONE: 202-616-2491

NAME: Eli M. Rosenbaum, Director

ORGANIZATION: Office of Special Investigations

ADDRESS: Suite 1000,  
1001 G Street, NW, Wash. DC 20530

TELEPHONE/EXTENSION (Voice):  
(202) 616-2492

TRANSMISSION DATE:

4/19/00

PAGES TRANSMITTED:

2

(Do NOT count this cover sheet)

## CONTENTS/MESSAGE:

For your information.

THIS FACSIMILE IS INTENDED ONLY FOR THE USE OF THE ADDRESSEE AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED AND CONFIDENTIAL. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY SENDER IMMEDIATELY BY TELEPHONE. THANK YOU.





OFFICE OF SPECIAL INVESTIGATIONS  
CRIMINAL DIVISION

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ADDRESS: Suite 1000, 1001 G Street, NW, Wash. DC 20530	TELEPHONE/EXTENSION (Voice): (202) 616-2492

TRANSMISSION DATE: 4/24/98	PAGES TRANSMITTED: 3
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Office of International Programs  
P.O. Box 17741  
Baltimore, Maryland 21235-7741

Contact: Ms. Terry Fahey  
(410) 965-3566

MAY 12 2006

Refer to: TAJA2/06-1598

(b) (6)

(b) (6)

(b) (6)

This refers to your letter of May 10, 2006 and your recent telephone conversations with Ms. Terry Fahey of my staff concerning the receipt of Social Security retirement benefits by people who have lost their U.S. citizenship by voluntary renunciation or denaturalization.

Before addressing the particular scenario you describe in your letter, we would like to recap the Social Security provisions you discussed with Ms. Fahey that may affect your non-U.S. citizen clients both in and outside the United States.

- The Social Security removal provisions (section 202(n) of the Social Security Act) generally prohibit payment of retirement benefits to non-U.S. citizen beneficiaries who have been removed from the United States under section 237(a) of the Immigration and Nationality Act (INA). Section 202(n)(3) further prohibits payments to those beneficiaries in the United States or abroad who are under a final order of removal pursuant to INA section 237(a)(4)(D), pertaining to activities in association with the Nazi Government of Germany.
- The Social Security law (section 202(y) of the Act) was amended in 1996 to require that non-U.S. citizen beneficiaries establish their "lawful presence" in the United States (as defined by the U.S. Attorney General) in order to receive payments. However, this requirement is restricted to beneficiaries in the United States whose claims were filed on or after December 1, 1996. Those who filed and became entitled before that date can receive their retirement benefits in the United States regardless of citizenship and/or lawful presence status. Thus, loss of U.S. citizenship through renunciation or denaturalization would have no effect on their continued receipt of benefits in the United States.

*Terry*

- Non-U.S. citizen beneficiaries who voluntarily move abroad (including those who have renounced or had their U.S. citizenship taken away) are subject to the alien nonpayment provisions under section 202(t) of the Social Security law. Generally, section 202(t) provides that a person who is not a U.S. citizen and who leaves the United States for at least 6 consecutive calendar months will receive no Social Security payments beginning with the 7th month of absence. However, it also provides for a number of exceptions that allow many non-U.S. citizens abroad to receive their payments without interruption. These exceptions are based, for the most part, on the citizenship or country of residence of the beneficiary.

For example, retirement beneficiaries who are citizens of certain countries (such as Austria, Germany, Croatia, Hungary, Poland) can meet an exception to the alien nonpayment provisions on the basis of their citizenship and can continue receiving benefits while residing almost anywhere in the world. (Note that dependent or survivor beneficiaries may have to meet an additional U.S. residence requirement in order to meet this exception.) Also, those who are residents of countries with which the United States has a Social Security agreement (such as Canada, France, Netherlands, the United Kingdom) may receive their benefits in that country without interruption on the basis of their residence. Retirement beneficiaries who are “stateless” (i.e., they cannot claim citizenship of any country) may continue receiving their benefits abroad if they lived in the United States for at least 10 years or they earned at least 40 credits under the Social Security System.

Your hypothetical scenario involves a retirement beneficiary entitled to benefits prior to December 1996 who loses his U.S. citizenship by renunciation or denaturalization and leaves the United States voluntarily to live in Ukraine.

Such a beneficiary would not meet an exception to the alien nonpayment provisions on the basis of Ukrainian citizenship (if alleged) and/or residence. On the other hand, he could meet an exception if he were to establish that he is a stateless individual or that he has acquired or retained citizenship of another country whose citizens can meet an exception to the nonpayment provisions. Should the beneficiary allege he is stateless, we would require a statement from government officials in all countries (other than the United States) where he formerly held citizenship to confirm that he is no longer a citizen of that country. We would also require evidence to establish any alleged citizenship in another country.

You can get more specific information on the alien nonpayment citizenship/residence exceptions and other exceptions that permit payments to aliens abroad by reviewing our booklet entitled “Your Social Security Benefits While You Are Outside The United States.” Information from this booklet is available on our Internet site at <http://socialsecurity.gov/international/>. We will mail you a copy under separate cover.

It is important to note that even if your hypothetical beneficiary were to establish that he meets an exception and qualifies to receive benefits in Ukraine under the alien nonpayment provisions, other conditions exist that may prohibit us from sending him benefits in that country. Generally, the Social Security Administration (SSA) imposes restrictions that prohibit the payment of benefits to, or on behalf of, beneficiaries in certain countries, including Ukraine, whose governments have not given SSA access to beneficiaries and vital statistics records within their countries. However, special procedures have been designed to permit payments to certain beneficiaries on the condition that they appear personally each month at the U.S. Embassy or consulate nearest their address and present evidence of their identity. We are enclosing a fact sheet that will give you more information about this special procedure.

We hope this information is helpful. Please feel free to write to us again or telephone Ms. Fahey if you have additional questions or concerns. Her address and telephone number are shown at the top of this letter.

Sincerely,

Georgina R. Harding  
Acting Deputy Associate Commissioner  
for International Programs

Enclosures

cc:

Official File, 1108 WHR

Reading File, 1104 WHR

Reading File, 1108 WHR

JDRIVE/FPPT Files/NAZIS/ (b) (6)

TAJA2: Tfahey 5/12/06

CL 8-5-1—INQUIRY ATTY (b) (6)

**SOCIAL SECURITY ADMINISTRATION**

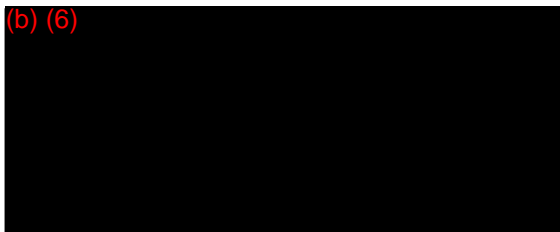
Office of International Programs  
P.O. Box 17741  
Baltimore, Maryland 21235-7741

Contact: Ms. Terry Fahey  
(410) 965-3566

**MAY 12 2006** ✓

Refer to: TAJA2/06-1598

(b) (6)



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OFFICE	SURNAME	DATE	OFFICE	SURNAME	DATE
			TAJA 2	<i>Fahey</i>	5/12
			TAJA	<i>Hoyle</i>	5/12
CERTIFIED: WRITTEN IN PLAIN LANGUAGE					

FILE COPY

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TAJA2: Tfahey 5/12/06

CL 8-5-1—INQUIRY ATTY (b) (6)

(b) (6)



\* Also Admitted in Washington D.C.,  
Florida, New York, and the U.S.  
Patent and Trademark Office

(b) (6)

May 10, 2006

Ms. Terry Fahee  
Social Security Benefits Administration  
6401 Security Blvd.  
Baltimore, MD 21235

*Via Fax @ 410-966-7025*

Re: Written Opinion

Dear Ms. Fahee:

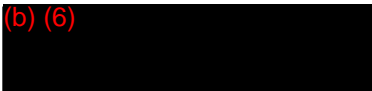
I would first like to thank you for all of your assistance in regards to this matter and appreciate your patience in explaining a rather complex issue.

In reference to our telephone conversation on May 9, 2006, I inquired about the following hypothetical fact scenario:

*Will an individual who has been receiving Social Security benefits prior to December of 1996, who voluntarily renounces his United States citizenship (or is denaturalized), still be entitled to receive Social Security benefits should he voluntarily leave the United States and move to Ukraine?*

I would summarize my understanding of your response as follows: If individual were to be denaturalized or were to voluntarily renounce his United States citizenship, he would still be entitled to his Social Security benefits under the Social Security Act provided that he remain inside the United States, since lawful presence provisions of the Social Security Act do not apply to those individuals receiving monthly benefits prior to December 1996. However, if individual were to be denaturalized or voluntarily renounce his citizenship and then voluntarily leave (note: there are different rules for cases of removal) from this country and go to Ukraine, he would be *ineligible* to receive such benefits upon his sixth month outside the country. There would be a possible exception to this rule which would go as follows: In order for individual to still possibly receive benefits in Ukraine, he would have to qualify as a "Stateless Person". The "Stateless

(b) (6)





Person" exception is an office policy that is not part of the actual statute. A "Stateless Person" is described as a person who has no official citizenship, which individual would seemingly qualify for as long as he didn't retain any incident of citizenship from Ukraine or any other country before he left for United States. In order to qualify as a "Stateless Person" individual would have to satisfy the Social Security Administration of this fact. This would require evidence from the Ukrainian government that individual is not a citizen of Ukraine. It was explained that this process is very difficult in Ukraine since Ukraine does not allow the United States any access to Ukrainian government records. As a "Stateless Person" individual would come under an exception for persons who have resided in the United States for ten years or who have earned at least forty quarters of coverage. However, even if such evidence is obtained, there are further issues with respect to sending such payments into Ukraine and that arrangements would have to be made with the embassy since the Ukrainian government does not allow such payments to come through.

Per my request during our follow-up telephone conversation on May 9, 2006, for reasons of clarity and reassurance, I would respectfully request a written opinion letter on the aforementioned hypothetical fact scenario.

As time is of the essence, we eagerly await your response. Please fax said response to the above listed fax number. Should you have any questions, please do not hesitate to contact (b) (6) or the undersigned at your convenience.

Again, thank you for your assistance on this matter.

Very truly yours,

(b) (6)

(b) (6)

# **SPECIAL PROCEDURE FOR THE PAYMENT OF SOCIAL SECURITY BENEFITS TO BENEFICIARIES IN CERTAIN COUNTRIES**

## **GENERAL INFORMATION**

Generally, Social Security restrictions prohibit the payment of benefits to, or on behalf of, beneficiaries in the countries listed below. This is because the governments of these countries have not given the Social Security Administration (SSA) assurance of free access to beneficiaries and vital statistics records in these countries.

However, SSA has established a special procedure that permits payment to certain eligible beneficiaries in these countries. This procedure is an effort to balance SSA's need to ensure the integrity of payments to beneficiaries in these countries against SSA's inability to obtain assurance of free access to beneficiaries and vital statistics records. Payment is limited to beneficiaries who can handle their own benefits and who agree to the conditions under which payment can be made.

## **COUNTRIES TO WHICH THIS PROCEDURE APPLIES**

This procedure applies to beneficiaries in:

Azerbaijan	Moldova
Belarus	Tajikistan
Cambodia	Turkmenistan
Georgia	Ukraine
Kazakhstan	Uzbekistan
Kyrgyzstan	Vietnam

## **CONDITIONS UNDER WHICH PAYMENT CAN BE MADE**

To receive payments under this procedure, each eligible beneficiary must agree to the following conditions:

1. He or she must appear personally at the nearest U.S. Embassy or consulate each month and present evidence of his or her identity. If he or she is paid by check, it will be delivered at that time. It will not be given to anyone acting on his or her behalf, nor will it be mailed.
2. If he or she does not appear in person, the check will be returned to the U.S.

Treasury Department. If payment is made by direct deposit, the Embassy or consulate will notify SSA and his or her benefits will be stopped. They will not be resumed until he or she appear at the Embassy or consulate and establish his or her eligibility for benefits.

3. The beneficiary will not be paid through a representative payee. Benefits will be suspended if the beneficiary is unable to manage his or her own affairs.
4. The beneficiary must notify the Embassy or consulate promptly of any change in his or her citizenship and any change of address.
5. The beneficiary's family must notify the Embassy or consulate promptly if he or she becomes incapacitated or dies.

## **HOW TO REQUEST PAYMENTS UNDER THIS PROCEDURE**

A beneficiary cannot arrange to receive benefits in one of these countries before he or she goes to that country. However, before the beneficiary leaves the U.S., he or she should contact the nearest Social Security office. The people in that office will give the beneficiary information to help him or her decide whether he or she might be eligible for payment.

When the beneficiary goes to one of these countries, he or she should contact the nearest U.S. Embassy or consulate and tell the people in that office that he or she wants to receive Social Security benefits while he or she is in that country. The people in that office will assist the beneficiary with requesting payment. He or she should be prepared to present evidence of citizenship and identity (e.g., a current passport). The Embassy or consulate will send the request to SSA.

SSA will let the beneficiary know whether payment will, or will not, be made to him or her.

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Belarus	Tajikistan
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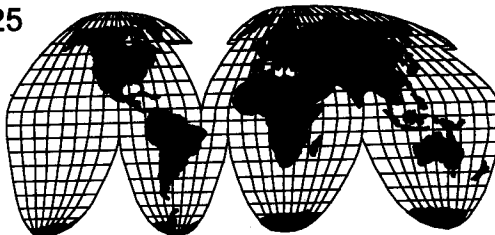
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Office of International Programs  
P.O. Box 17741  
Baltimore, MD 21235  
U.S.A.

**Social Security  
Administration**

Telephone Number : (410) 965-3566

Fax Number : (410) 966-7025



# Fax

<b>To:</b> (b) (6)	<b>From:</b> Terry Fahey
<b>Fax:</b> (b) (6)	<b>Pages:</b> 5
<b>Phone:</b> (b) (6)	<b>Date:</b> 5/12/2006

**Attached is our reply to your letter of May 10, 2006.**

A handwritten signature in cursive script, appearing to read "Terry Fahey".

MODE = MEMORY TRANSMISSION

START=MAY-12 13:14

END=MAY-12 13:15

FILE NO.= 198

STN NO.	COM.	ABBR NO.	STATION NAME/TEL.NO.	PAGES	DURATION
001	OK	a	(b) (6)	005/005	00:01'03"

-OFFICE OF INT'L PROGRAMS -

\*\*\*\*\* -

- \*\*\*\*\* - 410 966 7025- \*\*\*\*\*

Office of International Programs  
P.O. Box 17741  
Baltimore, MD 21235  
U.S.A.



Telephone Number : (410) 965-3566

Fax Number : (410) 966-7025

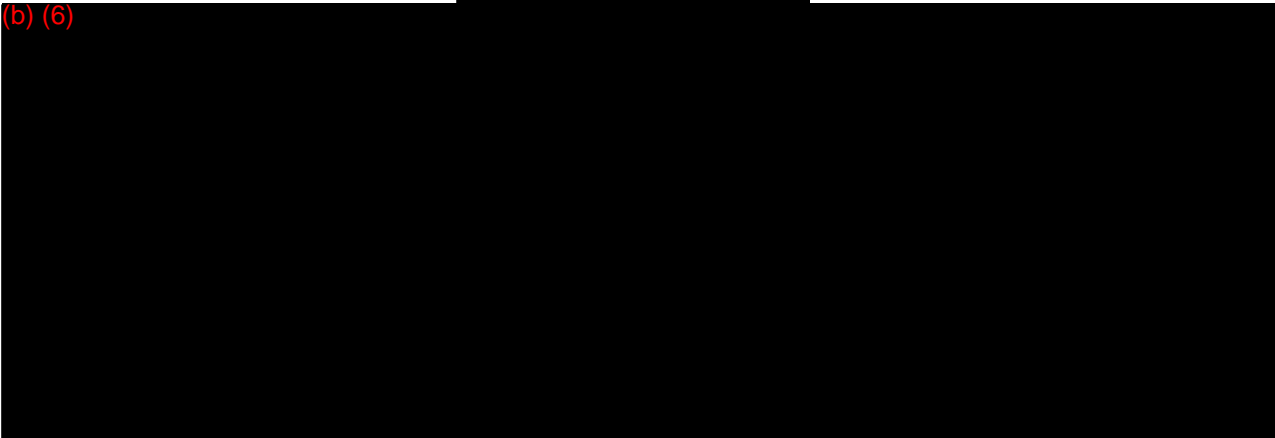


# Fax

To:	(b) (6)	From:	Terry Fahey
Fax:	(b) (6)	Pages:	5
Phone:	(b) (6)	Date:	5/12/2006

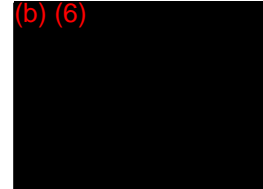
**Attached is our reply to your letter of May 10, 2006.**

(b) (6)



\*Also Admitted in Washington D.C.,  
Florida, New York, and the U.S.  
Patent and Trademark Office

(b) (6)



TO: Terry Fahee

FROM: (b) (6)

RE: Written Opinion

DATE: 5-10-06

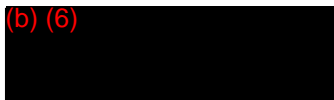
FAX NUMBER: 410-966-7025

PAGES (including cover sheet): 3

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*\*\*\*\*  
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\*\*\*\*\*

(b) (6)



(b) (6)

---

**From:** Rosenbaum, Eli <Eli.Rosenbaum@usdoj.gov>  
**Sent:** Wednesday, May 16, 2012 9:32 AM  
**To:** Clark, Catherine E.  
**Cc:** (b) (6) ^OIP Controls  
**Subject:** Re: Contact Information for the Office of International Programs (OIP) for Future Communications

Dear Ms. Clark,

Many thanks for your e-mail. We will certainly proceed as you suggest in communicating regarding the remaining Nazi cases.

Best regards,  
Eli R.

Eli M. Rosenbaum  
Director, Human Rights Enforcement  
Strategy and Policy  
Human Rights and Special Prosecutions  
Section  
Criminal Division  
United States Department of Justice  
Washington, DC 20530

---

**From:** Clark, Catherine E. [mailto:Catherine.E.Clark@ssa.gov]  
**Sent:** Friday, May 11, 2012 12:05 PM  
**To:** Rosenbaum, Eli  
**Cc:** (b) (6) >; Clark, Catherine E. <Catherine.E.Clark@ssa.gov>; ^OIP Controls <OIP.Controls@SSA.Gov>  
**Subject:** Contact Information for the Office of International Programs (OIP) for Future Communications

Hello Mr. Rosenbaum,

My name is Catherine Clark. I left you a voice mail message but wanted to follow through with an e-mail.

Thank you for communicating information regarding Nazi cases to (b) (6). Based on your e-mail below, I see on August 16, 2007 you forwarded information on (b) (6) case to Terry Fahey. Terry Fahey retired on January 3, 2007. To avoid any further miscommunications, please send all future e-mails regarding Nazi cases to my components control box at [OIP.Controls@ssa.gov](mailto:OIP.Controls@ssa.gov). Please also cc me at [Catherine.E.Clark@ssa.gov](mailto:Catherine.E.Clark@ssa.gov) and (b) (6) at (b) (6). By sending e-mails through the ^OIP Control box, we can assure that your e-mail is received and assigned to the appropriate personnel and that a timely response is sent.

If you have any questions, please call me. Thanks.

Best regards,  
Catherine E. Clark  
Director, Office of Foreign Program Policy  
Office of International Programs  
Office of the Commissioner

Social Security Administration  
3706 Robert M. Ball Building  
[Catherine.E.Clark@ssa.gov](mailto:Catherine.E.Clark@ssa.gov)  
410-966-8612

---

**From:** Rosenbaum, Eli [<mailto:Eli.Rosenbaum@usdoj.gov>]

**Sent:** Friday, April 20, 2012 6:11 PM

**To:** [REDACTED]

**Subject:** RE: Payment of benefits for (b) (6)

(b) (6)

Here's the 8/16/07 e-mail that I sent to many people, among them SSA's Terry Fahey. I sent it to myself and "blind-copied" all of the intended recipients. When I forward it to you (below), you can't see who was bcc'd. When I initially open it on my computer, I see that the recipients include "Marie.T.Fahey" at ssa.gov" (Terry Fahey). I have attached a partial print-out that shows that I sent the e-mail to Ms. Fahey (note my handwritten arrow pointing to the line on which her name appears).

I look forward to our setting a date/time for your visit to our offices. Have a great weekend.

- Eli

Eli M. Rosenbaum  
Director, Human Rights Enforcement Strategy & Policy  
Human Rights and Special Prosecutions Section  
Criminal Division  
United States Department of Justice  
Washington, DC 20530  
202.616.2492 (fax -2491)

---

**From:** Rosenbaum, Eli

**Sent:** Thursday, August 16, 2007 11:48 AM

**To:** Rosenbaum, Eli ([Eli.Rosenbaum@usdoj.gov](mailto:Eli.Rosenbaum@usdoj.gov))

**Subject:** Press Release: MASSACHUSETTS MAN WHO HELPED CARRY OUT WWII NAZI MASS MURDER OF JEWS IN POLAND IS ORDERED DEPORTED

---

**From:** USDOJ-Office of Public Affairs

**Sent:** Thursday, August 16, 2007 9:40 AM

**To:** USDOJ-Office of Public Affairs

**Subject:** MASSACHUSETTS MAN WHO HELPED CARRY OUT WWII NAZI MASS MURDER OF JEWS IN POLAND IS ORDERED DEPORTED

---

FOR IMMEDIATE RELEASE

THURSDAY, AUGUST 16, 2007 (202) 514-2008

[WWW.USDOJ.GOV](http://WWW.USDOJ.GOV) TDD (202) 514-1888





**OFFICE OF SPECIAL INVESTIGATIONS  
CRIMINAL DIVISION**

# TELEFAX

TRANSMITTED TO:

TELEPHONE (FAX #): 410-966-7025

NAME: Ms. TERRY FAHEY	
ORGANIZATION: Office of International Policy Social Security Administration	
ADDRESS: P.O. Box 17741 Baltimore, MD 21235	TELEPHONE/EXTENSION (Voice): 410-965-3566

TRANSMITTED FROM:

TELEPHONE: 202-616-2491

NAME: Eli M. Rosenbaum, Director	
ORGANIZATION: Office of Special Investigations	
ADDRESS: Suite 1000, 1001 G Street, NW, Wash. DC 20530	TELEPHONE/EXTENSION (Voice): (202) 616-2492

TRANSMISSION DATE: 7/1/97	PAGES TRANSMITTED: 3
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(Do NOT count this cover sheet)

## CONTENTS/MESSAGE:

For your information.

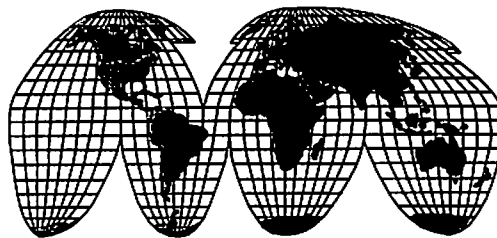
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Office of International Programs  
P.O. Box 17741  
Baltimore, MD 21235  
U.S.A.

**Social Security  
Administration**

Telephone Number : (410) 965-3566

Fax Number : (410) 966-7025



**Fax**

**To:** Department of Justice, OSI

**From:** Social Security Administration, OIP

Attn: Mr. Jeff Menkin

Terry Fahey

---

**Fax:** (202) 616-2491

**Pages:** 6

---

**Phone:** (202) 616-2492

**Date:** 7/9/03

---

**Jeff:**

I'm attaching the response we sent on June 30 to the questions posed by (b) (6) attorney (b) (6). I'm also attaching your letter which prompted his inquiry to us.

The "booklet" referred to in our letter can be accessed via the Internet: [http://www.ssa.gov/international/your ss.html](http://www.ssa.gov/international/your_ss.html)

Thanks.

Terry  


Office of International Programs  
P.O. Box 17741  
Baltimore, Maryland 21235-7741

Contact: Ms. Terry Fahey  
(410) 965-3566

JUN 30 2003

Refer to: TAJA2/03-1965

(b) (6)

Dear (b) (6):

This refers to your letter of June 25, 2003, concerning the payment of Social Security retirement benefits to (b) (6) should he decide to leave the United States under the terms of an agreement with the U.S. Department of Justice.

In your letter, you speak of (b) (6) as being "removed" to another country. We should first make it clear that if he is formally removed (deported) from the United States, (b) (6) will no longer be able to receive his retirement benefits. Under the removal provisions (section 202(n)) of the Social Security law, aliens (including denaturalized U.S. citizens) who are removed from the United States under what is now section 237(a) of the Immigration and Nationality Act (INA) generally cannot receive their retirement benefits beginning with the month after the month Social Security receives notice of their removal from the U.S. Attorney General.

In addition, aliens who are ordered removed under what is now section 237(a)(4)(D) of the INA (pertaining to activities in association with the Nazi Government of Germany) cannot receive retirement benefits--regardless of whether they are in or outside the United States--beginning with the month after the month Social Security receives notice that an order of removal against them has become final.

Should (b) (6) leave the United States voluntarily after renunciation of his U.S. citizenship or denaturalization (i.e., without being formally removed or placed under a final removal order as discussed above), he would be subject to the alien nonpayment provisions (section 202(t)) of the Social Security law rather than the removal provisions in section 202(n). Generally, section 202(t) provides that a person who is not a U.S. citizen and who leaves the United States for at least 6 consecutive calendar months will receive no Social Security payments beginning with the 7th month of absence. However, there are certain exceptions in the law to this rule which permit many non-U.S. citizens to receive their payments without interruption while they are outside the United States. These exceptions are based, for the most part, on the citizenship of the beneficiary.

Terry

As a citizen of Croatia, Germany or Austria, (b) (6) would meet an exception to the alien nonpayment provisions and could continue to receive his retirement benefits (as long as he is otherwise eligible for them) while residing almost anywhere in the world. The same would be true if (b) (6) were to establish that he is a "stateless" individual (i.e., he does not have nationality in any country). In this case, we would require documentation confirming his loss of citizenship from Government officials in all countries (other than the United States) where he formerly held citizenship. Also (b) (6) could receive benefits without regard to his citizenship or stateless status as long as he resides in certain countries where the United States has entered into a Social Security international agreement (often called a "totalization agreement"). These countries include Australia, Canada, Chile, Finland, France, Greece, Ireland, Italy, South Korea, Luxembourg, Netherlands, Norway, Portugal, Spain and the United Kingdom.

We are enclosing a booklet which will give you additional information (see pages 3-6) on other citizenship/residence conditions that may permit or prohibit payments to aliens who are abroad. Although they are not mentioned in the booklet, stateless individuals would fall into the category of people discussed on page 5 (third bullet) and the top of page 6 who have lived in the United States for at least 10 years or earned at least 40 earnings credits under the U.S. Social Security system. While reviewing the booklet, please note pages 8-9 for information about countries where we cannot send benefits, regardless of a person's citizenship, and pages 22-24 for information on the federal income tax that is applied at the rate of 25.5 percent to the benefits of certain aliens abroad who are no longer U.S. residents.

We hope this information is helpful. Please feel free to write to us again or telephone Ms. Terry Fahey of my staff if you have additional questions or concerns. Her address is shown at the top of this letter.

Sincerely,

Chuck L. Voeltner  
Deputy Associate Commissioner  
for International Programs

Enclosure

cc:

Official File, 1108 WHR

Reading File, 1104 WHR

Reading File, 1108 WHR

TAJA2: Tfahey 6/30/03

CL 8-5-1 - (b) (6) - ATTY INQUIRY (b) (6)

(b) (6)



June 25, 2003

Social Security Administration  
Attn: Terry Fahey  
P.O. Box 17741  
Baltimore, MD 21235

Re: Social Security Benefits in Another Country

Dear Ms. Fahey:

This office represents (b) (6) (b) (6) social security number is (b) (6). His date of birth is (b) (6).

The United States is seeking to de-naturalize (b) (6). Accordingly, he is attempting to determine what the possibilities are to maintain his social security benefits if he is removed to another country. We are seeking to obtain information regarding the possibility of maintaining his social security benefits in order to explore the possibility of settlement negotiations with the United States government in this regard.

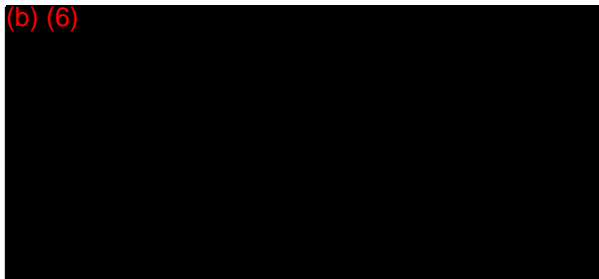
At the present time, (b) (6) is exploring the possibilities of residing in Croatia, Germany, and Austria. He is looking at either being a citizen or legal permanent resident of one of those three countries.

Please advise us of the status of (b) (6) social security benefits if he is removed to one of these three countries: Croatia, Germany, Austria. Also, please advise if there is anything else we need to do to further this process.

I would appreciate if you could give this matter your prompt attention. If you have any questions, please call. I appreciate your cooperation in this matter.

Respectfully,

(b) (6)



(b) (6)

cc: (b) (6)

MODE = MEMORY TRANSMISSION

START=JUL-09 09:01

END=JUL-09 09:22

FILE NO. = 010

STN NO.	CD	OPER NO.	STATION NAME/TEL. NO.	PAGES	DURATION
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-OFFICE OF INT'L PROGRAMS -

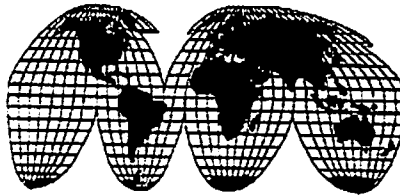
\*\*\*\*\* -

- \*\*\*\*\* - 410 966 7025- \*\*\*\*\*

Office of International Programs  
P.O. Box 17741  
Baltimore, MD 21235  
U.S.A.

Telephone Number : (410) 965-3565

Fax Number : (410) 966-7025



# Fax

<b>To:</b> Department of Justice, OSI	<b>From:</b> Social Security Administration, OIP
Attn: Mr. Jeff Menkin	Terry Fahey
<b>Fax:</b> (202) 616-2491	<b>Pages:</b> 6
<b>Phone:</b> (202) 616-2492	<b>Date:</b> 7/5/03

**Jeff:**

I'm attaching the response we sent on June 30 to the questions posed by (b) (6) attorney (b) (6). I'm also attaching your letter which prompted his inquiry to us.

The "booklet" referred to in our letter can be accessed via the Internet: [http://www.ssa.gov/international/your\\_ss.html](http://www.ssa.gov/international/your_ss.html)

Thanks.

Terry

(b) (6)

Date: 6-25-03

Time: \_\_\_\_\_

To: Terry Fahey, Social Security Administration

From: (b) (6)

Re: (b) (6) SS# (b) (6)

You should receive 5 page(s) with this transmission, including this cover page. If you did not receive this many page(s), or the transmission is illegible, please call the above telephone number immediately.

Dear Mr Fahey - Enclosed is a request for information re (b) (6) eligibility for social security benefits if he is removed from the United States -

Please review & reply as soon as possible. Thank you.  
Respectfully

(b) (6)

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(b) (6)

AUTHORIZATION FOR RELEASE OF INFORMATION

(b) (6)

I, the undersigned (b) (6) do hereby authorize any and all medical, mental health, drug or alcohol treatment, chemical dependency, substance abuse, therapist, counselor, or any other health care provider and any other persons or entities to release to my Attorney, (b) (6) or (b) (6) or (b) (6), and/or their legal assistants, any and all information, records, memos, electronic media, or any other material which they may have access to, possession of, or control of. I further authorize the above-referenced parties to fully discuss any matter concerning me with my Attorney, (b) (6) (b) (6) or (b) (6) or (b) (6), and/or their legal assistants, and to provide my attorney with any and all information concerning me.

*This form does not authorize redisclosure of medical information beyond the limits of this consent. Where information has been disclosed from records protected by federal law for alcohol\drug abuse records or by State law for mental health records, Federal requirements (42 CFR Part 2) and State requirements (Iowa Code ch. 228) prohibit further disclosure without the specific written consent of the patient, or as otherwise permitted by such law and/or regulations. A general authorization for the release of medical or other information is not sufficient for these purposes. Civil and/or criminal penalties may attach for unauthorized disclosure of alcohol drug abuse or mental health information.*

A photocopy of this authorization shall have the same force and legal effect as the original.

4-28-2000  
Date

(b) (6)  
X  
(b) (6)





OFFICE OF SPECIAL INVESTIGATIONS  
CRIMINAL DIVISION

# TELEFAX

TRANSMITTED TO:

TELEPHONE (FAX #): 410-966-7025

NAME: Ms. TERRY FAHEY	
ORGANIZATION: Office of International Policy Social Security Administration	
ADDRESS: P.O. Box 17741 Baltimore, MD 21235	TELEPHONE/EXTENSION (Voice): 410-965-3566

TRANSMITTED FROM:

TELEPHONE: 202-616-2491

NAME: Eli M. Rosenbaum, Director	
ORGANIZATION: Office of Special Investigations	
ADDRESS: Suite 1000, 1001 G Street, NW, Wash. DC 20530	TELEPHONE/EXTENSION (Voice): (202) 616-2492

TRANSMISSION DATE: 7/22/97	PAGES TRANSMITTED: 3
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# U.S. NEWS

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*Jerry - FYI*

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## Suspected former Nazi guard could lose U.S. citizenship

July 22, 1997

Web posted at: 10:09 p.m. EDT (0209 GMT)

WASHINGTON (Reuter) -- The Justice Department said Tuesday it has filed a lawsuit to withdraw the U.S. citizenship of an alleged Nazi guard at slave-labor and concentration camps in Poland and Austria during World War II.

The agency is suing (b) (6), 73, of Guilford, Connecticut, charging that the former machinist served in two units that took part in the Nazi campaign to kill Jews.

The suit alleges that he misrepresented and concealed his wartime activities when applying for a U.S. visa in 1949 and for citizenship in 1981. He claimed to have spent the war as a farm worker.

The suit charges that (b) (6) was an armed guard at the Trawniki and Poniatowa slave-labor camps in Poland in 1943 and guarded prisoners at the Mauthausen concentration camp in Austria in 1944.

The suit was filed as part of efforts by the Justice Department's Office of Special Investigations to identify and remove from the United States participants in Nazi-sponsored acts of persecution.

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### Related stories:

- Michigan judge orders accused former Nazi deported - April 25, 1997
- Man accused of being Nazi guard shot by police - December 31, 1996



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**FROM:** Office of Special Investigations  
Suite 200  
1301 New York Avenue, N.W.  
Washington, DC 20530

Fax No. (202) 616-2491  
Voice No. (202) 616-2492

**DATE:** JUL 25

**SENT BY:** Eli M. Rosenbaum  
Director

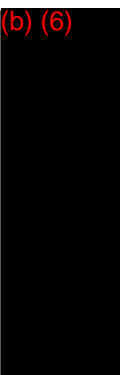
**TO:** Ms. TERRY FAHEY  
Office of International Policy  
Social Security Administration

**FAX No.** 410-966-7025  
**VOICE No.** 410-965-3566

**NUMBER OF PAGES SENT (INCLUDING COVER PAGE):**

**SPECIAL INSTRUCTIONS:**

*John C. Keesey  
1301 New York Ave NW  
Suite 200  
Washington D.C.  
20530*





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**FROM:** Office of Special Investigations  
Suite 200  
1301 New York Avenue, N.W.  
Washington, DC 20530

Fax No. (202) 616-2491  
Voice No. (202) 616-2492

**DATE:** SEP 5 2002

**SENT BY:** Eli M. Rosenbaum  
Director

**TO:** Ms. TERRY FAHEY  
Office of International Policy  
Social Security Administration

**FAX No.** 410-966-7025  
**VOICE No.** 410-965-3566

**NUMBER OF PAGES SENT (INCLUDING COVER PAGE):** 5

**SPECIAL INSTRUCTIONS:**



OFFICE OF SPECIAL INVESTIGATIONS  
CRIMINAL DIVISION

# TELEFAX

TRANSMITTED TO:

TELEPHONE (FAX #): 410-966-7025

NAME: Ms. TERRY FAHEY	
ORGANIZATION: Office of International Policy Social Security Administration	
ADDRESS: P.O. Box 17741 Baltimore, MD 21235	TELEPHONE/EXTENSION (Voice): 410-965-3566

TRANSMITTED FROM:

TELEPHONE: 202-616-2491

NAME: Eli M. Rosenbaum, Director	
ORGANIZATION: Office of Special Investigations	
ADDRESS: Suite 1000, 1001 G Street, NW, Wash. DC 20530	TELEPHONE/EXTENSION (Voice): (202) 616-2492

TRANSMISSION DATE: SEP - 8 1997	PAGES TRANSMITTED: 3
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(b) (6)

---

**From:** Chen, Edgar <Edgar.Chen@usdoj.gov>  
**Sent:** Friday, November 09, 2007 2:51 PM  
**To:** (b) (6)  
**Subject:** (b) (6)

H(b) (6) :

Here's a link to the NTA filed in (b) (6) available on the internet.

[http://hosted.ap.org/specials/interactives/\\_documents/Nazi\\_Deportation.pdf](http://hosted.ap.org/specials/interactives/_documents/Nazi_Deportation.pdf)

Thanks, and have a good weekend.  
Edgar



# Congress of the United States

House of Representatives

Washington, DC 20515-3212

September 15, 2014

Carolyn W. Colvin  
Acting Commissioner  
Social Security Administration  
6401 Security Boulevard  
Baltimore, MD 21235

Dear Acting Commissioner Colvin:

I write to request information regarding the payment of Social Security benefits to known Nazi war criminals who came to the United States after the conclusion of World War II and were subsequently denaturalized, but never deported. I understand that in several cases, the U.S. Government was unable to deport identified Nazi war criminals because their home countries would not allow them to re-enter. As a result, these people may have voluntarily left the United States, and continued to receive Social Security benefits. It is egregious that the U.S. taxpayer may be funding the retirement of criminals who helped execute the worst atrocity of the 20th Century. I would like to request any information you can provide regarding the amounts and dates of payments made to individuals engaged in Nazi persecution or genocide who are alive as well as those who have since died.

Specifically, I am requesting the following information:


- For each deceased person, the name, Social Security number, last known location, date of receipt of last SSA benefits and the total amount of benefits paid since the individual's formal departure from the United States;
- For each living person, only the date of last SSA payments and the total amount of benefits paid since the individual's formal departure from the United States.

Please note that I am not requesting any information identifying current beneficiaries.

As a co-author of the Nazi War Crimes Disclosure Act which created the Nazi War Crimes and Japanese Imperial Government Records Interagency Working Group (IWG), I strongly support the release of all records documenting the involvement of the U.S. Government with Nazi war criminals. The IWG was successful in declassifying critical intelligence from various government agencies that helped uncover what the American government knew about the actions and plans of Nazi war criminals during World War II. This transparency has brought some closure to Holocaust survivors and the families of victims, and helps us learn from, and not repeat, past mistakes.

It is in the public interest that this information be disclosed so that the American public understands how its tax dollars are being dispersed and in an effort to make informed policy decisions going forward. Thank you for your attention to this important matter.

Sincerely,

  
**CAROLYN B. MALONEY**  
Member of Congress





## SOCIAL SECURITY

October 6, 2014

The Honorable Carolyn B. Maloney  
United States House of Representatives  
Washington, DC 20515

Dear Ms. Maloney:

Thank you for your September 15, 2014 request for information about individuals suspected of Nazi war crimes and their Social Security records. The enclosed chart contains the information that we were able to obtain from our records.

For each deceased person, you requested his or her name, Social Security number, last known country, date of last Social Security benefit, and the amount of Social Security benefits paid after the person's formal departure from the United States. We searched our records and identified 44 deceased individuals matching the criteria in your letter. Please note that in some cases, we could not identify the country of residence.

We searched our records for the amount of Social Security benefits paid to the deceased individuals after the individuals were deported from the United States. For those records where we located a deportation date, we included an actual amount of benefits paid, which was \$0.00 in all cases. We do not track information on individuals who voluntarily depart from the United States.

Under the Privacy Act of 1974 and the Freedom of Information Act, we generally are unable to provide information on those individuals who are, according to our records, living.

I hope this information is helpful. If I may be of further assistance, please contact me, or your staff may contact Tom Parrott, our Acting Deputy Commissioner for Legislation and Congressional Affairs, at (202) 358-6030.

Sincerely,

Carolyn W. Colvin  
Acting Commissioner

Enclosure

MICHAEL F. BENNET  
COLORADO

COMMITTEES:  
AGRICULTURE, NUTRITION, AND FORESTRY

FINANCE

HEALTH, EDUCATION, LABOR,  
AND PENSIONS

# United States Senate

WASHINGTON, DC 20510-0609

WASHINGTON, DC:  
458 RUSSELL SENATE OFFICE BUILDING  
WASHINGTON, DC 20510  
(202) 224-5852

COLORADO:  
1127 SHERMAN STREET  
SUITE 150  
DENVER, CO 80203-2308  
(303) 455-7600

<http://www.bennet.senate.gov>

October 29, 2014

The Honorable Eric Holder  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue  
Washington, DC 20530

Acting Commissioner Carolyn Colvin  
Social Security Administration  
6401 Security Boulevard  
Baltimore, MD 21235-0001

Dear Attorney General Holder and Acting Commissioner Colvin:

I write to express my deep concern about recent reports that the U.S. government may have used Social Security payments as a means of encouraging former Nazi officials to leave the country and that several of these individuals are still receiving benefits.

As you know, the Associated Press recently reported that the U.S. government may have used the prospect of continuing Social Security payments as leverage to encourage former Nazi officials to leave the country and renounce their citizenship rather than undergoing the deportation process. Because these individuals weren't formally deported, they were still able to receive their Social Security benefits after they left the country.

According to the AP, since 1979, "at least 38 of 66 suspects removed from the United States kept their Social Security benefits." At least four of these individuals are alive and still collecting benefits. Furthermore, the AP found that as of 1999, "28 suspected Nazi criminals had collected \$1.5 million in Social Security payments after their removal from the U.S."

It's extremely disturbing to learn that the U.S. taxpayer has supported individuals who participated in the worst genocide in modern history. Although I understand the need to act expeditiously to remove these individuals from the U.S. so that they can face trial, the receipt of Social Security benefits should not have served as a "bargaining chip" in the removal process. Even worse, according to the AP report, it appears that many of these individuals did not even stand trial once they left the United States.

As Congress considers legislation to prevent these individuals from receiving Social Security benefits, it is my hope the Department of Justice and the Social Security Administration can provide further information. Specifically:

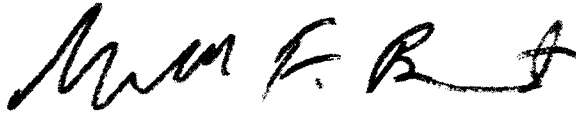
- Can the Department of Justice and the Social Security Administration verify the accuracy of the AP's reporting? For instance, can your respective agencies specify the number of former Nazi officials who have received Social Security benefits? And how much in benefits did they ultimately receive?

- Do Social Security benefits continue to play any role during the removal process? If not, when did this practice end?
- When a former Nazi official left the U.S. prior to deportation and continued to receive benefits, did the Department of Justice seek to notify the country to which the individual traveled? Did the Department of Justice encourage the country to which the former Nazi official traveled to try the individual?
- When a former Nazi official left the U.S. prior to deportation and continued to receive Social Security benefits, did the Department of Justice monitor whether the individual ultimately stood trial?

I understand that many of these proceedings and discussions occurred over the course of several decades and that it may be difficult to ascertain specific facts and details. It's nonetheless important for the American people and for our historic record to understand how individuals who played a role in the Holocaust could have possibly retained their Social Security benefits even after they've left the country.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael F. Bennet". The signature is fluid and cursive, with a large initial "M" and a distinct "F." followed by "Bennet".

Michael Bennet  
United States Senator

(b) (6)

---

**From:** ^OIG OA Report Processing Mailbox  
**Sent:** Tuesday, November 04, 2014 8:52 AM  
**To:** ^Audit Correspondence; Hatcher, Gary  
**Cc:** (b) (6) HQ OIG; Bungard, (b) (6); (b) (6); (b) (6) Lawson, Rona; Lynge, Tracy; O'Carroll, Pat; Robert, Ann P.; Robinson, Michael HQ OIG; (b) (6) Schnatterly, Kristen; (b) (6); (b) (6) Stone, Gale; Thornton, Katherine  
**Subject:** Signed Start Notice (A-09-15-50013)

The attached start notice "Congressional Response Report: Payment of Social Security Benefits to Nazi War Criminals" was signed November 4, 2014.



(b) (6)

(b) (6)  
Management Analyst  
OIG/Office of Audit  
(b) (6)

# OIG

Office of the Inspector General  
SOCIAL SECURITY ADMINISTRATION

## MEMORANDUM

Date: November 4, 2014 Refer To:

To: Gary S. Hatcher  
Senior Advisor  
Records Management and Audit Liaison Staff

From: Assistant Inspector General for Audit

Subject: Start Notice – Congressional Response Report: Payment of Social Security Benefits to Nazi War Criminals (A-09-15-50013)

This is to advise you we are initiating this review in response to a congressional inquiry. Our objective is to determine the amount of benefits the Social Security Administration (SSA) has paid to Nazi war criminals.

### BACKGROUND AND GENERAL DESCRIPTION

The *Social Security Act* prohibits the payment of retirement and/or disability benefits to individuals who are placed under a final order of deportation or removal from the United States for participating in Nazi persecution or committing crimes of genocide. Unlike other removal situations, these individuals do not need to be physically removed from the United States for the suspension of benefits to apply. Benefits are not payable beginning with the month after the month the Attorney General notifies SSA of the final deportation or removal order—even though the individual may have never left the United States.

### CONGRESSIONAL REQUEST

On October 20, 2014, we received a letter from Representative Carolyn Maloney, requesting that we review the payment of Social Security benefits to individuals who participated in the Nazi persecution during World War II. Specifically, the request cited an Associated Press article that estimated SSA had paid millions in benefits to Nazi war criminals.

### WHERE WORK WILL BE CONDUCTED

SSA Headquarters, Baltimore, Maryland

Office of Audit, Richmond, California

**AUDIT CONTACTS**

- James J. Klein, Director, San Francisco Audit Division (510) 970-1739
- (b) (6) Audit Manager (b) (6)
- (b) (6) Senior Auditor (b) (6)

Please contact (b) (6) at (b) (6) to schedule an entrance conference or with any questions you may have. At the entrance conference, please provide the names of any senior executives whom we should contact regarding this review.

/s/

Steven L. Schaeffer

cc:

P. O'Carroll

G. Stone

M. Robinson

(b) (6)

T. Lyng

C. Bungard

(b) (6)

A. Robert

K. Thornton

(b) (6)

GAO Audit Liaison

## **^FOIA PA Officers**

---

**From:** Herschaft, Randy <RHerschaft@ap.org>  
**Sent:** Monday, April 28, 2014 3:30 PM  
**To:** ^FOIA PA Officers  
**Subject:** FOIA and Expedited Treatment Request  
**Attachments:** SSA1999.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

April 28, 2014

Dear FOIA Officer:

Pursuant to the federal Freedom of Information Act, 5 U.S.C. § 552 and the Nazi War Crimes Disclosure Act, Public Law 105-246, the Associated Press requests the following information for all individuals below, they have been accused by the United States government of assisting the Nazi Government of Germany during WWII in its Persecutions and removed from the United States by the U.S. government.

For each deceased person please provide:

Name, Social Security Number, Last Known County, Date of Last SSA Benefit, Amount of Social Security benefits paid since departure from U.S.

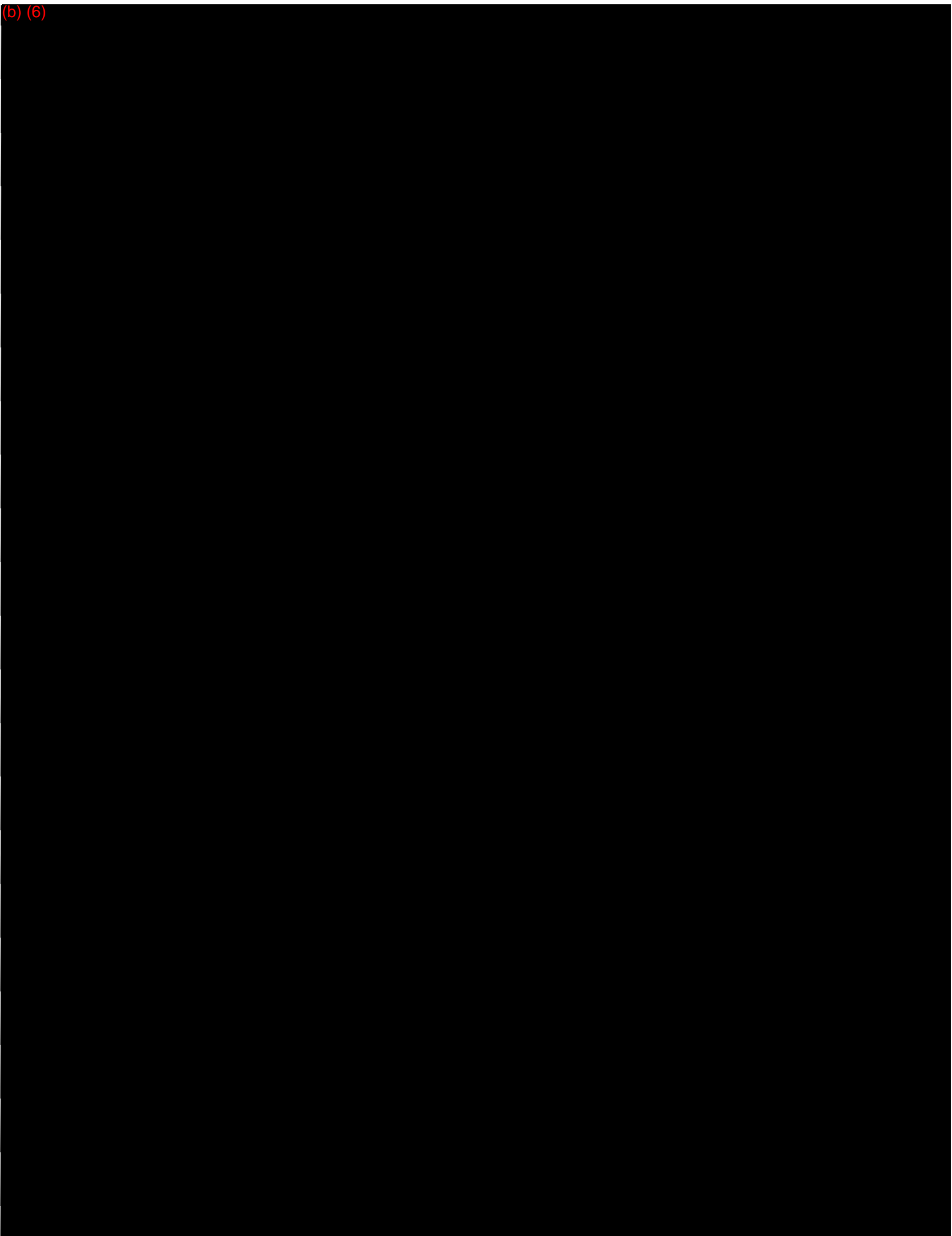
For each living person please provide:

We're not requesting names of the living individuals be identified with their social security payments since departure, only by number, i.e. individual #1, individual #2 and so on.. We're asking that you provide the amount of Social Security benefits each has received since their departure from the U.S. by number as follows. Individual #1 along with the amount, Individual #2 with amount, Individual #3 with amount and so on. Please see attachment for a Social Security Administration list prepared in 1999 with benefits paid since departure of each individual. The list refers to each individual by number.

The U.S. Department of Justice has initiated legal proceedings against 137 suspected Nazi war criminals people resulting in the following 67 persons below, that have been removed from the U.S. by deportation, extradition or voluntary departure.

(b) (6)







We ask that you provide expedited review of this request., we are making this request as reporters with The Associated Press and this request is made as part of newsgathering and not for commercial use. As a representative of the news media we are only required to pay for the direct cost of duplication after the first 100 pages.

We request a waiver of all fees for this request. Disclosure of the requested information to us is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in my commercial interest. The Associated Press is a not-for-profit corporation and is the collective representative of virtually all news organizations in the United States.

If our fee waiver is not granted, we are willing to pay up to \$50 for the documents. If the cost is more than that, please contact me via e-mail at [rherschaft@ap.org](mailto:rherschaft@ap.org), or telephone at 212-621-5411,

If for any reason any portion of our request is denied, please inform us of the reasons for the denial in writing and provide the name and address of the person or body to whom an appeal should be directed.

In the event that you determine that some portion of a file is exempt from release, we request that you release any reasonably segregable portion of the documents which is not exempt. We, of course, reserve my right to appeal such decisions.

As we are making this request as a journalist and the information is of timely value, we would appreciate your communicating with us by telephone Randy Herschaft at 212-621-5411 or e-mail [rherschaft@ap.org](mailto:rherschaft@ap.org) rather than by mail, if you have questions regarding this request.

Finally, we note that President Obama's January 21, 2009 "Presidential Memorandum for the Heads of Executive Departments and Agencies on the Freedom of Information Act" specifically stated that "In responding to requests under the FOIA, executive branch agencies should act promptly and in a spirit of cooperation, recognizing that such agencies are servants of

the public." Moreover, it held: "All agencies should adopt a presumption in favor of disclosure, in order to renew their commitment to the principles embodied in FOIA, and to usher in a new era of open Government. The presumption of disclosure should be applied to all decisions involving FOIA."

In the spirit of such cooperation, we look forward to your quick response.

Thank you for your assistance.

Very Truly Yours,  
Randy

Randy Herschaft  
Associated Press  
450 West 33rd Street  
New York, NY 10001

P. 212-621-5411

**The information contained in this communication is intended for the use of the designated recipients named above. If the reader of this communication is not the intended recipient, you are hereby notified that you have received this communication in error, and that any review, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify The Associated Press immediately by telephone at +1-212-621-1898 and delete this email. Thank you.**

[IP\_US\_DISC]

msk dccc60c6d2c3a6438f0cf467d9a4938

INDIVIDUALS REMOVED FROM THE UNITED STATES  
 BY THE DEPARTMENT OF JUSTICE  
 WHO HAVE BEEN ACCUSED OF ASSISTING  
 THE NAZI GOVERNMENT OF GERMANY  
 IN ITS PERSECUTIONS  
 AND WHO HAVE SOCIAL SECURITY ACCOUNT NUMBERS

Social Security Benefits Paid Since Departure From U.S.  
As of March 3, 1999

Receiving benefits		Not receiving benefits	
Individual	Amount	Individual	Amount
1	\$ 63,263.60	1	\$ 14,449.20
2	\$122,265.00	2	\$ 35,527.60
3	\$ 87,241.00	3	\$ 1,722.60
4	\$138,440.90	4	\$ 8,554.00
5	\$ 54,077.60	5	\$ 90,662.80
6	\$124,703.00	6	\$ 56,087.00
7	\$ 53,646.50	7	\$ 68,434.20
8	\$ 55,979.80	8	\$ 72,636.00
		9	\$ 54,437.10
<b>TOTAL</b>	<b>\$699,617.40</b>	10	\$122,503.90
		11	\$ 53,754.20
		12	\$ 1,662.00
		13	\$ 49,335.20
		14	\$ 2,029.50
		15	\$ 24,154.80
		16	\$ 43,597.60
		17	\$ 27,389.50
		18	\$ 34,879.20
		19	\$ 25,098.00
		20	\$ 1,176.50
		21	0
		22	0
		23	0
		24	0
		25	0
		26	0
		27	0
		28	0
		29	0
		30	0
		31	0
		32	0
		33	0
		34	0
		35	0
		36	0
		<b>TOTAL</b>	<b>\$788,090.90</b>

3/11/99



# SOCIAL SECURITY

The Commissioner

December 2, 2009

The Honorable Joseph R Biden  
President of the Senate  
Washington, D.C. 20510

Dear Mr. President:

Enclosed for Congress' consideration is the Administration's bill to amend titles II and XVI of the Social Security Act. These amendments would simplify and improve certain aspects of the Old-Age, Survivors, and Disability Insurance programs and the Supplemental Security Income (SSI) program. The bill includes provisions that would improve work incentives for Social Security disability claimants. I have enclosed a section-by-section description of the proposals.

As you know, we are struggling to balance new responsibilities with our traditional workloads, all within tight resource constraints. With that in mind, I would like to call your attention to several provisions that would provide administrative simplifications, allowing us to make the most efficient use of our resources.

Section 101 would terminate stepchild's benefits the month before the month in which the divorce between the stepchild's parent and the number holder becomes final consistent with the termination month for the parent (i.e., the former spouse of the number holder) rather than the month the divorce becomes final.

Section 201 would simplify the administration of the SSI program by eliminating the "dedicated account" requirements. The proposal would eliminate the labor-intensive and confusing requirement that a representative payee deposit past-due child benefits into a special account when those benefits exceed six times the maximum monthly benefit amount.

Section 301 would allow us to refer to vocational rehabilitation and to One-Stop Career Centers those applicants who were denied benefits. For such applicants, appropriate VR services might have a salutary effect on their health and enable them to enter and remain in the workforce when they otherwise might not, thereby reducing the incidence of subsequent applications for disability benefits. Individuals ineligible for VR services could benefit from services provided by Department of Labor One-Stop Career Centers.

Section 304 would simplify the obligations of parent and spousal representative payees. It would eliminate the requirement that those representative payees annually account for how they expended the benefits of their children and spouses. The annual representative payee accounting process is costly and requires a high level of administrative effort. Parents and spouses are most often the best payees, and there is little evidence that they are prone to misusing the benefits of

their children and spouses. We would retain, however, the authority to investigate any allegation or indication that parents or spouses were misusing benefits.

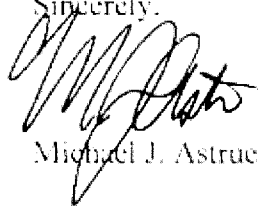
Section 305 would delay the payment of any past-due benefits due any person who is a prisoner, fugitive felon, or probation or parole violator. We would not pay these benefits until the person is no longer a prisoner, fugitive felon, or probation or parole violator consistent with the prohibition against monthly benefits.

Section 306 would exempt fugitive felon matching agreements from the Computer Matching and Privacy Protection Act, just as prisoner matching agreements are exempted from it.

The Office of Management and Budget advises that there is no objection to the presentation of this legislation from the standpoint of the Administration's program. We urge Congress to give this bill prompt and favorable consideration.

I am sending an identical letter to the Honorable Nancy Pelosi, Speaker of the House.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael J. Astruc". The signature is fluid and cursive, with a large initial "M" and "A".

Michael J. Astruc

Enclosures



# SOCIAL SECURITY

The Commissioner

December 2, 2009

The Honorable Nancy Pelosi  
Speaker of the House of Representatives  
Washington, D.C. 20515

Dear Madam Speaker:

Enclosed for Congress' consideration is the Administration's bill to amend titles II and XVI of the Social Security Act. These amendments would simplify and improve certain aspects of the Old-Age, Survivors, and Disability Insurance programs and the Supplemental Security Income (SSI) program. The bill includes provisions that would improve work incentives for Social Security disability claimants. I have enclosed a section-by-section description of the proposals.

As you know, we are struggling to balance new responsibilities with our traditional workloads, all within tight resource constraints. With that in mind, I would like to call your attention to several provisions that would provide administrative simplifications, allowing us to make the most efficient use of our resources.

Section 101 would terminate stepchild's benefits the month before the month in which the divorce between the stepchild's parent and the number holder becomes final consistent with the termination month for the parent (i.e., the former spouse of the number holder) rather than the month the divorce becomes final.

Section 201 would simplify the administration of the SSI program by eliminating the "dedicated account" requirements. The proposal would eliminate the labor-intensive and confusing requirement that a representative payee deposit past-due child benefits into a special account when those benefits exceed six times the maximum monthly benefit amount.

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Section 304 would simplify the obligations of parent and spousal representative payees. It would eliminate the requirement that those representative payees annually account for how they expended the benefits of their children and spouses. The annual representative payee accounting process is costly and requires a high level of administrative effort. Parents and spouses are most often the best payees, and there is little evidence that they are prone to misusing the benefits of

their children and spouses. We would retain, however, the authority to investigate any allegation or indication that parents or spouses were misusing benefits.

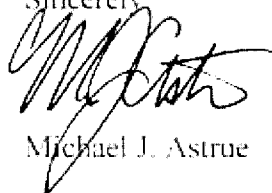
Section 305 would delay the payment of any past-due benefits due any person who is a prisoner, fugitive felon, or probation or parole violator. We would not pay these benefits until the person is no longer a prisoner, fugitive felon, or probation or parole violator consistent with the prohibition against monthly benefits.

Section 306 would exempt fugitive felon matching agreements from the Computer Matching and Privacy Protection Act, just as prisoner matching agreements are exempted from it.

The Office of Management and Budget advises that there is no objection to the presentation of this legislation from the standpoint of the Administration's program. We urge Congress to give this bill prompt and favorable consideration.

I am sending an identical letter to the Honorable Joseph R. Biden, Jr., President of the Senate.

Sincerely,

A handwritten signature in black ink, appearing to read "M. J. Astrue", written over a printed name.

Michael J. Astrue

Enclosures



## SOCIAL SECURITY

The Commissioner

April 24, 2014

(b) (6)

Dear (b) (6)

Thank you for your March 14, 2014 letter regarding Holocaust survivors and other victims of Nazi persecution receiving reparation payments. I share President Obama's concern for this vulnerable population, and I appreciate you bringing the specific provisions of the German Law for the Payment of Pensions for Periods of Employment in a Ghetto (ZRBG) to my attention. We will ensure that our employees are aware of the issues related to pensions awarded under the ZRBG. We will also ensure that our employees properly apply the provisions of the Victims of Nazi Persecution Act of 1994.

Since 1984, we have instructed our field offices to exclude payments to Holocaust survivors and other victims of Nazi persecution when determining eligibility for and payment of Supplemental Security Income (SSI). Our general policy on income and resources states explicitly that if an individual reports receiving payments as a victim of Nazi persecution, we do not consider the payments as income or resources for SSI purposes. As you indicate, some pensions awarded under the ZRBG may not have been identified as payments to victims of Nazi persecution and therefore payments that should have been disregarded in SSI benefit calculations. As we become aware of additional reparations programs, we issue further guidance to ensure that our staff is able to identify and exclude the payments.


We have reviewed your recommendations and have contacted (b) (6), Bet Tzedek's Holocaust Services Program Director, who provided us with additional information concerning the ZRBG pension. We will issue clarifying instructions specific to the ZRBG pension by the end of June 2014 and update our Program Operations Manual System (POMS) instructions as appropriate. Upon release of these POMS, we will conduct training for staff.

To assist your efforts to improve the notices issued by the German Statutory Pension Insurance Agency, the Deutsche Rentenversicherung (DRV), we will be happy to review the draft notice and work with you on finalizing the notice language that you submitted to the DRV through the German Consulate. We will also encourage our Regional Federal Benefits Officer in Frankfurt to reach out to the DRV to determine the feasibility of developing a procedure that can identify payments based on provisions of the ZRBG. Please have your staff contact Nancy Martinez, our Associate Commissioner for Income Security Programs, at (410) 966-0607 to begin discussions.



Thank you for bringing this situation to my attention. You have my sincere respect and admiration for the work you do to protect the rights of those who suffered through the Holocaust. We look forward to working with you. If you have further questions or if I can be of assistance, please contact me or have your staff contact Ms. Martinez.

Sincerely,



Carolyn W. Colvin  
Acting Commissioner



# SOCIAL SECURITY

The Commissioner

October 09, 2014

(b) (6)

Dear (b) (6):

Thank you for your September 18, 2014 letter regarding the application of the Windfall Elimination Provision (WEP) to certain individuals who receive German social insurance payments. I want to assure you that our agency recognizes the plight that Holocaust survivors endured and their continued struggles. We apologize for the difficulty your clients have experienced regarding their Social Security benefits.

We do not receive pension information directly from Germany; therefore, the WEP is not applied automatically in these cases. We will update our Program Operations Manual System to clarify that individuals who receive German social insurance benefits based on work credits earned before 1957 are not subject to WEP. This WEP exclusion also applies to victims of Nazi persecution who receive German social insurance payments based on being deprived of the opportunity to work in Germany during the Nazi regime. We will also issue guidance to our field personnel to highlight these clarifications. We expect to complete these updates early next month.

Thank you again for bringing this situation to my attention. You have my sincere respect and admiration for all the work you do to protect the rights of those who suffered through the Holocaust. If you have further questions or if I can be of assistance, please contact me or have your staff contact Nancy J. Martinez, our Associate Commissioner for Income Security Programs, at (410) 966-0607.

Sincerely,

Carolyn W. Colvin  
Acting Commissioner

cc:

(b) (6)

(b) (6)

---

**From:** (b) (6)  
**Sent:** Tuesday, January 13, 2015 11:09 AM  
**To:** (b) (6)  
**Subject:** FW: Nazi Procedure for CPS

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**From:** Clark, Catherine E.  
**Sent:** Wednesday, February 02, 2011 4:30 PM  
**To:** (b) (6)  
**Cc:** (b) (6)  
**Subject:** Nazi Procedure for CPS

(b) (5)

Catherine E. Clark  
Director, Office of Foreign Program Policy  
Office of International Programs  
Office of the Commissioner  
410-966-8612

(b) (6)

---

**From:** (b) (6)  
**Sent:** Tuesday, January 13, 2015 11:09 AM  
**To:** (b) (6)  
**Subject:** FW: OIP Procedural Instructions for Nazi Cases -Please update your records  
**Attachments:** (b) (5)

**Importance:** High  
**Sensitivity:** Confidential

---

**From:** (b) (6)  
**Sent:** Tuesday, September 06, 2011 3:34 PM  
**To:** (b) (6); (b) (6); (b) (6); (b) (6); (b) (6) Clark, Catherine E.  
**Subject:** OIP Procedural Instructions for Nazi Cases -Please update your records  
**Importance:** High  
**Sensitivity:** Confidential

I've made updates to the Nazi Cases procedural instructions. If you have any questions, please let me know.

Thanks,

(b) (6)

(b) (6)

---

**From:** (b) (6)  
**Sent:** Tuesday, January 13, 2015 11:09 AM  
**To:** (b) (6)  
**Subject:** FW: OIP Nazi list with current updates 4.06.2012  
**Attachments:** (b) (5)

**Importance:** High

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**From:** (b) (6)  
**Sent:** Friday, April 06, 2012 4:43 PM  
**To:** (b) (6), (b) (6)  
**Cc:** Clark, Catherine E.  
**Subject:** OIP Nazi list with current updates 4.06.2012  
**Importance:** High

(b) (6)

I thought I would share with you the list that I have on accused Nazi beneficiaries (I have made some recent updates based on DOJ information). I inherited this list from the previous analyst, when I have time I will work so that it is easier to read and better organized. If you note anything we should update, please let us know.

Thanks,

(b) (6)

(b) (6)

---

**From:** (b) (6)  
**Sent:** Tuesday, January 13, 2015 11:08 AM  
**To:** (b) (6)  
**Subject:** FW: WashPost: John Demjanjuk, convicted Nazi criminal, dies at 91  
**Attachments:** (b) (5)

---

**From:** (b) (6)  
**Sent:** Tuesday, April 03, 2012 4:09 PM  
**To:** (b) (6)  
**Cc:** (b) (6) Sulibhavi, Keerti  
**Subject:** RE: WashPost: John Demjanjuk, convicted Nazi criminal, dies at 91

(b) (6)

This inquiry is to notify you that OIO has taken action and placed the beneficiary in "T1" status, per your instructions.

(b) (6)

Can you forward the case to CSI.

Thanks,

(b) (6)

---

**From:** (b) (6)  
**Sent:** Monday, March 19, 2012 10:51 AM  
**To:** (b) (6)  
**Cc:** (b) (6)  
**Subject:** FW: WashPost: John Demjanjuk, convicted Nazi criminal, dies at 91

(b) (6)

This is on one of the deported claimants. Please annotate your chart to show deceased. OIO should take an action to T1 the record.

(b) (6)

Thanks

(b) (6)

---

**From:** (b) (6)  
**Sent:** Monday, March 19, 2012 10:32 AM  
**To:** (b) (6) (b) (6)  
**Subject:** FW: WashPost: John Demjanjuk, convicted Nazi criminal, dies at 91

FYI-

**From:** (b) (6)  
**Sent:** Monday, March 19, 2012 9:14 AM  
**To:** (b) (6)  
**Subject:** FW: WashPost: John Demjanjuk, convicted Nazi criminal, dies at 91

I will add this to the case file and forward to operations so we can close the case.

(b) (6)

## **The Washington Post** E-mail

### **John Demjanjuk, convicted Nazi criminal, dies at 91**

*By Joe Holley*

John Demjanjuk, a native Ukrainian who became an Ohio autoworker after World War II and the target of a decades-long international effort to prove that he participated in genocide as a guard at Nazi prison camps, was found dead March 17 in Bad Feilnbach in southern Germany. He was 91.



(b) (6)

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**From:** (b) (6)  
**Sent:** Tuesday, January 13, 2015 11:07 AM  
**To:** (b) (6)  
**Subject:** FW: (b) (6)  
**Attachments:** (b) (6)

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**From:** (b) (6)  
**Sent:** Wednesday, May 02, 2012 10:40 AM  
**To:** (b) (6)  
**Subject:** (b) (6)

(b) (6)

This is the only item I have found on our electronic files regarding (b) (6). I will look again in the paper files to see if we have anything else. It is curious that we do not have anything on this person, for others we have a paper trail with the development of the case.

(b) (6)



(b) (6)

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**From:** (b) (6)  
**Sent:** Tuesday, January 13, 2015 11:07 AM  
**To:** (b) (6)  
**Subject:** FW: Updated Nazi chart from (b) (6)

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**From:** (b) (6)  
**Sent:** Wednesday, May 30, 2012 2:34 PM  
**To:** (b) (6)  
**Cc:** (b) (6)  
**Subject:** Updated Nazi chart from (b) (6)

(b) (6)

As a result of our Nazi meeting, I first converted the General Index of Accused Nazis Word chart into an Excel chart based on the request to add a new worksheet within the chart (new sheet is titled "Death on Numi & No Active Depen"). As discussed, I updated the chart to include a Numident Death Indicator column and a Dependent column. In the SSA Action column, I added date of death (DOD) info in red (as quick reference) for individuals where DOD info was not in the SSA Action column, but info was on the numident. I also bolded the DOD info for those that weren't previously bolded for consistency and provided actual day of death for those that only had Month and Year. In the Dependent column, the dependents showing with LAF code of AD or C are in red as quick reference. There are 12 new DOD in the SSA column that have death indicator on Numident and 23 dependents showing with LAF-C or AD:

(b) (5)

If you have any questions, please let me know. Reminder I'm off tomorrow (5/31) and then June 4-11. Good job (b) (6) with all the details that were already on this chart!

I enjoyed updating this chart!

(b) (6)  
Social Insurance Specialist  
Office of International Programs  
(b) (6)

**Social Security Administration**  
**Retirement, Survivors, and Disability Insurance**  
 Important Information

Office of Central  
 Operations  
 P.O. Box 17769  
 Baltimore, Maryland 21235-7769 U.S.A.  
 Date: July 12, 2010  
 Claim Number: (b) (6)

(b) (6)

We are writing to tell you that beginning July 2010 we are stopping the retirement benefits which you have received.

**Your Benefits**

We are stopping your benefits because you have been deported or removed from the United States under one of the following sections of the Immigration and Nationality Act (INA):

- section 241(a) of the INA in effect prior to April 1997;
- section 237(a)
- section 212(a)(6)(A)

This is based on information from the U.S. Department of Homeland Security. Please let us know if in the future you are permitted to return to the United States as a lawful permanent resident. We may be able to pay you benefits at that time.

**Do You Think We Are Wrong?**

If you disagree with this decision, you have the right to appeal. We will review your case and consider any new facts you have. A person who did not make the first decision will decide your case. We will correct any mistakes. We will review those parts of the decision which you believe are wrong and will look at any new facts you have. We may also review those parts which you believe are correct and may make them unfavorable or less favorable to you.

- You have 60 days to ask for an appeal.
- The 60 days start the day after you get this letter. We assume you got this letter 5 days after the date on it unless you show us that you did not get it within the 5-day period.

SEE NEXT PAGE

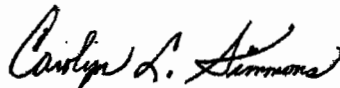
- You must have a good reason for waiting more than 60 days to ask for an appeal.
- You have to ask for an appeal in writing. We will ask you to sign a form SSA-561-U2, called "Request for Reconsideration". Contact one of our offices if you want help.

**If You Have Any Questions**

We invite you to visit our website at [www.socialsecurity.gov](http://www.socialsecurity.gov) on the Internet to find general information about Social Security. If you have any specific questions, you may call us toll-free at 1-800-772-1213, or call your local Social Security office at 1-724-346-5901. We can answer most questions over the phone. If you are deaf or hard of hearing, you may call our TTY number, 1-800-325-0778. You can also write or visit any Social Security office. The office that serves your area is located at:

SOCIAL SECURITY  
SUITE 107  
295 N KERRWOOD DRIVE  
HERMITAGE, PA 16148

If you do call or visit an office, please have this letter with you. It will help us answer your questions. Also, if you plan to visit an office, you may call ahead to make an appointment. This will help us serve you more quickly when you arrive at the office.



Carolyn L. Simmons  
Associate Commissioner for  
Central Operations

**Social Security Administration**  
**Retirement, Survivors, and Disability Insurance**  
**Important Information**

Office of Central  
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SEE NEXT PAGE

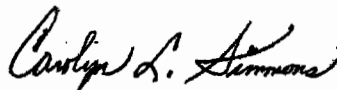
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Associate Commissioner for  
Central Operations

**Social Security Administration**  
**Retirement, Survivors, and Disability Insurance**  
**Important Information**

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 P.O. Box 17769  
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 Date: July 12, 2010  
 Claim Number: (b) (6)

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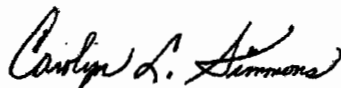
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Carolyn L. Simmons  
Associate Commissioner for  
Central Operations

(b) (6)

**From:** (b) (6)  
**Sent:** Tuesday, January 13, 2015 11:05 AM  
**To:** (b) (6)  
**Subject:** FW: follow up request from Rep. Maloney  
**Attachments:** (b) (6)  
**Importance:** High  
**Sensitivity:** Confidential

**From:** (b) (6)  
**Sent:** Thursday, September 25, 2014 10:57 AM  
**To:** Bussman, Susan  
**Cc:** Kietzke, Kelly  
**Subject:** FW: follow up request from Rep. Maloney  
**Importance:** High  
**Sensitivity:** Confidential

Susan,

The Office of International Programs has special policies in place to handle these types of cases. I have forwarded the information to them to be aware of the congressional inquiry, there is additional information related to this issue from DOJ that OIP can discuss in more detail. Please note that OIP follows these cases very closely with the U.S. Justice Department, they have a list of these cases and the cases are identified accordingly on the MBR.

Hope this is helpful,

(b) (6)

(b) (6)

Social Security Administration  
Office of Research Evaluation and Statistics  
Office of Economic Analysis and Comparative Studies  
500 E St SW, Rm 942  
Washington, D.C. 20254

(b) (6)

**From:** Kietzke, Kelly  
**Sent:** Wednesday, September 24, 2014 5:10 PM  
**To:** Bussman, Susan  
**Cc:** Anderson, Joann S.; (b) (6) (b) (6) Martinez, Nancy J.  
**Subject:** FW: follow up request from Rep. Maloney

Sue,

I have reviewed the letter to the ACOSS (attached) and do not believe we would have any information in our records that would identify Nazi war criminals who have been "denaturalized but not deported." Of course, SSA does not make citizenship determinations. Department of State makes citizenship determinations for persons



outside the country and DHS (USCIS) make citizenship determinations for persons inside the country. We do determine if someone is a citizen, lawfully present (T2) or have certain authorized alien status (T16) for benefit purposes. We don't record, to my knowledge, any detailed information (i.e. Nazi war criminal) when that requirement is not met.

I am sharing this with staff subject matter experts in citizenship and lawful presence in case they can shed more light on this. The OISP contact for this would be (b) (6) TL, on the Applications Team. Joann Anderson is the OAESP Office Director.

Thanks.  
Kelly

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**From:** (b) (6)  
**Sent:** Thursday, September 25, 2014 10:39 AM  
**To:** Teel, Vance  
**Cc:** Graham, Richard A.; Horan, Ted; Clark, Catherine E.; (b) (6)  
**Subject:** FW: follow up request from Rep. Maloney  
**Importance:** High  
**Sensitivity:** Confidential

Attached is a letter that SSA received from Representative Carolyn Maloney, in which she requests information on possible war criminals who may have received Social Security benefits. I understand that OISP may be working on a similar letter from advocates. I wanted to make sure OIP is aware of this so that you can work to coordinate responses to both letters.

Thanks,  
(b) (6)

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**From:** Bussman, Susan  
**Sent:** Wednesday, September 24, 2014 3:09 PM  
**To:** Kietzke, Kelly  
**Subject:** FW: follow up request from Rep. Maloney

Hi Kelly,

As I said in my phone message, Rep. Maloney's office wants to have a phone conversation to discuss what type of information we might be able to provide and under what kind of time frame.

Is there a time on Monday when you would be available? Will you have an idea by then of what kind of information we might have?

Thanks!

*Sue Bussman  
Staff Director  
Retirement and Survivors Insurance Branch  
Office of Legislation and Congressional Affairs*

Social Security Administration

410-965-3313

[Susan.Bussman@ssa.gov](mailto:Susan.Bussman@ssa.gov)

---

**From:** Min, Royce  
**Sent:** Wednesday, September 24, 2014 2:55 PM  
**To:** Bussman, Susan  
**Subject:** FW: follow up request from Rep. Maloney

Sue,

If 10am works for you and Kelly, please proceed. I believe I have a conflict.

Royce

---

**From:** Parisi, Christina [<mailto:Christina.Parisi@mail.house.gov>]  
**Sent:** Wednesday, September 24, 2014 2:53 PM  
**To:** Min, Royce  
**Cc:** Bussman, Susan; (b) (6) Morosi, Mike  
**Subject:** RE: follow up request from Rep. Maloney

Hi Royce,

Thanks so much for your quick response. Would you be available for a call on Monday morning at 10am? The call would be with my colleague, Mike Morosi (cc'ed here) and me. If you would like us to call you on Monday, please provide us with the best number, otherwise we can be reached at 225-7944. Looking forward to speaking with you.

Christina Parisi  
Legislative Assistant  
Congresswoman Carolyn B. Maloney (NY-12)  
2308 Rayburn House Office Building  
(202) 225-7944  
Please sign up for e-mail updates from Rep. Maloney at <http://go.usa.gov/Tz34>



---

**From:** Min, Royce [<mailto:Royce.Min@ssa.gov>]  
**Sent:** Wednesday, September 24, 2014 2:31 PM  
**To:** Parisi, Christina  
**Cc:** Bussman, Susan; (b) (6)  
**Subject:** FW: follow up request from Rep. Maloney

Christina,

(b) (6) forwarded me your inquiry. We would be happy to set up a phone conversation. Would it be possible to set up the call for Monday? We'll have some folks out of the office tomorrow and Friday. On Monday, we can begin walking you through any issues we may encounter as we attempt to respond to your request.

Regards,  
Royce

ROYCE MIN

ACTING ASSISTANT DEPUTY COMMISSIONER FOR LEGISLATION AND CONGRESSIONAL AFFAIRS  
OFFICE OF LEGISLATION AND CONGRESSIONAL AFFAIRS  
SOCIAL SECURITY ADMINISTRATION  
(410) 965-4511

---

**From:** Parisi, Christina [<mailto:Christina.Parisi@mail.house.gov>]

**Sent:** Wednesday, September 24, 2014 10:41 AM

**To:** (b) (6)

**Subject:** follow up request from Rep. Maloney

Hi (b) (6)

As a follow up to the letter sent by Rep. Maloney to Acting Commissioner Colvin, we'd like to set up a call (ideally toward the end of this week) with an appropriate SSA liaison to speak about the requests made in the letter. We understand that the information the Congresswoman has requested will take some time to compile, but we'd like to discuss the kind of response we can expect from SSA/the type of information it is able to provide and hopefully a timeframe. Please let me know if you can help set that up or if there is someone else I should reach out to about setting up a phone conversation.

Thanks for all your help up to this point.

Christina Parisi  
Legislative Assistant  
Congresswoman Carolyn B. Maloney (NY-12)  
2308 Rayburn House Office Building  
(202) 225-7944

Please sign up for e-mail updates from Rep. Maloney at <http://go.usa.gov/Tz34>



(b) (6)

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**From:** Parisi, Christina <Christina.Parisi@mail.house.gov>  
**Sent:** Friday, September 19, 2014 1:12 PM  
**To:** (b) (6)  
**Subject:** letter to Acting Commissioner Colvin from Rep. Carolyn Maloney  
**Attachments:** 09-18-14 letter to SSA re Nazi war criminals benefits SIGNED.pdf

(b) (6)

Please find the letter from Rep. Maloney addressed to Acting Commissioner Colvin attached. Thank you for passing it along. I will follow up with you next week.

Have a nice weekend.

Christina Parisi  
Legislative Assistant  
Congresswoman Carolyn B. Maloney (NY-12)  
2308 Rayburn House Office Building  
(202) 225-7944  
Please sign up for e-mail updates from Rep. Maloney at <http://go.usa.gov/Tz34>



CAROLYN B. MALONEY  
1700 Broadway, New York

2007 Federal Election Commission  
Washington, DC 20545-4711  
202-335-1844

FINANCIAL SERVICES

GOVERNMENT REFORM

JOINT ECONOMIC COMMITTEE  
Subcommittee on Economic



**Congress of the United States**  
**House of Representatives**  
Washington, DC 20515-3212

1851 Tammany Avenue  
Suite 411  
New York, NY 10012  
(212) 360-0606

3112 New York Avenue  
Apt 1102  
Washington, DC 20007  
(202) 331-1809

619 E. 44th Street  
Brooklyn, NY 11211  
(718) 349-5475

Website: [maloney.house.gov](http://maloney.house.gov)  
Twitter: @RepMaloney

September 15, 2014

**Carolyn W. Colvin**  
**Acting Commissioner**  
**Social Security Administration**  
**6401 Security Boulevard**  
**Baltimore, MD 21235**

Dear Acting Commissioner Colvin:

I write to request information regarding the payment of Social Security benefits to known Nazi war criminals who came to the United States after the conclusion of World War II and were subsequently denaturalized, but never deported. I understand that in several cases, the U.S. Government was unable to deport identified Nazi war criminals because their home countries would not allow them to re-enter. As a result, these people may have voluntarily left the United States, and continued to receive Social Security benefits. It is egregious that the U.S. taxpayer may be funding the retirement of criminals who helped execute the worst atrocity of the 20th Century. I would like to request any information you can provide regarding the amounts and dates of payments made to individuals engaged in Nazi persecution or genocide who are alive as well as those who have since died.

Specifically, I am requesting the following information:


- For each deceased person, the name, Social Security number, last known location, date of receipt of last SSA benefits and the total amount of benefits paid since the individual's formal departure from the United States;
- For each living person, only the date of last SSA payments and the total amount of benefits paid since the individual's formal departure from the United States.

Please note that I am not requesting any information identifying current beneficiaries.

As a co-author of the Nazi War Crimes Disclosure Act which created the Nazi War Crimes and Japanese Imperial Government Records Interagency Working Group (IWG), I strongly support the release of all records documenting the involvement of the U.S. Government with Nazi war criminals. The IWG was successful in declassifying critical intelligence from various government agencies that helped uncover what the American government knew about the actions and plans of Nazi war criminals during World War II. This transparency has brought some closure to Holocaust survivors and the families of victims, and helps us learn from, and not repeat, past mistakes.

It is in the public interest that this information be disclosed so that the American public understands how its tax dollars are being dispersed and in an effort to make informed policy decisions going forward. Thank you for your attention to this important matter.

Sincerely,

  
**CAROLYN B. MALONEY**  
**Member of Congress**

(b) (6)

**From:** (b) (6)  
**Sent:** Tuesday, January 13, 2015 11:05 AM  
**To:** (b) (6)  
**Subject:** FW: Nazi War Criminal letter

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**From:** Min, Royce  
**Sent:** Thursday, September 25, 2014 12:11 PM  
**To:** Teel, Vance  
**Cc:** Clark, Catherine E.; (b) (6); (b) (6); Bussman, Susan  
**Subject:** Nazi War Criminal letter

Vance,

Please see the attached letter that we received from Rep. Carolyn Maloney regarding possible payments of Social Security benefits to known Nazi war criminals. The letter contains a few requests for information. While the letter is dated September 15, we did not receive until last Friday.

We had originally reached out to OISP for assistance, but now understand that we should have approached you first. We request your help in responding to the letter and, if appropriate, providing the documents or information requested.

In addition, Rep. Maloney's staff would like to speak to us about the request early next week. Would you or your staff be available for such a call on Monday or Tuesday?

Please let me know if you have any questions about this.

Regards,  
Royce





**Congress of the United States**  
**House of Representatives**  
Washington, DC 20515-3212

September 15, 2014

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Social Security Administration  
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Baltimore, MD 21235

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Member of Congress

(b) (6)

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**From:** (b) (6)  
**Sent:** Tuesday, January 13, 2015 11:05 AM  
**To:** (b) (6)  
**Subject:** FW: Here are My DRAFT Responses to the 7 Questions That Associated Press Posed to DOJ  
**Attachments:** (b) (5)

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**From:** Rosenbaum, Eli [<mailto:Eli.Rosenbaum@usdoj.gov>]  
**Sent:** Monday, September 29, 2014 9:37 AM  
**To:** (b) (6)  
**Subject:** Here are My DRAFT Responses to the 7 Questions That Associated Press Posed to DOJ

(b) (6)

Great speaking with you just now, as always. As promised, here are the DRAFT responses I prepared for DOJ Public Affairs. They are being preliminarily reviewed here and so I am sure that changes will be made. But I thought it would be good to get SSA's thoughts on the draft. We certainly don't want to be saying anything about SSA benefits and policy that your agency disagrees with. Your suggestions will be gratefully received.

– Eli

(b) (6)

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**From:** (b) (6)  
**Sent:** Tuesday, January 13, 2015 11:04 AM  
**To:** (b) (6)  
**Subject:** FW: Nazi War Criminals -Request from Rep. Maloney & Associated Press article on Nazi War Criminals receiving Social Security benefits

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**From:** (b) (6)  
**Sent:** Thursday, October 02, 2014 9:59 AM  
**To:** de la Puente, Manuel  
**Cc:** Horan, Ted  
**Subject:** Nazi War Criminals -Request from Rep. Maloney & Associated Press article on Nazi War Criminals receiving Social Security benefits

Manuel,

These are the developments from DOJ and SSA on the anticipated article from the Associated Press focusing on Nazi's receiving Social Security Benefits, as well as the congressional inquiry on the related issue. I am also attaching documents and some of the correspondence below for background information.

- (b) (5)
- On October 1, I responded to Eli on his request to review his responses to the drafted DOJ Press release document, on issues related to SSA policy. I received the draft on September 1, which I forwarded to OIP, the SSA Press Office, and Royce Min.
- On September 25, Royce Min forwarded the congressional request for information from Representative Carolyn Maloney, to OIP (OLCA had originally reached out to OISP for assistance).
- On September 25, I received the heads up on the congressional inquiry from Rep. Carolyn Maloney.

(b) (5)

**From:** Rosenbaum, Eli [<mailto:Eli.Rosenbaum@usdoj.gov>]  
**Sent:** Monday, September 29, 2014 9:37 AM  
**To:** (b) (6)  
**Subject:** Here are My DRAFT Responses to the 7 Questions That Associated Press Posed to DOJ

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– Eli

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**Sent:** Wednesday, September 24, 2014 5:10 PM  
**To:** Bussman, Susan  
**Cc:** Anderson, Joann S.; (b) (6) Martinez, Nancy J.  
**Subject:** FW: follow up request from Rep. Maloney

Sue,

I have reviewed the letter to the ACOSS (attached) and do not believe we would have any information in our records that would identify Nazi war criminals who have been “denaturalized but not deported.” Of course, SSA does not make citizenship determinations. Department of State makes citizenship determinations for persons outside the country and DHS (USCIS) make citizenship determinations for persons inside the country. We do determine if someone is a citizen, lawfully present (T2) or have certain authorized alien status (T16) for benefit purposes. We don't record, to my knowledge, any detailed information (i.e. Nazi war criminal) when that requirement is not met.

I am sharing this with staff subject matter experts in citizenship and lawful presence in case they can shed more light on this. The OISP contact for this would be (b) (6) TL, on the Applications Team. Joann Anderson is the OAESP Office Director.

Thanks.  
Kelly

**From:** Parisi, Christina [<mailto:Christina.Parisi@mail.house.gov>]  
**Sent:** Wednesday, September 24, 2014 10:41 AM  
**To:** (b) (6)  
**Subject:** follow up request from Rep. Maloney

Hi (b) (6)

As a follow up to the letter sent by Rep. Maloney to Acting Commissioner Colvin, we'd like to set up a call (ideally toward the end of this week) with an appropriate SSA liaison to speak about the requests made in the letter. We understand that the information the Congresswoman has requested will take some time to compile, but we'd like to discuss the kind of response we can expect from SSA/the type of information it is able to provide and hopefully a timeframe. Please let me know if you can help set that up or if there is someone else I should reach out to about setting up a phone conversation.

Thanks for all your help up to this point.

Christina Parisi  
Legislative Assistant  
Congresswoman Carolyn B. Maloney (NY-12)  
2308 Rayburn House Office Building  
(202) 225-7944  
Please sign up for e-mail updates from Rep. Maloney at <http://go.usa.gov/Tz34>





**Congress of the United States**  
**House of Representatives**  
Washington, DC 20515-3212

September 15, 2014

Carolyn W. Colvin  
Acting Commissioner  
Social Security Administration  
6401 Security Boulevard  
Baltimore, MD 21235

Dear Acting Commissioner Colvin:

I write to request information regarding the payment of Social Security benefits to known Nazi war criminals who came to the United States after the conclusion of World War II and were subsequently denaturalized, but never deported. I understand that in several cases, the U.S. Government was unable to deport identified Nazi war criminals because their home countries would not allow them to re-enter. As a result, these people may have voluntarily left the United States, and continued to receive Social Security benefits. It is egregious that the U.S. taxpayer may be funding the retirement of criminals who helped execute the worst atrocity of the 20th Century. I would like to request any information you can provide regarding the amounts and dates of payments made to individuals engaged in Nazi persecution or genocide who are alive as well as those who have since died.

Specifically, I am requesting the following information:

- For each deceased person, the name, Social Security number, last known location, date of receipt of last SSA benefits and the total amount of benefits paid since the individual's formal departure from the United States;
- For each living person, only the date of last SSA payments and the total amount of benefits paid since the individual's formal departure from the United States.

Please note that I am not requesting any information identifying current beneficiaries.

As a co-author of the Nazi War Crimes Disclosure Act which created the Nazi War Crimes and Japanese Imperial Government Records Interagency Working Group (IWG), I strongly support the release of all records documenting the involvement of the U.S. Government with Nazi war criminals. The IWG was successful in declassifying critical intelligence from various government agencies that helped uncover what the American government knew about the actions and plans of Nazi war criminals during World War II. This transparency has brought some closure to Holocaust survivors and the families of victims, and helps us learn from, and not repeat, past mistakes.

It is in the public interest that this information be disclosed so that the American public understands how its tax dollars are being dispersed and in an effort to make informed policy decisions going forward. Thank you for your attention to this important matter.

Sincerely,

  
**CAROLYN B. MALONEY**  
Member of Congress

(b) (6)

**From:** (b) (6)  
**Sent:** Tuesday, January 13, 2015 11:04 AM  
**To:** (b) (6)  
**Subject:** FW: follow up request from Rep. Maloney  
**Sensitivity:** Confidential

---

**From:** Min, Royce  
**Sent:** Friday, October 03, 2014 3:45 PM  
**To:** 'Chen, Edgar (OLA)'  
**Cc:** Hansen, Erik; (b) (6) Rosenbaum, Eli  
**Subject:** RE: follow up request from Rep. Maloney  
**Sensitivity:** Confidential

Edgar,

Erik Hansen in my office can reach out to you. He participated in a brief discussion with the Member's staff earlier this week.

Royce

---

**From:** Chen, Edgar (OLA) [<mailto:Edgar.Chen@usdoj.gov>]  
**Sent:** Friday, October 03, 2014 3:41 PM  
**To:** Min, Royce  
**Cc:** Hansen, Erik; (b) (6) Rosenbaum, Eli  
**Subject:** RE: follow up request from Rep. Maloney  
**Sensitivity:** Confidential

Hi Royce,  
Thanks so much for reaching out. (b) (5)

(b) (5)

Thanks,

Edgar

---

**From:** Min, Royce [<mailto:Royce.Min@ssa.gov>]  
**Sent:** Friday, October 03, 2014 3:02 PM  
**To:** Chen, Edgar (OLA)  
**Cc:** Hansen, Erik; (b) (6) Rosenbaum, Eli  
**Subject:** RE: follow up request from Rep. Maloney  
**Sensitivity:** Confidential



Edgar,

I understand that you're interested in our response to Representative Maloney. We have not yet responded but were finalizing the letter. Representative Maloney requested information that is identical to information our FOIA office provided to the AP reporter. We were intended to transmit the same to Representative Maloney.

Please let me know if you'd like to review our draft response. It's essentially a short transmittal letter.

Thanks,  
Royce

---

**From:** Rosenbaum, Eli [mailto:Eli.Rosenbaum@usdoj.gov]  
**Sent:** Friday, October 03, 2014 2:56 PM  
**To:** (b) (6)  
**Cc:** Chen, Edgar (OLA); Min, Royce  
**Subject:** RE: follow up request from Rep. Maloney  
**Sensitivity:** Confidential

Many thanks! - Eli

---

**From:** (b) (6)  
**Sent:** Friday, October 03, 2014 2:54 PM  
**To:** Rosenbaum, Eli  
**Cc:** Chen, Edgar (OLA); Min, Royce  
**Subject:** RE: follow up request from Rep. Maloney  
**Sensitivity:** Confidential

Eli, As requested, I am including Mr. Royce from the SSA Office of Congressional Affairs in this response.

Enjoy your weekend,

(b) (6)

---

**From:** Rosenbaum, Eli [mailto:Eli.Rosenbaum@usdoj.gov]  
**Sent:** Friday, October 03, 2014 2:48 PM  
**To:** (b) (6)  
**Cc:** Chen, Edgar (OLA)  
**Subject:** RE: follow up request from Rep. Maloney  
**Sensitivity:** Confidential

(b) (6) - I have shared Rep. Maloney's letter with Edgar Chen (copied on this e-mail) in DOJ's Office of Legislative Affairs. I would be very grateful if you would put him in touch with SSA's legislative affairs folks so that he might communicate with them as they develop their response to the congresswoman. Edgar's tel# is 202-514-0427. Thanks in advance! - Eli

**From:** Najar, Joel  
**To:** [Bussman, Susan](#); [Morna Miller \(Morna.Miller@mail.house.gov\)](#)  
**Subject:** Nazis - it's not over  
**Date:** Thursday, December 18, 2014 5:50:00 PM

---

<http://abcnews.go.com/Politics/wireStory/obama-signs-legislation-ending-benefits-nazis-27698525?singlePage=true>

“Nathan Moskowitz, the author of "Kuzmino Chronicles," the story of his parents' deportation to the Auschwitz death camp as teenagers, said cutting off the benefits "is a nice start," but more needs to be done. Former Nazis should be forced to return benefits they received, he said, and the Social Security Administration and Justice Department should declassify all documents describing any deals that were made with Nazi suspects.”

**From:** [Rosenbaum, Eli](#)  
**To:** [Hansen, Erik](#); [Clark, Catherine E.](#); (b) (6)  
**Cc:** [Chen, Edgar \(OLA\)](#); [Kellner, Kenneth E. \(OLA\)](#); [Masling, Susan](#); [Siegal, Susan](#)  
**Subject:** RE: (more) Notes in Advance of Wednesday Conference Call  
**Date:** Tuesday, December 16, 2014 7:41:42 PM  
**Attachments:** (b) (6)

---

Erik –

Thanks so much for your e-mail and your kind words. We are very fortunate to have had an outstanding cooperative relationship with SSA for more than 30 years. I am glad to see that that relationship continues to flourish. Susan Masling, Susan Siegal, and I look forward very much to tomorrow's conference call.

On the thought that a "historical" item might be of at least passing interest, I have attached a copy of the letter that we received way back in May 1983, informing us that (b) (6), the first Nazi persecutor deported from the United States in over 30 years, was to receive a pre-suspension notice from SSA, based on our notification to your agency. Note that that was 5 years *before* Congress passed legislation to revoke the benefits of persons ordered deported on the basis of participation in Nazi persecution. Our agencies have worked together closely through the decades in these cases, and one of my fondest memories is when SSA's Terry Fahey came down to Washington ten years ago to receive the Criminal Division award for which I had the privilege of nominating her. I have pasted below the text of the remarks made by Deputy Assistant Attorney General Laura Parsky as she presented the award to Terry in the Great Hall of Justice in what is now the Robert F. Kennedy Building (a/k/a "Main Justice").

With best wishes,

Eli

Eli M. Rosenbaum

Director, Human Rights Enforcement Strategy & Policy

Human Rights and Special Prosecutions Section

Criminal Division

United States Department of Justice

Washington, DC 20530

202.616.2512 (fax -2512)

Also being recognized by the Office of Special Investigations is **Terry Fahey**, a Social Insurance Specialist with the Social Security Administration. Ms. Fahey is affectionately called "The Terminator" by OSI staff because of her work to terminate the social security benefits of Nazi criminals and others who do not deserve to receive them. She provides invaluable advice to OSI in a wide variety of matters concerning the Social Security implications of OSI's efforts to denaturalize and remove the perpetrators of World War II-era Nazi crimes of persecution from this country.

Ms. Fahey has been a veritable font of information and wise counsel to OSI since 1993. She has guided OSI attorneys through the labyrinth of Social Security statutes, regulations and treaties, providing expert and timely advice regarding the Social Security ramifications on OSI defendants of various litigation actions and outcomes. She has assisted OSI enthusiastically and in the finest spirit of inter-agency federal

cooperation. Although liaison with OSI is but one of her many responsibilities, she has consistently responded to OSI requests expeditiously and with the highest degree of reliability, skill and professionalism.

Ms. Fahey, thank you for joining us today and for all of the work you have done for the Criminal Division.

---

**From:** Hansen, Erik [mailto:Erik.Hansen@ssa.gov]  
**Sent:** Monday, December 15, 2014 11:18 PM  
**To:** Rosenbaum, Eli; Clark, Catherine E.; (b) (6)  
**Cc:** Chen, Edgar (OLA); Kellner, Kenneth E. (OLA); Masling, Susan; Siegal, Susan  
**Subject:** Re: Notes in Advance of Wednesday Conference Call  
Eli,

Thanks very much for your notes regarding the listing we previously sent for DOJ review. Catherine and (b) (6) will best be able to tell you about the various sources we used in compiling the listing, but I think you very persuasively make the point that DOJ has a better grasp on these folks than SSA does. We have been doing our best to identify Nazi persecutors without some of the much better information available to you, and we appreciate the clarity DOJ can bring to the table.

We will be glad to make modifications to our listings to the extent needed as informed by your data. Going forward, as you mention, we will need to respond to several Congressional letters. Our timeframe is that we want to respond as quickly as possible, but it is more important that we be accurate than speedy. We plan to coordinate with DOJ on these responses.

With respect to your questions on reporting periods, we are thinking that the "start" point would be the point at which the individual renounced citizenship and left the country. We know from conversations with Judiciary staff that this was the intent in the Hatch/Grassley letter, and it makes sense for us to address these three inquiries in a consistent manner.

We look forward to the upcoming conversation, and greatly appreciate the many years of work you have dedicated to this effort.

Erik

---

**From:** Rosenbaum, Eli [mailto:Eli.Rosenbaum@usdoj.gov]  
**Sent:** Monday, December 15, 2014 09:05 PM  
**To:** Clark, Catherine E.; (b) (6)  
**Cc:** Chen, Edgar (OLA) <Edgar.Chen@usdoj.gov>; Kellner, Kenneth E. (OLA) <Kenneth.E.Kellner@usdoj.gov>; Masling, Susan <Susan.Masling@usdoj.gov>; Siegal, Susan <Susan.Siegal@usdoj.gov>; Hansen, Erik  
**Subject:** RE: Notes in Advance of Wednesday Conference Call  
This time with the spreadsheet attached. - Eli

---

**From:** Rosenbaum, Eli  
**Sent:** Monday, December 15, 2014 7:38 PM  
**To:** 'Clark, Catherine E.'; (b) (6)  
**Cc:** Chen, Edgar (OLA); Kellner, Kenneth E. (OLA); Masling, Susan; Siegal, Susan; Hansen, Erik  
**Subject:** Notes in Advance of Wednesday Conference Calls



DEPARTMENT OF HEALTH & HUMAN SERVICES

SSA-L1003  
scs/sd/jh  
Social Security Administration

Division of International Operations  
Refer to: P.O. Box 1756, Baltimore, Maryland 21203

SPR55A

(b) (6) A

MAY 24 1983

Neal M. Sher, Acting Director  
Office of Special Investigations  
Criminal Division  
U.S. Department of Justice  
Post Office Box 28603  
Washington, D.C. 20005

Dear Mr. Sher:

Re: (b) (6) A  
Your Reference (b) (6)

We received your letter of April 25, 1983 along with Immigration and Naturalization Service Form I-157 Notice of Deportation and copy of Deportation Order.

The Social Security claim file of (b) (6) was received from our Program Center in Chicago and his identity confirmed. Before leaving for Germany, he and his wife visited a local social security office and reported their address change.

In accordance with our regulations, we are sending (b) (6) a presuspension notice. If he does not respond within 30 days and submit evidence that he was not deported, we will suspend his social security benefits effective May 1983, the month following the month we received the Form I-157.

Sincerely yours,

John P. McHale  
Director, Division of  
International Operations

**From:** (b) (6)  
**To:** [Bussman, Susan](mailto:Bussman.Susan)  
**Cc:** (b) (6)  
**Subject:** RE: Request for Technical Assistance  
**Date:** Monday, November 24, 2014 10:09:56 AM

---

Looks good to me. To my knowledge, no. But I was on telework.

(b) (6)

Office of Legislation and Congressional Affairs  
Office: (b) (6)  
Blackberry: (b) (6)

---

**From:** Bussman, Susan  
**Sent:** Monday, November 24, 2014 9:47 AM  
**To:** (b) (6)  
**Subject:** RE: Request for Technical Assistance

I made one change to the language – I want it to be VERY specific. See what you think. Did you all talk to them on Friday?

*Sue Bussman  
Staff Director  
Retirement and Survivors Insurance Branch  
Office of Legislation and Congressional Affairs  
Social Security Administration  
410-965-3313  
[Susan.Bussman@ssa.gov](mailto:Susan.Bussman@ssa.gov)*

---

**From:** (b) (6)  
**Sent:** Monday, November 24, 2014 9:34 AM  
**To:** Bussman, Susan  
**Cc:** (b) (6)  
**Subject:** FW: Request for Technical Assistance

Sue:

Here are my suggested edits, with a note to Amy.

(b) (6)

---

Amy,

Thanks again. Please see our comment and one suggested edit in the attached PDF.

Please let me, Royce, or Erik know if you have any questions. Thanks,

Tom

---

**From:** Shuart, Amy [<mailto:Amy.Shuart@mail.house.gov>]

**Sent:** Thursday, November 20, 2014 10:50 AM

**To:** Parrott, Thomas M.

**Cc:** Hildred, Kim; Miller, Morna; Olson, Kathryn

**Subject:** Request for Technical Assistance

Tom-

Attached is H.R. 5739 as introduced by Chairman Johnson and Ranking Member Becerra yesterday. We expect the bill will be on the floor the week following Thanksgiving.

As such, we are requesting final technical assistance, no later than COB Monday November 24. Please note, this is a firm deadline for any suggested changes.

Thank you! Amy

~~~~~

Amy Shuart

Professional Staff

Committee on Ways and Means, Subcommittee on Social Security

(202) 225-9263

**From:** [Bussman, Susan](#)  
**To:** (b) (6)  
**Subject:** RE: Request for Technical Assistance  
**Date:** Monday, November 24, 2014 9:47:09 AM  
**Attachments:** (b) (5)

---

I made one change to the language – I want it to be VERY specific. See what you think. Did you all talk to them on Friday?

*Sue Bussman  
Staff Director  
Retirement and Survivors Insurance Branch  
Office of Legislation and Congressional Affairs  
Social Security Administration  
410-965-3313  
Susan.Bussman@ssa.gov*

---

**From:** (b) (6)  
**Sent:** Monday, November 24, 2014 9:34 AM  
**To:** Bussman, Susan  
**Cc:** (b) (6)  
**Subject:** FW: Request for Technical Assistance

Sue:

Here are my suggested edits, with a note to Amy.

(b) (6)

---

Amy,

Thanks again. Please see our comment and one suggested edit in the attached PDF. Please let me, Royce, or Erik know if you have any questions. Thanks,

Tom

---

**From:** Shuart, Amy [<mailto:Amy.Shuart@mail.house.gov>]  
**Sent:** Thursday, November 20, 2014 10:50 AM  
**To:** Parrott, Thomas M.  
**Cc:** Hildred, Kim; Miller, Morna; Olson, Kathryn  
**Subject:** Request for Technical Assistance

Tom-



Attached is H.R. 5739 as introduced by Chairman Johnson and Ranking Member Becerra yesterday. We expect the bill will be on the floor the week following Thanksgiving.

As such, we are requesting final technical assistance, no later than COB Monday November 24. Please note, this is a firm deadline for any suggested changes.

Thank you! Amy

~~~~~

Amy Shuart

Professional Staff

Committee on Ways and Means, Subcommittee on Social Security

(202) 225-9263

**From:** [Bussman, Susan](#)  
**To:** [Hansen, Erik](#); [Min, Royce](#); (b) (6)  
**Subject:** Conversation with Amy/Morna  
**Date:** Monday, November 24, 2014 8:46:09 AM

---

Did anyone talk to them on Friday about the TA?

*Sue Bussman*

*Staff Director*

*Retirement and Survivors Insurance Branch*

*Office of Legislation and Congressional Affairs*

*Social Security Administration*

*410-965-3313*

*Susan.Bussman@ssa.gov*

**From:** [Najar, Joel](#)  
**To:** [Bussman, Susan](#); (b) (6)  
**Subject:** RE: Request for Technical Assistance  
**Date:** Thursday, November 20, 2014 12:41:55 PM

---

Nope

---

**From:** Bussman, Susan  
**Sent:** Thursday, November 20, 2014 12:37 PM  
**To:** (b) (6); Najar, Joel  
**Subject:** FW: Request for Technical Assistance

I think I'm fine with this – any comments from you two?

*Sue Bussman  
Staff Director  
Retirement and Survivors Insurance Branch  
Office of Legislation and Congressional Affairs  
Social Security Administration  
410-965-3313  
[Susan.Bussman@ssa.gov](mailto:Susan.Bussman@ssa.gov)*

---

**From:** Parrott, Thomas M.  
**Sent:** Thursday, November 20, 2014 11:14 AM  
**To:** Min, Royce; Hansen, Erik; Bussman, Susan; Najar, Joel  
**Subject:** FW: Request for Technical Assistance

fyna

---

**From:** Shuart, Amy [<mailto:Amy.Shuart@mail.house.gov>]  
**Sent:** Thursday, November 20, 2014 10:50 AM  
**To:** Parrott, Thomas M.  
**Cc:** Hildred, Kim; Miller, Morna; Olson, Kathryn  
**Subject:** Request for Technical Assistance

Tom-

Attached is H.R. 5739 as introduced by Chairman Johnson and Ranking Member Becerra yesterday. We expect the bill will be on the floor the week following Thanksgiving.

As such, we are requesting final technical assistance, no later than COB Monday November 24. Please note, this is a firm deadline for any suggested changes.

Thank you! Amy

~~~~~  
Amy Shuart

Professional Staff

Committee on Ways and Means, Subcommittee on Social Security  
(202) 225-9263

**From:** [Bussman, Susan](#)  
**To:** (b) (6); [Najar, Joel](#)  
**Subject:** FW: Request for Technical Assistance  
**Date:** Thursday, November 20, 2014 12:36:57 PM  
**Attachments:** (b) (5)

---

I think I'm fine with this – any comments from you two?

*Sue Bussman  
Staff Director  
Retirement and Survivors Insurance Branch  
Office of Legislation and Congressional Affairs  
Social Security Administration  
410-965-3313  
Susan.Bussman@ssa.gov*

---

**From:** Parrott, Thomas M.  
**Sent:** Thursday, November 20, 2014 11:14 AM  
**To:** Min, Royce; Hansen, Erik; Bussman, Susan; Najar, Joel  
**Subject:** FW: Request for Technical Assistance

fyna

---

**From:** Shuart, Amy [<mailto:Amy.Shuart@mail.house.gov>]  
**Sent:** Thursday, November 20, 2014 10:50 AM  
**To:** Parrott, Thomas M.  
**Cc:** Hildred, Kim; Miller, Morna; Olson, Kathryn  
**Subject:** Request for Technical Assistance

Tom-

Attached is H.R. 5739 as introduced by Chairman Johnson and Ranking Member Becerra yesterday. We expect the bill will be on the floor the week following Thanksgiving.

As such, we are requesting final technical assistance, no later than COB Monday November 24. Please note, this is a firm deadline for any suggested changes.

Thank you! Amy

~~~~~  
Amy Shuart  
Professional Staff  
Committee on Ways and Means, Subcommittee on Social Security  
(202) 225-9263

**From:** (b) (6)  
**To:** [Bussman, Susan](mailto:Bussman, Susan)  
**Cc:** (b) (6)  
**Subject:** RE: Audit No. 22015003: Payment of Social Security Benefits to Nazi War Criminals  
**Date:** Thursday, November 20, 2014 8:52:05 AM

---

Sure. We just calling in from your office?

(b) (6)  
Office of Legislation and Congressional Affairs  
Office: (b) (6)  
Blackberry: (b) (6)

---

**From:** Bussman, Susan  
**Sent:** Thursday, November 20, 2014 8:45 AM  
**To:** (b) (6)  
**Subject:** FW: Audit No. 22015003: Payment of Social Security Benefits to Nazi War Criminals

(b) (6) would you please join me for this call – we can push back the performance discussion until this afternoon.

Thanks.

*Sue Bussman  
Staff Director  
Retirement and Survivors Insurance Branch  
Office of Legislation and Congressional Affairs  
Social Security Administration  
410-965-3313  
[Susan.Bussman@ssa.gov](mailto:Susan.Bussman@ssa.gov)*

---

**From:** Clark, Catherine E.  
**Sent:** Thursday, November 20, 2014 8:31 AM  
**To:** Bussman, Susan  
**Subject:** RE: Audit No. 22015003: Payment of Social Security Benefits to Nazi War Criminals

Yes. Thank you. I will get a new conference phone number and passcode. Will send to you shortly.

---

**From:** Bussman, Susan  
**Sent:** Wednesday, November 19, 2014 5:14 PM  
**To:** Clark, Catherine E.  
**Cc:** (b) (6)  
**Subject:** Re: Audit No. 22015003: Payment of Social Security Benefits to Nazi War Criminals

Sure - it's just a call in, right?

---

**From:** Clark, Catherine E.

**Sent:** Wednesday, November 19, 2014 04:53 PM  
**To:** Bussman, Susan  
**Subject:** Audit No. 22015003: Payment of Social Security Benefits to Nazi War Criminals

Hello Sue,

Just wondering if you could make this.

Thanks,  
Catherine

---Original Appointment-----

**From:** (b) (6)  
**Sent:** Wednesday, November 19, 2014 3:51 PM  
**To:** (b) (6) Clark, Catherine E.  
**Subject:** Audit No. 22015003: Payment of Social Security Benefits to Nazi War Criminals  
**When:** Thursday, November 20, 2014 10:30 AM-11:30 AM (UTC-08:00) Pacific Time (US & Canada).  
**Where:** (b) (5)

The purpose of this meeting is to discuss how the below Excel list was compiled and discuss discrepancies between your listing of beneficiaries and the list on the DOJ report and FOIA request.

(b) (6), (b) (5)

[Audit No. 22015003: FAST TURNAROUND DUE 11/7/14: Payment of Social Security Benefits to Nazi War Criminals](#)

Catherine E. Clark  
Director, Office of Foreign Program Policy  
Office of International Programs  
Social Security Administration  
3703 Robert M. Ball Building  
[Catherine.E.Clark@ssa.gov](mailto:Catherine.E.Clark@ssa.gov)  
410-966-8612

**From:** [DeCesaro, Anne](#)  
**To:** [Hansen, Erik](#)  
**Cc:** [Min, Royce](#); [Shuart, Amy](#)  
**Subject:** Re: Nazi Bill  
**Date:** Thursday, November 13, 2014 8:23:49 AM

---

Perfect!

---

**From:** Hansen, Erik [mailto:Erik.Hansen@ssa.gov]  
**Sent:** Thursday, November 13, 2014 08:13 AM  
**To:** DeCesaro, Anne  
**Cc:** Min, Royce  
**Subject:** RE: Nazi Bill

Anne,

We would be glad to discuss. We will plan on teleconferencing with you at 9:15 AM.

Here is the call in info:

(b) (5)

Let me know if this time doesn't work. Thanks,

Erik

---

**From:** DeCesaro, Anne [mailto:Anne.DeCesaro@mail.house.gov]  
**Sent:** Wednesday, November 12, 2014 6:32 PM  
**To:** Hansen, Erik  
**Cc:** Shuart, Amy  
**Subject:** Nazi Bill

Erik,

I saw a copy of the TA that you sent over to Amy, and I have questions. Can we please plan to talk in the AM, possibly sometime in the 9am hour?

Thanks!

Anne

Anne DeCesaro | Professional Staff  
Human Resources Subcommittee | Committee on Ways and Means  
202-225-1025 | [anne.decesaro@mail.house.gov](mailto:anne.decesaro@mail.house.gov)

**From:** [Hansen, Erik](#)  
**To:** [kim.hildred@mail.house.gov](mailto:kim.hildred@mail.house.gov)  
**Cc:** [Parrott, Thomas M.](#); [Min, Royce](#)  
**Subject:** Contact Information for DoJ  
**Date:** Wednesday, November 12, 2014 4:06:00 PM

---

Kim,

Tom tells me you needed contact information for the folks at DoJ. Our main contacts on the Nazi issue have been:

[Edgar.Chen@usdoj.gov](mailto:Edgar.Chen@usdoj.gov) (202-514-0427)

[Susan.Masling@usdoj.gov](mailto:Susan.Masling@usdoj.gov) (202-616-2536)

[Kenneth.E.Kellner@usdoj.gov](mailto:Kenneth.E.Kellner@usdoj.gov) (202-514-3752)

Edgar and Ken work for DoJ's legislative division. Susan is with their General Counsel.

Edgar Chen, in particular, has been especially helpful. Let me know if you need additional information. Thanks,

Erik



**From:** (b) (6)  
**To:** [Vandeventer, Lori](#)  
**Cc:** (b) (6); (b) (6)  
**Subject:** RE: Friday Meeting with OMB and DoJ  
**Date:** Thursday, November 06, 2014 2:54:11 PM

---

OK (b) (6). Thanks. We'll be in 506 Altmeyer. OMB canceled their previous invite and reestablished it, but the meeting will be at 12:00 PM. I'll let you know if that changes.

(b) (6)

---

**From:** (b) (6)  
**Sent:** Thursday, November 06, 2014 2:05 PM  
**To:** (b) (6)  
**Cc:** (b) (6); Ockenfels, Judy  
**Subject:** RE: Friday Meeting with OMB and DoJ

(b) (6)

I will attend tomorrow's meeting to discuss benefits paid to Nazi war criminals.

Thanks,

(b) (6)

(b) (6)

DPPO/OPSOS

(b) (6)

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**From:** (b) (6)  
**Sent:** Wednesday, November 05, 2014 1:51 PM  
**To:** Ockenfels, Judy  
**Cc:** (b) (6)  
**Subject:** Friday Meeting with OMB and DoJ

Hi Judy,

Attached is the meeting invite for Friday, per our discussion earlier today. I doubt they'll get into any Operational issues.

We'll most likely be meeting in 506 Altmeyer if you'd like to join us there. I'll let you know if the room changes.

(b) (6)

entitled to benefits under that section had such application remained in effect.

42 USC 426 note.

(d) The amendments made by subsections (a) and (b) shall be effective after the second month beginning after the date on which this Act is enacted.

INCOME NOT ATTRIBUTABLE TO SERVICES PERFORMED AFTER ENTITLEMENT

42 USC 403.

SEC. 3. (a) Section 203(f)(5)(D) of the Social Security Act is amended to read as follows:

“(D) In the case of—

“(i) an individual who has attained the age of 65 on or before the last day of the taxable year, and who shows to the satisfaction of the Secretary that he or she is receiving royalties attributable to a copyright or patent obtained before the taxable year in which he or she attained such age and that the property to which the copyright or patent relates was created by his or her own personal efforts, or

“(ii) an individual who has become entitled to insurance benefits under this title, other than benefits under section 223 or benefits payable under section 202(d) by reason of being under a disability, and who shows to the satisfaction of the Secretary that he or she is receiving, in a year after his or her initial year of entitlement to such benefits, any other income not attributable to services performed after the month in which he or she initially became entitled to such benefits,

there shall be excluded from gross income any such royalties or other income.”

42 USC 423, 402.

42 USC 403 note.

(b) The amendment made by subsection (a) shall apply with respect to taxable years ending after December 31, 1977, but only with respect to benefits payable for months after December 1977.

RETROSPECTIVE EFFECT OF ELIMINATION OF MONTHLY EARNINGS TEST

42 USC 403.

SEC. 4. (a) Section 203(f)(1) of the Social Security Act is amended by striking out “the first month” in clause (E) and inserting in lieu thereof “the first month after December 1977”.

42 USC 403 note.

(b) The amendment made by subsection (a) shall apply with respect to monthly benefits payable for months after December 1977.

BENEFITS FOR CERTAIN PRISONERS

42 USC 423.

SEC. 5. (a)(1) Section 223(d) of the Social Security Act is amended by adding at the end thereof the following new paragraph:

“(6)(A) Notwithstanding any other provision of this title, any physical or mental impairment which arises in connection with the commission by an individual (after the date of the enactment of this paragraph) of an offense which constitutes a felony under applicable law and for which such individual is subsequently convicted, or which is aggravated in connection with such an offense (but only to the extent so aggravated), shall not be considered in determining whether an individual is under a disability.

“(B) Notwithstanding any other provision of this title, any physical or mental impairment which arises in connection with an individual's confinement in a jail, prison, or other penal institution or correctional facility pursuant to such individual's conviction of an

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offense (committed after the date of the enactment of this paragraph) constituting a felony under applicable law, or which is aggravated in connection with such a confinement (but only to the extent so aggravated), shall not be considered in determining whether such individual is under a disability for purposes of benefits payable for any month during which such individual is so confined."

(2) The third sentence of section 216(i)(1) of such Act is amended by striking out "and (5)" and inserting in lieu thereof "(5), and (6)".

42 USC 416.

(b) Section 202(d)(7)(A) of such Act is amended by adding at the end thereof the following: "An individual shall not be considered a 'full-time student' for the purpose of this section while that individual is confined in a jail, prison, or other penal institution or correctional facility, pursuant to his conviction of an offense (committed after the date of the enactment of this paragraph) which constituted a felony under applicable law."

"Fulltime student."  
42 USC 402.

(c) Section 223 of such Act is amended by adding at the end thereof the following new subsection:

42 USC 423.

"Suspension of Benefits for Inmates of Penal Institutions

"(f)(1) Notwithstanding any other provision of this title, no monthly benefits shall be paid under this section, or under section 202(d) by reason of being under a disability, to any individual for any month during which such individual is confined in a jail, prison, or other penal institution or correctional facility, pursuant to his conviction of an offense which constituted a felony under applicable law, unless such individual is actively and satisfactorily participating in a rehabilitation program which has been specifically approved for such individual by a court of law and, as determined by the Secretary, is expected to result in such individual being able to engage in substantial gainful activity upon release and within a reasonable time.

"(2) Benefits which would be payable to any individual (other than a confined individual to whom benefits are not payable by reason of paragraph (1)) under this title on the basis of the wages and self-employment income of such a confined individual but for the provisions of paragraph (1), shall be payable as though such confined individual were receiving such benefits under this section."

(d) The amendments made by this section shall be effective with respect to benefits payable for months beginning on or after October 1, 1980.

42 USC 402 note.

TECHNICAL CORRECTIONS

SEC. 6. (a) Section 202(e)(2)(B)(i) of such Act is amended by striking out the second comma following "where applicable".

42 USC 402.

(b)(1) Section 203(a)(3)(A) of such Act is amended by striking out "bases" and inserting in lieu thereof "basis".

42 USC 403.

(2) Section 203(a)(7) of such Act is amended by striking out "benefits base" and inserting in lieu thereof "benefit base".

(c) Section 213(a)(2)(A) of such Act is amended by striking out "quarters of coverage" and inserting in lieu thereof "quarter of coverage".

42 USC 413.

(d) Section 215(a)(4)(B) of such Act is amended by striking out "computation or recommendation" and inserting in lieu thereof "computation or recomputation".

42 USC 415.

(e)(1) Section 303 of such Act is amended by redesignating the second subsection (d) as subsection (e).

Ante, p. 468.

(2) Section 304(a)(2) of such Act is amended to read as follows:

42 USC 504.

# Calendar No. 1097

96TH CONGRESS }  
2d Session

SENATE

{ REPORT  
No. 96-987

## AMENDMENTS TO THE SOCIAL SECURITY PROGRAM

SEPTEMBER 24 (legislative day, JUNE 12), 1980.—Ordered to be printed

Mr. LONG, from the Committee on Finance,  
submitted the following

### REPORT

[To accompany H.R. 5295]

The Committee on Finance, to which was referred the bill (H.R. 5295) to amend title II of the Social Security Act to make the monthly earnings test available in limited circumstances in the case of certain beneficiaries, to amend the technical requirements for entitlement to medicare, and to provide that income attributable to services performed before an individual first becomes entitled to old-age insurance benefits shall not be taken into account (after 1977) in determining his or her gross income for purposes of the earnings test, having considered the same, reports favorably thereon with an amendment and an amendment to the title and recommends that the bill as amended do pass.

#### I. Summary

*Monthly exception to the retirement test.*—A provision of the Social Security Amendments of 1977 eliminated the previously applicable monthly exception to the social security retirement test. Under the prior law, a social security beneficiary could receive full benefits for any month of the year in which he engaged in little or no work activity even if benefits would otherwise not be payable under the annual retirement test provision. The 1977 amendments deleted this monthly exception other than as it applies in the first year in which an individual becomes entitled to some payment under it. The change made by the 1977 amendments had a number of apparently unintended effects which would be corrected by the committee bill. Specifically, the committee bill would allow the monthly exception in the year in which entitlement ends to child's benefits or to benefits as a wife or widow with a child in care (unless entitlement ends by reason of death or by reason of entitlement to another type of social security benefit). The

TEST, FISCAL YEARS 1980-84

Benefit payments in fiscal years  
1980-84

82	1983	1984	1985
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135	\$39	\$43	\$47
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32	38	43	49
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69	77	86	96
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report, modified to reflect the  
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cost estimates of  
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-----	-\$11
-----	-25
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PROVISIONS OF H.R. 5295

1982	1983	1984	1985
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25	31	36	41
4	8	11	14
37	42	48	55
2	-----	-----	-----

68	91	95	110
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END-OF-YEAR CASH BENEFIT FUND BALANCES

[As a percent of following year outgo]

Year	Present law			Committee amendment		
	OASI	DI	Com- bined funds	OASI	DI	Com- bined funds
1980.....	14	43	17	17	19	17
1981.....	4	58	10	10	11	10

Note: Estimated by Social Security Administration actuaries; based on Administration July mid-session budget review assumptions.

LIMIT ON RETROACTIVE BENEFITS

(Section 6 of the bill)

Individuals who apply for benefits under the social security program are now effectively allowed to backdate their applications by as much as 1 year to claim benefits for months prior to the actual date of application. In the last Congress, the Administration submitted a recommendation with its fiscal 1979 budget to change this provision so as to limit retroactivity of applications to a period of 3 months. The old-age, survivors, and disability insurance program is intended to provide a source of monthly income for persons whose support in the form of wages of an insured worker is reduced because of that worker's death, disability, or retirement. Ordinarily, individuals who may be eligible for benefits apply for benefits promptly upon becoming eligible or even some months in advance of eligibility. In some instances, however, an individual may not file an application until after eligibility has already existed for some time. A period of retroactivity prior to the month of application is provided to protect against loss of benefits based on delayed filing which may have resulted from circumstances beyond the individual's control.

The committee bill limits the period of potential retroactivity to 3 months. The committee believes that a retroactivity period of 3 months prior to the month of application should provide ample opportunity for individuals to meet the program's filing requirements. The 3-month period would run from the date the application is filed and not from the date on which a decision is made on the claim.

BENEFITS FOR CERTAIN PRISONERS

(Section 7 of bill)

Individuals who are inmates of penal institutions or other incarcerated persons, such as the criminally insane who are confined to mental institutions, may become entitled to social security benefits if they can meet the several conditions required for benefits. The fact

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TES—EMPLOYER

Committee amendment	
DI	Total tax
0.56	5.08
.65	5.35

X RATES—

Committee amendment	
DI	Total tax
0.7775	7.05
.975	8.00

that they have been convicted of crimes and are incarcerated or are otherwise institutionalized does not interfere with their rights to benefits. This is in contrast to the old public assistance programs of the act (titles I, X, XIV) and the new supplemental security income program (title XVI), all of which explicitly deny payments to an inmate of a "public institution." That exclusion applies to prison inmates and also to other individuals who are residing voluntarily or involuntarily in institutions maintained by public funds.

Two related social security provisions of current law and regulation, however, do authorize the withholding of benefits to persons convicted of certain crimes. One originated as an amendment to the Social Security Act of 1956, which allows a judge, as part of a sentence, to deny payment of social security benefits of any type to an individual convicted of subversive crimes against the U.S. Government (espionage, sabotage, treason, sedition, etc.).

The second provision, provided for by regulation, precludes paying benefits to people convicted of killing a relative, and then claiming benefits based on the earnings record of the person they killed.

The data on the number of incarcerated persons receiving social security benefits is limited. Data from the 1970 census showed that approximately 4,000 prisoners in Federal, State and local penal institutions were receiving some form of social security benefits. A recent rough analysis of Federal prison inmates performed by GAO showed that 224 such inmates out of 17,000 who had known social security numbers were receiving benefits (approximately 1.5 percent). Another 5,000 inmates appeared not to have social security numbers, or their numbers were not known. Based on these data, the actuaries estimate that approximately 6,000 prisoners are now receiving social security benefits.

The committee believes that the basic purposes of the social security program are not served by the unrestricted payment of benefits to individuals who are in prison or whose eligibility arises from the commission of a crime. The disability program exists to provide a continuing source of monthly income to those whose earnings are cut off because they have suffered a severe disability. The need for this continuing source of income is clearly absent in the case of an individual who is being maintained at public expense in prison. The basis for his lack of other income in such circumstances must be considered to be marginally related to his impairment at best.

The committee bill therefore would require the suspension of benefits to any individual who would otherwise be receiving them on the basis of disability while he is imprisoned by reason of a felony conviction. This suspension would apply except to the extent that a court of law specifically provides to the contrary as a part of its approval of a plan of vocational rehabilitation services for that individual, and only for so long as the individual continues to participate satisfactorily in an approved vocational rehabilitation program which is expected to result in his return to substantial gainful employment. The committee amendment would also provide that an individual may not be considered to be a full-time student for purposes of social security student benefits while he is incarcerated. In addition, the amendment provides that disabilities to the extent that they arise from or are aggravated during the commission of a crime may not

and are incarcerated or are deprived with their rights to bene-  
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#### TECHNICAL CORRECTIONS

(Section 8 of the bill)

The committee bill includes a number of amendments of a purely  
 technical nature to the Social Security Act. These amendments correct  
 minor clerical and drafting errors in various amendments enacted in  
 recent years.

#### III. Regulatory Impact of the Bill

In compliance with paragraph 11(b) of rule XXVI of the Stand-  
 ing Rules of the Senate the following evaluation is made of the regu-  
 latory impact which would be incurred in carrying out the bill.

Those provisions of the bill which relate to the social security retire-  
 ment test (sections 1-4) represent an easing of legislation enacted in  
 1977. No significant regulatory, paperwork, or privacy impact is ex-  
 pected. Individuals affected by these provisions may be required to  
 provide some additional information but this would not be substan-  
 tially different in character or complexity from other information  
 requirements typically involved in establishing benefit eligibility. In-  
 asmuch as these provisions will permit benefit payments which were  
 precluded by the 1977 amendments, the economic impact on affected  
 individuals will be favorable to them.

Section 5 of the bill is an accounting transaction between two social  
 security trust funds which has no impact of a regulatory nature. Sec-  
 tion 6 simply reduces an existing law limit on the retroactivity of bene-  
 fits from 12 months to 3 months prior to the month of application. It  
 should have no impact of a regulatory, paperwork, or privacy nature  
 and should affect only those relatively few applicants who do not file  
 for benefits until some months after they have become eligible for  
 them. Section 7 places limitations on the payment of benefits to pris-  
 oners and to persons who become disabled in the commission of crimi-  
 nal actions. Because of the relatively small number of individuals  
 affected, the Committee believes that this provision has no significant  
 regulatory impact. It is estimated that about 6,000 persons are now  
 receiving benefits while in prison. For those affected, there will be some  
 impact on economic status and on privacy (in that the Social Security  
 Administration will be required to determine that they are in prison  
 and that their disabilities arose in the commission of crimes). The  
 committee does not consider these impacts to be inappropriate.

#### IV. Vote of the Committee in Reporting the Bill

In compliance with paragraph 7(c) of rule XXVI of the Standing  
 Rules of the Senate, the following statement is made relative to the  
 vote by the committee to report the bill.

The bill was ordered reported by a voice vote.

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## Press Release

FOR IMMEDIATE RELEASE

October 23, 2014

Sarah Swinehart

202-226-4774

### **Johnson, Becerra Developing Legislation to Stop the Payment of Social Security Benefits to Nazi War Criminals**

Washington, DC – Ways and Means Subcommittee on Social Security Chairman Sam Johnson (R-TX) and Ranking Member Xavier Becerra (D-CA) announced today that they are working together on legislation to stop all payment of Social Security benefits to Nazis and others who actively assisted in Nazi crimes.

“Like all Americans, I was stunned to learn that those responsible for the deaths of millions of innocents have received millions in Social Security benefits due to a loophole in the law. By leaving the country voluntarily, instead of being deported, these murderers were able to keep their benefits. Congress must stop these benefit payments now,” said Johnson.

“It’s unacceptable that some of the most heinous perpetrators of war crimes are receiving Social Security benefits on account of a loophole,” said Becerra. “Social Security must be



preserved for hard-working individuals who've earned it, not for participants in the atrocities of the Holocaust. The horrific crimes of the Holocaust must never be forgiven or forgotten."

The legislation will:

- Reaffirm the longstanding American view that Nazi perpetrators of the Holocaust engaged in a uniquely horrifying form of evil, and that the genocide they committed must be punished.
- Amend the law to stop benefit payments to those stripped of U.S. citizenship due to participation in Nazi activities or who voluntarily renounced their citizenship due to such participation. (Those who are judicially deported are already ineligible for Social Security under current law.)
- Require a report to Congress on the number of Nazis whose benefits have been terminated by the Social Security Administration.

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Ways and Means Press Office  
[www.WaysandMeans.House.gov](http://www.WaysandMeans.House.gov)

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FOR IMMEDIATE RELEASE: October 23, 2014

**CASEY, SCHUMER TO INTRODUCE BILL TO CLOSE LOOPHOLE THAT  
ALLOWS EXPELLED NAZIS TO COLLECT SOCIAL SECURITY BENEFITS**

*New AP Investigation Revealed that Dozens of Nazi War Criminals Have Received Social Security Benefits Years After Being Forced Out of U.S.*

*Casey & Schumer, Members of Finance Committee, Will Push for Speedy Consideration of Legislation*

*Casey Schumer Effort Will Be Companion to Congresswoman Maloney Efforts in House*

**Washington DC-** Today, U.S. Senators Bob Casey (D-PA) and Charles Schumer (D-NY), members of the Senate Finance Committee, announced that they will soon introduce legislation to close a loophole that has allowed Nazis expelled from the U.S. to collect Social Security benefits. A new investigation by the Associated Press revealed that dozens of Nazi war criminals have received Social Security benefits years after being forced out of the U.S. Casey and Schumer pledged to introduce the legislation soon and push for speedy consideration.

“The idea that Nazi war criminals could receive Social Security benefits is deeply disturbing and should be remedied quickly,” Senator Casey said. “In the coming weeks we’ll be introducing legislation to close this loophole. This investigation has revealed a gross injustice and I’m hopeful that Democrats and Republicans will come together to fix this problem in the very near future. I appreciate Congresswoman Maloney’s efforts on this. Earlier this week she spearheaded a significant effort in the House and I’m glad to partner with her on this legislation.”

“Nazis war criminals have been allowed to collect Social Security for far too long, and that needs to stop now,” Schumer said. “It is simply perverse that these criminals have been able to live comfortably abroad thanks to the American taxpayer. I hope my colleagues on both sides of the aisle will work hard to right this wrong once and for all.”

“I am so pleased that Senators Bob Casey and Chuck Schumer will be leading this effort in the Senate,” said Congresswoman Carolyn Maloney. “I could not ask for better partners. We must work in an expeditious manner to terminate these benefits once and for all. The American taxpayer should not be subsidizing the retirements of those guilty of the worst atrocities in human history.”

The bill, now supported by the World Jewish Congress, would deny Federal public benefits to individuals who have been participants in Nazi persecution. If an immigration judge finds that an individual has participated in Nazi persecution, that judge is required to:

(1) promptly issue an order declaring the respondent to be ineligible for any Federal public

benefit and prohibiting any person from providing such a benefit to the respondent; and  
(2) transmit a copy of the order to any governmental entity or person known to be so providing such a benefit and to any governmental entity or person known to have received an application for benefits that has not been finally adjudicated. Authorizes the Attorney General to review any finding or conclusion made, or order issued and to initiate any review within 30 days.

Requires any order, finding, or conclusion to be final:

- (1) 30 days after it is issued if the Attorney General does not initiate such a review; or
- (2) either upon the issuance of a decision by the Attorney General or 90 days after the order, finding, or conclusion is issued, whichever is earlier, if the Attorney General does initiate a review. Allows any party aggrieved by a final order issued under this Act to obtain judicial review of the order by the U.S. Court of Appeals for the Federal Circuit by filing a petition for such review no later than 30 days after the final order becomes final, or completion of any review by the Attorney General, whichever is later.

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Edgar Chen  
Attorney Advisor  
Office of Legislative Affairs  
United States Department of Justice  
Washington, D.C.

## Press Release

**FOR IMMEDIATE RELEASE**

**October 23, 2014**

**Sarah Swinehart**

**202-226-4774**

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- Require a report to Congress on the number of Nazis whose benefits have been terminated by the Social Security Administration.

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Ways and Means Press Office  
[www.WaysandMeans.House.gov](http://www.WaysandMeans.House.gov)

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**U.S. Department of Justice**

Criminal Division

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*Washington, D.C. 20530*

December 30, 2014

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Carolyn W. Colvin  
Acting Commissioner  
Social Security Administration  
6401 Security Boulevard  
Baltimore, Maryland 21235-0001

Dear Acting Commissioner Colvin:

Pursuant to the notification provisions of P.L. 113–270, this letter and the enclosed notice provide information regarding alleged participants in World War II-era Nazi-sponsored persecution.

As you know, P.L. 113–270 directs the Department of Justice to notify the Social Security Administration of certain concluded Nazi persecutor cases. The statute states that the Department is to provide the Social Security Administration the names of:

- persons whose citizenship was revoked “based on conduct described in section 212(a)(3)(E)(i) of [the Immigration and Nationality] Act (relating to participation in Nazi persecution)” or due to the persons’ concealment or misrepresentations regarding such conduct;
- persons who renounced their citizenship pursuant to a settlement agreement in which they “admitted to conduct” described in section 212(a)(3)(E)(i) of the Immigration and Nationality Act; and
- persons who were removed from the United States based on conduct described in section 212(a)(3)(E)(i) of the Immigration and Nationality Act.

In order to satisfy the statute’s notification provisions, the Criminal Division’s Human Rights and Special Prosecutions Section, successor to the former Office of Special Investigations, has reviewed available information pertaining to Nazi cases pursued by the Department since 1945. Based on this review, we have prepared the enclosed notice that identifies persons that we believe are encompassed within the above-referenced categories. The Department has previously provided to the Social Security Administration the names, dates and places of birth of these individuals. In compiling this notice, we have included individuals who are deceased and are thus not impacted by the new law.

I am pleased that the outstanding cooperation between our agencies over more than thirty years has resulted in termination or suspension of benefits in scores of Nazi cases. Should you have

any questions or wish to receive further information about the methodology we have employed in identifying the persons listed in the enclosed notice, please do not hesitate to contact the Criminal Division.

If we may be of any further assistance in this matter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to be 'DMB' with 'FOR' written below it.

David M. Bitkower  
Deputy Assistant Attorney General

Enclosure



U.S. Department of Justice

Criminal Division

Washington, D.C. 20530

December 30, 2014

**NOTICE TO THE ACTING COMMISSIONER OF SOCIAL SECURITY  
PURSUANT TO SECTION 4 OF P.L. 113-270**

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- persons who were removed from the United States based on conduct described in section 212(a)(3)(E)(i) of the Immigration and Nationality Act.

In order to satisfy the statute’s notification provisions, the Criminal Division’s Human Rights and Special Prosecutions Section, successor to the former Office of Special Investigations, has reviewed available information pertaining to Nazi cases pursued by the Department since 1945. Based on this review, we have prepared the below chart that identifies persons that we believe are encompassed within the above-referenced categories. The Department has previously provided to the Social Security Administration the names, dates and places of birth of these individuals. In compiling this notice, we have included individuals who are deceased and are thus not impacted by the new law.

Should you have any questions or wish to receive further information about the methodology we have employed in identifying the persons listed below, please do not hesitate to contact the Criminal Division.

Name	Citizenship Revoked	Removed	Renounced	Default Judgment
(b) (6)			X	
	X			



Name	Citizenship Revoked	Removed	Renounced	Default Judgment
(b) (6)	X			
(b) (6)	X			
(b) (6)	X			X
(b) (6)		X		
(b) (6)	X			X
(b) (6)	X			
(b) (6)	X			
(b) (6)	X	X		
(b) (6)	X	X		
(b) (6)	X	X		
(b) (6)	X			X
(b) (6)	X			
(b) (6)		X		
(b) (6)	X	X		
(b) (6)	X			
(b) (6)	X			
(b) (6)	X			X
(b) (6)	X			X
(b) (6)		X		
(b) (6)	X			
(b) (6)	X	X		
(b) (6)	X			
(b) (6)	X			
(b) (6)		X		
(b) (6)	X			
(b) (6)	X	X		
(b) (6)		X		
(b) (6)	X			X
(b) (6)	X			
(b) (6)	X			
(b) (6)	X	X		
(b) (6)	X	X		
(b) (6)	X			

<sup>1</sup> Although (b) (6) was denaturalized after being found by a court to have participated in Nazi-sponsored persecution, he was later adjudged by a U.S. court of appeals to be entitled to be recognized as a U.S. citizen from birth. He died in the United States in 2014.

Name	Citizenship Revoked	Removed	Renounced	Default Judgment
(b) (6)		X		
	X	X		
	X			
	X			
	X			
	X			
	X			
	X	X		
		X		
	X			
		X		
	X			
	X			
	X	X		X
		X		
	X			
	X			
	X			
	X			
		X		
				X
	X			X
	X	X		
	X	X		
	X			
		X		
	X	X		
	X			
	X			
	X			
X				
X	X		X	
X				
	X			
X				

<sup>2</sup> (b) was deported in 1950, prior to the enactment of the Immigration and Nationality Act.

Name	Citizenship Revoked	Removed	Renounced	Default Judgment
(b) (6)	X			X
	X			X

**From:** [Bussman, Susan](#)  
**To:** (b) (6)  
**Subject:** FW: Johnson & Becerra Letter  
**Date:** Monday, December 15, 2014 11:13:35 AM  
**Attachments:** [Johnson Becerra Letter to SSA 12 15 14.pdf](#)

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Nice! Saving this in the Nazi legislation folder...on the L drive.

*Sue Bussman  
Staff Director  
Retirement and Survivors Insurance Branch  
Office of Legislation and Congressional Affairs  
Social Security Administration  
410-965-3313  
Susan.Bussman@ssa.gov*

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**From:** Parrott, Thomas M.  
**Sent:** Monday, December 15, 2014 11:10 AM  
**To:** Hansen, Erik; Bussman, Susan  
**Subject:** FW: Johnson & Becerra Letter

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**From:** Chesser, Judy  
**Sent:** Monday, December 15, 2014 10:59 AM  
**To:** Parrott, Thomas M.; Min, Royce; Najar, Joel  
**Subject:** Fw: Johnson & Becerra Letter

---

For the Nazi files. Thx

---

**From:** Hartman, Erich [<mailto:Erich.Hartman@mail.house.gov>]  
**Sent:** Monday, December 15, 2014 10:51 AM  
**To:** Chesser, Judy  
**Subject:** Johnson & Becerra Letter

Good Morning Judy,

Please find a letter from Chairman Johnson and Ranking Member Becerra to the Acting Commissioner attached. A physical copy is in the mail.

Best,  
Erich

**Erich Hartman**  
Legislative Assistant  
Committee on Ways and Means  
Subcommittee on Social Security  
B-317 Rayburn House Office Building

SAM JOHNSON, TEXAS  
SUBCOMMITTEE CHAIRMAN

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SUBCOMMITTEE RANKING MEMBER  
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ALLYSON SCHWARTZ, PENNSYLVANIA

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JANICE MAYS, MINORITY CHIEF COUNSEL  
KATHRYN OLSON, SUBCOMMITTEE MINORITY STAFF

Congress of the United States  
House of Representatives  
COMMITTEE ON WAYS AND MEANS

WASHINGTON, DC 20515

SUBCOMMITTEE ON SOCIAL SECURITY

December 15, 2014

The Honorable Carolyn Colvin  
Acting Commissioner of Social Security  
Social Security Administration  
6401 Security Boulevard  
Woodlawn, MD 21207

Dear Acting Commissioner Colvin:

As you know, we recently discovered that a small number of known Nazi persecutors had slipped through a loophole in our laws and were receiving Social Security benefits, which was never Congress's intention. The House and Senate have unanimously passed legislation to close the loophole and cut off the benefits, and we expect that the President will sign it into law very shortly.

We appreciate the technical assistance the Social Security Administration provided to help tightly close this loophole, and are writing to urge you to act quickly once the Department of Justice notifies you of the affected individuals. By acting promptly, you will ensure that those who participated in Nazi persecutions will not receive January Social Security benefits.

Thank you very much for your prompt attention to this matter.

Sincerely,



SAM JOHNSON  
Chairman



XAVIER BECERRA  
Ranking Member



## SOCIAL SECURITY

The Commissioner

December 11, 2014

The Honorable Shaun Donovan  
Director, Office of Management and Budget  
725 17th Street, NW  
Washington, DC 20503

Dear Mr. Donovan:

You asked for our recommendation regarding whether the President should sign enrolled bill H.R. 5739, the *No Social Security for Nazis Act*. This legislation would amend the Social Security Act to prevent payment of Social Security benefits to individuals identified as Nazis who participated in persecution. Under current law, individuals removed from the United States due to participation in Nazi persecution are prohibited from collecting Social Security benefits. H.R. 5739 would expand the prohibition to individuals whose citizenship or nationality was revoked based on Nazi activity.

Regarding the merits of the legislation, we strongly support efforts to ensure that individuals identified as Nazis do not receive Social Security benefits, and we recommend that the President approve the bill. We will need to work closely with our colleagues at the Department of Justice (DOJ) to identify individuals whose benefits are eligible for termination under H.R. 5739 once the legislation is approved. However, we anticipate a swift and successful collaboration with DOJ.

If I may be of further assistance, please contact me, or your staff may contact Judy Chesser, our Deputy Commissioner for Legislation and Congressional Affairs, at (202) 358-6030.

Sincerely,

Carolyn W. Colvin  
Acting Commissioner

**From:** [^ODCLCA Broadcast](#)  
**To:** [#SSA Senior Staff](#)  
**Subject:** Legislative Bulletin 113-31, Senate Passes H.R. 5739, the No Social Security for Nazis Act  
**Date:** Friday, December 05, 2014 1:35:21 PM  
**Attachments:** [113-31 \(Final\) Senate passes HR 5739 No SS for Nazis Act.doc](#)

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On December 4, 2014, the Senate passed H. R. 5739, the ***No Social Security for Nazis Act***, without amendment by unanimous consent. The bill would terminate payment of Social Security benefits to additional individuals who participated in Nazi persecution. It also would clarify the timeframe in which the Department of Justice (DOJ) or the Department of Homeland Security (DHS) must notify the Social Security Administration (SSA) of certain actions involving these individuals. The bill now goes to the President for his signature.

**From:** (b) (6)  
**To:** [Min. Royce](#)  
**Cc:** [Hansen, Erik](#); (b) (6); (b) (6)  
**Subject:** FW: Legislative Bulletin 113-28, Senate Passes H.R. 5739, the No Social Security for Nazis Act  
**Date:** Friday, December 05, 2014 1:07:08 PM  
**Attachments:** (b) (5)  
[Senate passes HR 5739 No SS for Nazis Act.doc](#)  
[113-28 \(Final\) House passes HR 5739 No SS for Nazis Act.doc](#)

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Royce

For your review and approval, attached is the draft legislative bulletin 113-31, Senate passes H.R. 5739, the No Social Security for Nazis Act.

<http://www.gpo.gov/fdsys/pkg/BILLS-113hr5739eh/pdf/BILLS-113hr5739eh.pdf>

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**From:** (b) (6)  
**Sent:** Friday, December 05, 2014 12:37 PM  
**To:** (b) (6)  
**Cc:** (b) (6); (b) (6); (b) (6); Bussman, Susan;  
(b) (6)  
**Subject:** Legislative Bulletin 113-28, Senate Passes H.R. 5739, the No Social Security for Nazis Act

(b) (6)

HR 5739 passed the Senate last night. Attached is an updated bulletin. Please edit and forward for approval as appropriate. Royce et al are interested in getting this out ASAP. Thanks,

(b) (6)

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**From:** ^ODCLCA Broadcast  
**Sent:** Wednesday, December 03, 2014 2:09 PM  
**To:** #SSA Senior Staff  
**Subject:** Legislative Bulletin 113-28, House Passes H.R. 5739, the No Social Security for Nazis Act

On December 2, 2014, the House passed H. R. 5739, the **No Social Security for Nazis Act**, by a vote of 420-0. The bill would terminate payment of Social Security benefits to additional individuals who participated in Nazi persecution. It also would clarify the timeframe in which the Department of Justice (DOJ) or the Department of Homeland Security (DHS) must notify the Social Security Administration (SSA) of certain actions involving these individuals. The bill now awaits Senate



action.

**From:** (b) (6)  
**To:** (b) (6)  
**Cc:** (b) (6); Bussman, Susan; (b) (6)  
**Subject:** Legislative Bulletin 113-28, Senate Passes H.R. 5739, the No Social Security for Nazis Act  
**Date:** Friday, December 05, 2014 12:36:34 PM  
**Attachments:** [Senate passes HR 5739 No SS for Nazis Act.doc](#)  
[113-28 \(Final\) House passes HR 5739 No SS for Nazis Act.doc](#)

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(b) (6)

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(b) (6)

---

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**Sent:** Wednesday, December 03, 2014 2:09 PM  
**To:** #SSA Senior Staff  
**Subject:** Legislative Bulletin 113-28, House Passes H.R. 5739, the No Social Security for Nazis Act

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# United States Senate

WASHINGTON, DC 20510

December 1, 2014

## VIA ELECTRONIC TRANSMISSION

The Honorable Carolyn W. Colvin  
Acting Commissioner  
Social Security Administration  
6401 Security Boulevard  
Baltimore, Maryland 21235-6401

Dear Commissioner Colvin:

A recent news report revealed that the United States has paid millions of dollars in Social Security to former Nazis living abroad. This is happening because the Department of Justice (DOJ) is allegedly allowing former Nazis to retain their Social Security benefits in exchange for renouncing U.S. citizenship and leaving the country voluntarily.<sup>1</sup> Under law, participating in Nazi persecution is a deportable offense.<sup>2</sup> However, former Nazis who leave the U.S. voluntarily may maintain their Social Security benefits because Nazi participation is not ground for benefit termination unless it is first used as a ground for deportation.<sup>3</sup>

These beneficiaries include people who committed egregious crimes during the Holocaust, such as SS guards from some of the Holocaust's most notorious death camps and a Nazi collaborator who was responsible for the execution of thousands of Jews.<sup>4</sup> According to the Associated Press, "at least 38 of 66 suspects... kept their Social Security benefits."<sup>5</sup>

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<sup>1</sup>David Rising, Randy Herschaft, and Richard Lardner, *Millions in Social Security for Expelled Nazis*, ASSOCIATED PRESS, Oct. 20, 2014, <http://bigstory.ap.org/article/6ae3352f4d474b028c84be0c627e7780/expelled-nazis-paid-millions-social-security>

<sup>2</sup>*Id.*

<sup>3</sup>*Id.*

<sup>4</sup>*Id.*

<sup>5</sup>*Id.*

The Social Security Administration (SSA) and the State Department objected to the DOJ practice of allowing ex-Nazis to continue receiving Social Security benefits.<sup>6</sup> In 1997, SSA Acting Commissioner John Callahan stated: “Social Security benefits cannot, and should not, be used as a bargaining tool.”<sup>7</sup>

Even with these objections, DOJ has continued the practice to this day. (b) (6), a 90 year old former Auschwitz guard who later became an American citizen, collects approximately \$1,500 per month in Social Security payments.<sup>8</sup> (b) (6) has long since renounced his American citizenship and now lives in Germany, yet the payments continue. At least three other ex-Nazis are still alive and continue to receive Social Security benefits abroad.<sup>9</sup>

Furthermore, newly discovered Nazi suspects who currently live in the U.S. could retain their Social Security benefits if they are removed to another country. Alleged SS commander (b) (6) currently lives in Minnesota and is under investigation in Germany for ordering his unit to attack a Polish village, killing dozens of women and children.<sup>10</sup> Like (b) (6) (b) (6) could potentially retain his Social Security benefits even if he leaves the U.S.

In addition, this case raises important questions regarding the accuracy and consistency of SSA record-keeping. The Associated Press states that information provided by SSA was “directly inconsistent” with information contained in prior communications to the AP.<sup>11</sup> Specifically, SSA stated in 2013 that (b) (6), a suspected Nazi who returned to Germany in 2007, received his last Social Security payment in 2008 after he returned to Germany.<sup>12</sup> But in a 2014 disclosure, SSA said that (b) (6) received his last payment in 2007 while still living in the United States.<sup>13</sup>

The Associated Press also found discrepancies in the information retained by SSA’s FOIA department and its press department. The AP reported that SSA’s FOIA office could not identify certain individuals, although the SSA Press Office had previously identified the “exact same individuals using the exact same information” provided by the AP in the FOIA request.<sup>14</sup> It appears that SSA is not tracking this

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<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*

<sup>11</sup> Letter from Brian Barrett on behalf of reporter Randy Herschaft, Counsel, Associated Press, to Kirsten Moncada, Executive Director, Office of Privacy and Disclosure, Social Security Administration (Oct. 16, 2014), available at <http://hosted.ap.org/interactives/2014/nazi-social-security/>

<sup>12</sup> *Id.*

<sup>13</sup> *Id.*

<sup>14</sup> *Id.*

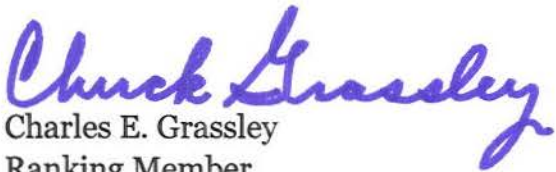
information carefully or ensuring that all departments within the agency have the correct records.

We have introduced bi-partisan, bi-cameral legislation to close the Social Security loophole in order to prevent this practice in the future and hope that it will become law soon. However, there remain questions about DOJ's actions and what will be done in current cases if the law is not passed before they are resolved. Therefore, we ask that you please provide the following information:

1. What is the total number of Nazi suspects who received Social Security benefits after leaving the United States? How many suspected Nazis currently receive Social Security benefits and live outside the country?
2. What is the total dollar amount of Social Security benefits that have been paid to date to suspected Nazis residing outside the US?
3. If (b) (6) leaves the United States and renounces citizenship will he be permitted to retain his Social Security benefits?
4. What communications does SSA have with DOJ regarding suspected Nazis who have left the US? When SSA objected to DOJ's practice, what was DOJ's response?
5. When did (b) (6) receive his last Social Security payment? Why was the AP provided contradictory information about him and 6 other suspected Nazis?
6. Does SSA have procedures in place to ensure the accuracy of records regarding Social Security payments? If so, what are they? If not, why not?
7. Does SSA have procedures in place in order to ensure that all divisions of the agency retain the same information? If so, what are they? If not, why not?
8. Please explain why separate divisions within SSA provided differing information to the AP, and whether SSA has taken any steps to address it.

Thank you for your attention to this matter. We would appreciate a response by December 15, 2014. If you have any questions, please do not hesitate to contact Tegan Millspaw at (202) 224-5225 or Kim Brandt at (202) 224-4515.

Sincerely,



Charles E. Grassley  
Ranking Member  
Committee on the Judiciary



Orrin G. Hatch  
Ranking Member  
Committee on Finance



## SOCIAL SECURITY

Refer to:  
S9H: AI7341

January 10, 2013

Mr. Randy Herschaft  
Associated Press  
450 W. 33rd Street  
New York, NY 10001

Dear Mr. Herschaft:

Thank you for your September 13, 2012 Freedom of Information Act (FOIA) request for the following information:

1. Current status of Social Security benefits; date of last payment (if deceased); and, if any spouse or family members are currently receiving benefits for Martin Hartmann, Orest Galan, and Algimantas Dailide.
2. Confirmation of the date of last payment of Social Security benefits; last known address; and, if any surviving spouse or family members are currently receiving benefits for the following deceased individuals:
  - a. Martiin Bartesch
  - b. Paul J. Henss
  - c. Anatoly Hrusitzky
  - d. Jakob Miling
  - e. Michael Gruber
  - f. John Avdzej
  - g. Arthur Rudolph
3. Identify the 12 individuals mentioned in the 1999 New Jersey Jewish News article written by Lori Silberman Brauner.

In response to items 1 and 2, we do not disclose to the public personal information from our records about living beneficiaries or family members receiving benefits. The Privacy Act of 1974 (5 U.S.C. § 552a) protects that kind of information. We can disclose such information only as the Privacy Act permits. We need the written consent of the persons whose records you requested in order to disclose this information to a member of the public.

The information that you requested is also exempt from disclosure under the Freedom of Information Act (FOIA) (5 U.S.C. § 552). The FOIA does not require agencies to disclose information that would be a clearly unwarranted invasion of personal privacy (5 U.S.C. § 552(b)(6)).

Page 2 - Mr. Randy Herschaft

In response to item 2, please see the enclosure for the requested information.

In response to item 3, we conducted a search and did not locate any records responsive to this item of your request.

If you disagree with this decision, you may request a review. Mail your appeal within 30 days after you receive this letter to the Executive Director for the Office of Privacy and Disclosure, Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland 21235. Mark the envelope "Freedom of Information Appeal."

Sincerely,

A handwritten signature in cursive script that reads "Dawn S. Wiggins".

Dawn S. Wiggins  
Freedom of Information Officer

Enclosure



## ENCLOSURE: A17341

NAME	DATE OF LAST SSA BENEFIT	LAST KNOWN COUNTRY
Martin Bartesch	December 1989	Austria
Paul J. Henss	March 2008	Germany
Anatoly Hrusitzky	September 1992	Venezuela
Jakob Miling	March 2009	Serbia
Michael Gruber	August 2002	Austria
John Avdzej	November 1998	Germany
Arthur Rudolph	January 1996	Germany

**From:** (b) (6)  
**To:** [Bussman, Susan](#)  
**Cc:** [Min, Royce](#); [Hansen, Erik](#); (b) (6)  
**Subject:** RE: Bill text for H.R. 5739 and S. 2944--The termination of Social Security benefits for Nazis  
**Date:** Wednesday, November 26, 2014 10:43:40 AM

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In case you are wondering, the Senate version is identical to the Johnson et al bill.

(b) (6)

Office of Legislation and Congressional Affairs

Office: (b) (6)

Blackberry: (b) (6)

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**From:** (b) (6)  
**Sent:** Wednesday, November 26, 2014 9:22 AM  
**To:** Bussman, Susan; (b) (6)  
**Cc:** Min, Royce; Hansen, Erik; #ODCLCA Lrs  
**Subject:** RE: Bill text for H.R. 5739 and S. 2944--The termination of Social Security benefits for Nazis

Please see the attached bill text for H.R. 5739, 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 S. 2944, bill to amend the Social Security Act to provide for the termination of Social Security benefits for individuals who participated in Nazi persecution.

H.R. 5739 - <http://www.gpo.gov/fdsys/pkg/BILLS-113hr5739ih/pdf/BILLS-113hr5739ih.pdf>

S. 2944 - <http://www.gpo.gov/fdsys/pkg/BILLS-113s2944is/pdf/BILLS-113s2944is.pdf>

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**From:** (b) (6)  
**Sent:** Thursday, November 20, 2014 11:10 AM  
**To:** Bussman, Susan; (b) (6)  
**Cc:** Min, Royce; Hansen, Erik; #ODCLCA Lrs  
**Subject:** Re: Social Security Benefits for Nazis

On November 19, 2014, Representative Johnson (R-TX) introduced, H.R. 5739 **(bill text not available)**, 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. He said, "The world must never forget the 6 million Jews and other innocents murdered by the Holocaust. America has worked to prevent Nazis from entering the country and reaping the benefits of U.S. citizenship, including Social Security. However, due to a loophole, some Nazis who came to America continue to receive Social Security benefits. That is just

plain wrong. Our bipartisan bill would stop benefits from going to denaturalized Nazis. It also stops benefits from going to Nazis who renounce their citizenship as part of a settlement.”

Attached is a Ways and Means press release regarding a bipartisan and bicameral group of lawmakers introducing legislation to terminate Social Security benefits for Nazi persecutors who receive them because of a loophole in current law.

<http://waysandmeans.house.gov/news/documentsingle.aspx?DocumentID=397844>

Also attached is a video clip of Representative Becerra speaking on the House floor ending Social Security benefits for Nazis.

Representative Becerra (D-CA) said, “Today, 160 million Americans pay into Social Security every day that they work, and as a result, they know that they and their families will be protected if they die, become disabled, or retire. For most of the 58 million Americans who currently receive Social Security, a Social Security benefit check is their most important source of income. We recently learned that some Nazi war criminals and collaborators slipped through a loophole in our law and are in fact receiving these very same Social Security benefits.”

<http://www.c-span.org/video/?c4515589/rep-becerra-ending-social-security-benefits-nazis>

On November 19, 2014, Senator Hatch (R-UT) introduced, S. 2944 (**bill text not available**), 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.

**From:** (b) (6)  
**To:** Bussman, Susan; (b) (6)  
**Cc:** Min, Royce; Hansen, Erik; #ODCLCA Lrs  
**Subject:** RE: Bill text for H.R. 5739 and S. 2944--The termination of Social Security benefits for Nazis  
**Date:** Wednesday, November 26, 2014 9:22:21 AM

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H.R. 5739 - <http://www.gpo.gov/fdsys/pkg/BILLS-113hr5739ih/pdf/BILLS-113hr5739ih.pdf>

S. 2944 - <http://www.gpo.gov/fdsys/pkg/BILLS-113s2944is/pdf/BILLS-113s2944is.pdf>

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**To:** Bussman, Susan; (b) (6)  
**Cc:** Min, Royce; Hansen, Erik; #ODCLCA Lrs  
**Subject:** Re: Social Security Benefits for Nazis

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MICHAEL F. BENNET  
COLORADO

COMMITTEES:  
AGRICULTURE, NUTRITION, AND FORESTRY

FINANCE

HEALTH, EDUCATION, LABOR,  
AND PENSIONS

## United States Senate

WASHINGTON, DC 20510-0609

WASHINGTON, DC:  
458 RUSSELL SENATE OFFICE BUILDING  
WASHINGTON, DC 20510  
(202) 224-5852

COLORADO:  
1127 SHERMAN STREET  
SUITE 150  
DENVER, CO 80203-2398  
(303) 455-7600

<http://www.bennet.senate.gov>

October 29, 2014

The Honorable Eric Holder  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue  
Washington, DC 20530

Acting Commissioner Carolyn Colvin  
Social Security Administration  
6401 Security Boulevard  
Baltimore, MD 21235-0001

Dear Attorney General Holder and Acting Commissioner Colvin:

I write to express my deep concern about recent reports that the U.S. government may have used Social Security payments as a means of encouraging former Nazi officials to leave the country and that several of these individuals are still receiving benefits.

As you know, the Associated Press recently reported that the U.S. government may have used the prospect of continuing Social Security payments as leverage to encourage former Nazi officials to leave the country and renounce their citizenship rather than undergoing the deportation process. Because these individuals weren't formally deported, they were still able to receive their Social Security benefits after they left the country.

According to the AP, since 1979, "at least 38 of 66 suspects removed from the United States kept their Social Security benefits." At least four of these individuals are alive and still collecting benefits. Furthermore, the AP found that as of 1999, "28 suspected Nazi criminals had collected \$1.5 million in Social Security payments after their removal from the U.S."

It's extremely disturbing to learn that the U.S. taxpayer has supported individuals who participated in the worst genocide in modern history. Although I understand the need to act expeditiously to remove these individuals from the U.S. so that they can face trial, the receipt of Social Security benefits should not have served as a "bargaining chip" in the removal process. Even worse, according to the AP report, it appears that many of these individuals did not even stand trial once they left the United States.

As Congress considers legislation to prevent these individuals from receiving Social Security benefits, it is my hope the Department of Justice and the Social Security Administration can provide further information. Specifically:

- Can the Department of Justice and the Social Security Administration verify the accuracy of the AP's reporting? For instance, can your respective agencies specify the number of former Nazi officials who have received Social Security benefits? And how much in benefits did they ultimately receive?

- Do Social Security benefits continue to play any role during the removal process? If not, when did this practice end?
- When a former Nazi official left the U.S. prior to deportation and continued to receive benefits, did the Department of Justice seek to notify the country to which the individual traveled? Did the Department of Justice encourage the country to which the former Nazi official traveled to try the individual?
- When a former Nazi official left the U.S. prior to deportation and continued to receive Social Security benefits, did the Department of Justice monitor whether the individual ultimately stood trial?

I understand that many of these proceedings and discussions occurred over the course of several decades and that it may be difficult to ascertain specific facts and details. It's nonetheless important for the American people and for our historic record to understand how individuals who played a role in the Holocaust could have possibly retained their Social Security benefits even after they've left the country.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael Bennet", with a stylized flourish at the end.

Michael Bennet  
United States Senator

**From:** (b) (6)  
**To:** Clark, Catherine E.; (b) (6); (b) (6)  
**Cc:** Snyder, Marc; Haar, Michael; Bussman, Susan; (b) (6)  
**Subject:** Bills to Prohibit Payment to Certain Individuals Involved in Nazi Persecution  
**Date:** Friday, November 21, 2014 8:49:00 AM

---

Hi,

In case you haven't seen, members of our Committees of jurisdiction (Senate Finance and House Ways & Means) introduced their bills to prohibit payment to more individuals who participated in Nazi persecution. The Senate version (S. 2944) isn't available but I we're guessing they are identical. Here's a link to the House bill, HR 5739, which our chairman is sponsoring: <https://www.congress.gov/bill/113th-congress/house-bill/5739/text?q=%7B%22search%22%3A%5B%22HR+5739%22%5D%7D>.

Please let me know if you have any questions. Thanks,

(b) (6)

Office of Legislation and Congressional Affairs

Office: (b) (6)

Blackberry: (b) (6)



**From:** (b) (6)  
**To:** Bussman, Susan; (b) (6)  
**Cc:** Min, Royce; Hansen, Erik; #ODCLCA Lrs  
**Subject:** Re: Social Security Benefits for Nazis  
**Date:** Thursday, November 20, 2014 11:10:22 AM

---

On November 19, 2014, Representative Johnson (R-TX) introduced, H.R. 5739 **(bill text not available)**, 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. He said, “The world must never forget the 6 million Jews and other innocents murdered by the Holocaust. America has worked to prevent Nazis from entering the country and reaping the benefits of U.S. citizenship, including Social Security. However, due to a loophole, some Nazis who came to America continue to receive Social Security benefits. That is just plain wrong. Our bipartisan bill would stop benefits from going to denaturalized Nazis. It also stops benefits from going to Nazis who renounce their citizenship as part of a settlement.”

Attached is a Ways and Means press release regarding a bipartisan and bicameral group of lawmakers introducing legislation to terminate Social Security benefits for Nazi persecutors who receive them because of a loophole in current law.

<http://waysandmeans.house.gov/news/documentsingle.aspx?DocumentID=397844>

Also attached is a video clip of Representative Becerra speaking on the House floor ending Social Security benefits for Nazis.

Representative Becerra (D-CA) said, “Today, 160 million Americans pay into Social Security every day that they work, and as a result, they know that they and their families will be protected if they die, become disabled, or retire. For most of the 58 million Americans who currently receive Social Security, a Social Security benefit check is their most important source of income. We recently learned that some Nazi war criminals and collaborators slipped through a loophole in our law and are in fact receiving these very same Social Security benefits.”

<http://www.c-span.org/video/?c4515589/rep-becerra-ending-social-security-benefits-nazis>

On November 19, 2014, Senator Hatch (R-UT) introduced, S. 2944 **(bill text not available)**, 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.

**From:** [Bussman, Susan](#)  
**To:** (b) (6); [Hansen, Erik](#); [Min, Royce](#); [Parrott, Thomas M.](#); [Najar, Joel](#)  
**Cc:** (b) (6); (b) (6); (b) (6); (b) (6)  
**Subject:** Fw: House and Senate Leaders Introduce Bill to End Social Security Benefits for Nazis  
**Date:** Wednesday, November 19, 2014 5:56:27 PM

**From:** Ways & Means Republicans [mailto:pressfromways&means@mail.house.gov]  
**Sent:** Wednesday, November 19, 2014 05:41 PM  
**To:** Bussman, Susan  
**Subject:** House and Senate Leaders Introduce Bill to End Social Security Benefits for Nazis



## Press Release

**FOR IMMEDIATE RELEASE**

**November 19, 2014**

**Molly Edwards (Ways and Means)**

**202-226-4774**

**Daniel Herrera (Becerra)**

**202-225-1400**

**Aaron Fobes (Hatch)**

**202-224-4515**

**Charlie Pope (Wyden)**

**202-224-4515**

### **House and Senate Leaders Introduce Bill to End Social Security Benefits for Nazis**

Washington, DC – Today, a bipartisan and bicameral group of lawmakers introduced legislation to terminate Social Security benefits for Nazi persecutors who receive them because of a loophole in current law. In the House, Ways and Means Social Security Subcommittee Chairman Sam Johnson (R-TX), Subcommittee Ranking Member Xavier Becerra (D-CA), and 34 additional House members introduced H.R. 5739, the *No Social Security for Nazis Act*. In the Senate, Finance Committee Ranking Member Orrin Hatch (R-UT) and Senate Finance Committee Chairman Ron Wyden (D-OR) introduced an identical companion bill.

Speaking about the introduction of the bill, **Johnson said**: “The World must never forget the six million Jews and other innocents murdered in the Holocaust. America has worked to prevent Nazis from entering the country and reaping the benefits of U.S. citizenship, including Social Security. However, due to a loophole, some Nazis who came to America continue to receive Social Security benefits. That is just plain wrong! This bill would stop these Nazis from continuing to receive Social Security.”

“Like past Congresses, we believe that there is no place for Holocaust perpetrators in the United States of America,” **said Becerra**. “And if there is no place for them in our country, there is certainly no place for them in our crown jewel, Social Security. I hope we can move quickly to enact this legislation, before Social Security is required to pay another dime to a Nazi war criminal.”

“It’s outrageous that Nazi war criminals and anyone who participated in Nazi persecution

atrocities continue to collect Social Security benefits while living abroad. As everyone agrees: this must stop,” **said Hatch**. “This bipartisan bill directly amends the Social Security Act to end benefits for war criminals who persecuted millions of innocents. With similar legislative action under way in the House, I’m immensely hopeful that this bill quickly passes in the Senate.”

“This bill ends a practice that was never envisioned or intended and which no one can support,” **Wyden said**. “Simply put, passing this bill will rightly shut the door on Nazi war criminals living outside the United States who’ve been exploiting a loophole allowing them to collect Social Security benefits. I look forward to seeing it become law as soon as possible. Social Security is a cornerstone of our national’s social insurance system and we must be diligent in ensuring that it reflects our values.”

The legislation is a result of bipartisan work following news reports that some Nazi persecutors, who participated in the systematic murder of millions of innocents, are currently receiving Social Security benefits due to a loophole in the law. By leaving the U.S. voluntarily, instead of being deported, some Nazi war criminals and collaborators were able to keep their Social Security benefits. The House Committee on Ways and Means and the Senate Finance Committee have jurisdiction over Social Security.

Other original cosponsors from the Ways and Means Committee include Chairman Camp (R-MI), Ranking Member Sander Levin (D-MI), along with Ways and Means Members Black (R-TN), Blumenauer (D-OR), Buchanan (R-FL), Crowley (D-NY) Danny Davis (D-IL), Doggett (D-TX), Gerlach (R-PA), Griffin (R-AR), Jenkins (R-KS), Kelly (R-PA), Larson (D-CT), Lewis (D-GA), Nunes (R-CA), Pascrell (D-NJ), Rangel (D-NY), Reichert (R-WA), Linda Sánchez (D-CA), Schock (R-IL), Schwartz (D-PA), Thompson (D-CA), and Tiberi (R-OH). Other original cosponsors include Representatives Burgess (R-TX), Clarke (D-NY), Cohen (D-TN), Diaz-Balart (R-FL), Esty (D-CT), Fincher (R-TN), Fudge (D-OH), Joyce (R-OH), Lance (R-NJ), Smith (R-MO), and Speier (D-CA).

Text of the legislation and bill summary information is available [here](#).

###

Ways and Means Press Office  
[www.WaysandMeans.House.gov](http://www.WaysandMeans.House.gov)



**From:** (b) (6)  
**To:** (b) (6)  
**Cc:** (b) (6)  
**Subject:** RE: Nazi Bill  
**Date:** Tuesday, November 18, 2014 11:21:17 AM

---

Thanks,

(b) (6)

Office of Legislation and Congressional Affairs

Office: (b) (6)

Blackberry: (b) (6)

---

**From:** (b) (6)  
**Sent:** Tuesday, November 18, 2014 11:13 AM  
**To:** (b) (6)  
**Cc:** Bussman, Susan; #ODCLCA Lrs  
**Subject:** RE: Nazi Bill

The bill text for S. 2920 is available at the link below if you haven't already seen it.

<http://www.gpo.gov/fdsys/pkg/BILLS-113s2920is/pdf/BILLS-113s2920is.pdf>

(b) (6)

Legislative Support Staff

Office of Legislation and Congressional Affairs

Phone: (b) (6) Fax: (b) (6)

---

**From:** (b) (6)  
**Sent:** Friday, November 14, 2014 8:39 AM  
**To:** (b) (6)  
**Cc:** Bussman, Susan; #ODCLCA Lrs; (b) (6)  
**Subject:** RE: Nazi Bill

Thanks. Erik got a copy of the Maloney bill from DoJ. We'd still like a copy of Casey if you can get it.

<< Message: FW: Here's the Maloney Nazi Benefits Bill, as Introduced Yesterday (courtesy THOMAS website) >>

(b) (6)

Office of Legislation and Congressional Affairs

Office: (b) (6)

Blackberry: (b) (6)

---

From: (b) (6)

Sent: Friday, November 14, 2014 7:26 AM

To: (b) (6)

Cc: Bussman, Susan; #ODCLCA Lrs

Subject: RE: Nazi Bill

**We'll check the Congressional Record for more information when available.**

**[113rd] [H.R.5706](#)** : To deny Social Security benefits and other benefits to individuals whose citizenship has been revoked or renounced on the basis of their participation in Nazi persecution.

**Sponsor:** [Rep Maloney, Carolyn B.](#) [NY-12] (introduced 11/13/2014)

[Cosponsors](#) (13)

**Committees:** House Ways and Means; House Judiciary

**Latest Major Action:** 11/13/2014 Referred to House committee. Status: Referred to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

Bill Text: <http://www.gpo.gov/fdsys/pkg/BILLS-113hr5706ih/pdf/BILLS-113hr5706ih.pdf>

**[113rd] [S.2920](#)** : A bill to deny Social Security benefits and other benefits to individuals who participated in Nazi persecution.

**Sponsor:** [Sen Casey, Robert P., Jr.](#) [PA] (introduced 11/13/2014)

[Cosponsors](#) (2)

**Committees:** Senate Finance

**Latest Major Action:** 11/13/2014 Referred to Senate committee. Status: Read twice and referred to the Committee on Finance.

Bill Text: Not yet available

---

From: (b) (6)

Sent: Thursday, November 13, 2014 3:21 PM

To: (b) (6)

Cc: Bussman, Susan; (b) (6)

Subject: FW: Nazi Bill

(b) (6)

Tomorrow morning, could your folks pull this bill from the congressional record for us?

Thanks,

(b) (6)

Office of Legislation and Congressional Affairs

Office: (b) (6)

Blackberry: (b) (6)

---

**From:** Bussman, Susan  
**Sent:** Thursday, November 13, 2014 3:17 PM  
**To:** (b) (6)  
**Cc:** Hansen, Erik; Min, Royce; Najjar, Joel; Mannella, Kenneth E.  
**Subject:** Nazi Bill

<http://maloney.house.gov/media-center/press-releases/maloney-chaffetz-lance-introduce-bill-to-terminate-social-security>

*Sue Bussman*

*Staff Director*

*Retirement and Survivors Insurance Branch*

*Office of Legislation and Congressional Affairs*

*Social Security Administration*

*410-965-3313*

*[Susan.Bussman@ssa.gov](mailto:Susan.Bussman@ssa.gov)*

(b) (6)

CAROLYN B. MALONEY  
12TH DISTRICT, NEW YORK

2308 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-3212  
(202) 225-7944

COMMITTEES:  
FINANCIAL SERVICES

GOVERNMENT REFORM

JOINT ECONOMIC COMMITTEE  
[SENIOR HOUSE DEMOCRAT]



## Congress of the United States

House of Representatives

Washington, DC 20515-3212

DISTRICT OFFICES:

1051 THIRD AVENUE  
SUITE 311  
NEW YORK, NY 10128  
(212) 860-0606

31-19 NEWTOWN AVENUE  
ASTORA, NY 11102  
(718) 932-1804

619 LORIMER STREET  
BROOKLYN, NY 11211  
(718) 349-5972

WEBSITE: [maloney.house.gov](http://maloney.house.gov)  
TWITTER: @RepMaloney

September 15, 2014

Carolyn W. Colvin  
Acting Commissioner  
Social Security Administration  
6401 Security Boulevard  
Baltimore, MD 21235

Dear Acting Commissioner Colvin:

I write to request information regarding the payment of Social Security benefits to known Nazi war criminals who came to the United States after the conclusion of World War II and were subsequently denaturalized, but never deported. I understand that in several cases, the U.S. Government was unable to deport identified Nazi war criminals because their home countries would not allow them to re-enter. As a result, these people may have voluntarily left the United States, and continued to receive Social Security benefits. It is egregious that the U.S. taxpayer may be funding the retirement of criminals who helped execute the worst atrocity of the 20th Century. I would like to request any information you can provide regarding the amounts and dates of payments made to individuals engaged in Nazi persecution or genocide who are alive as well as those who have since died.

Specifically, I am requesting the following information:

- For each deceased person, the name, Social Security number, last known location, date of receipt of last SSA benefits and the total amount of benefits paid since the individual's formal departure from the United States;
- For each living person, only the date of last SSA payments and the total amount of benefits paid since the individual's formal departure from the United States.

Please note that I am not requesting any information identifying current beneficiaries.

As a co-author of the Nazi War Crimes Disclosure Act which created the Nazi War Crimes and Japanese Imperial Government Records Interagency Working Group (IWG), I strongly support the release of all records documenting the involvement of the U.S. Government with Nazi war criminals. The IWG was successful in declassifying critical intelligence from various government agencies that helped uncover what the American government knew about the actions and plans of Nazi war criminals during World War II. This transparency has brought some closure to Holocaust survivors and the families of victims, and helps us learn from, and not repeat, past mistakes.

Please sign up for Rep. Maloney's e-newsletter at [maloney.house.gov/contact-me/newsletter](http://maloney.house.gov/contact-me/newsletter)

PRINTED ON RECYCLED PAPER



It is in the public interest that this information be disclosed so that the American public understands how its tax dollars are being dispersed and in an effort to make informed policy decisions going forward. Thank you for your attention to this important matter.

Sincerely,

  
**CAROLYN B. MALONEY**  
Member of Congress





## SOCIAL SECURITY

October 6, 2014

The Honorable Carolyn B. Maloney  
United States House of Representatives  
Washington, DC 20515

Dear Ms. Maloney:

Thank you for your September 15, 2014 request for information about individuals suspected of Nazi war crimes and their Social Security records. The enclosed chart contains the information that we were able to obtain from our records.

For each deceased person, you requested his or her name, Social Security number, last known country, date of last Social Security benefit, and the amount of Social Security benefits paid after the person's formal departure from the United States. We searched our records and identified 44 deceased individuals matching the criteria in your letter. Please note that in some cases, we could not identify the country of residence.

We searched our records for the amount of Social Security benefits paid to the deceased individuals after the individuals were deported from the United States. For those records where we located a deportation date, we included an actual amount of benefits paid, which was \$0.00 in all cases. We do not track information on individuals who voluntarily depart from the United States.

Under the Privacy Act of 1974 and the Freedom of Information Act, we generally are unable to provide information on those individuals who are, according to our records, living.

I hope this information is helpful. If I may be of further assistance, please contact me, or your staff may contact Tom Parrott, our Acting Deputy Commissioner for Legislation and Congressional Affairs, at (202) 358-6030.

Sincerely,

Carolyn W. Colvin  
Acting Commissioner

Enclosure

CAROLYN B. MALONEY  
12TH DISTRICT, NEW YORK

2308 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-3212  
(202) 225-7944

COMMITTEES:  
FINANCIAL SERVICES

GOVERNMENT REFORM

JOINT ECONOMIC COMMITTEE  
[SENIOR HOUSE DEMOCRAT]



## Congress of the United States

House of Representatives

Washington, DC 20515-3212

DISTRICT OFFICES:

1651 THIRD AVENUE  
SUITE 311  
NEW YORK, NY 10128  
(212) 860-0606

31-19 NEWTOWN AVENUE  
ASTORA, NY 11102  
(718) 932-1804

619 LORIMER STREET  
BROOKLYN, NY 11211  
(718) 349-5972

WEBSITE: [maloney.house.gov](http://maloney.house.gov)  
TWITTER: @RepMaloney

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Carolyn W. Colvin  
Acting Commissioner  
Social Security Administration  
6401 Security Boulevard  
Baltimore, MD 21235

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PRINTED ON RECYCLED PAPER



It is in the public interest that this information be disclosed so that the American public understands how its tax dollars are being dispersed and in an effort to make informed policy decisions going forward. Thank you for your attention to this important matter.

Sincerely,

  
**CAROLYN B. MALONEY**  
Member of Congress

MICHAEL F. BENNET  
COLORADO

COMMITTEES:  
AGRICULTURE, NUTRITION, AND FORESTRY

FINANCE

HEALTH, EDUCATION, LABOR,  
AND PENSIONS

## United States Senate

WASHINGTON, DC 20510-0609

WASHINGTON, DC:  
458 RUSSELL SENATE OFFICE BUILDING  
WASHINGTON, DC 20510  
(202) 224-5852

COLORADO:  
1127 SHERMAN STREET  
SUITE 150  
DENVER, CO 80203-2398  
(303) 455-7600

<http://www.bennet.senate.gov>

October 29, 2014

The Honorable Eric Holder  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue  
Washington, DC 20530

Acting Commissioner Carolyn Colvin  
Social Security Administration  
6401 Security Boulevard  
Baltimore, MD 21235-0001

Dear Attorney General Holder and Acting Commissioner Colvin:

I write to express my deep concern about recent reports that the U.S. government may have used Social Security payments as a means of encouraging former Nazi officials to leave the country and that several of these individuals are still receiving benefits.

As you know, the Associated Press recently reported that the U.S. government may have used the prospect of continuing Social Security payments as leverage to encourage former Nazi officials to leave the country and renounce their citizenship rather than undergoing the deportation process. Because these individuals weren't formally deported, they were still able to receive their Social Security benefits after they left the country.

According to the AP, since 1979, "at least 38 of 66 suspects removed from the United States kept their Social Security benefits." At least four of these individuals are alive and still collecting benefits. Furthermore, the AP found that as of 1999, "28 suspected Nazi criminals had collected \$1.5 million in Social Security payments after their removal from the U.S."

It's extremely disturbing to learn that the U.S. taxpayer has supported individuals who participated in the worst genocide in modern history. Although I understand the need to act expeditiously to remove these individuals from the U.S. so that they can face trial, the receipt of Social Security benefits should not have served as a "bargaining chip" in the removal process. Even worse, according to the AP report, it appears that many of these individuals did not even stand trial once they left the United States.

As Congress considers legislation to prevent these individuals from receiving Social Security benefits, it is my hope the Department of Justice and the Social Security Administration can provide further information. Specifically:

- Can the Department of Justice and the Social Security Administration verify the accuracy of the AP's reporting? For instance, can your respective agencies specify the number of former Nazi officials who have received Social Security benefits? And how much in benefits did they ultimately receive?

- Do Social Security benefits continue to play any role during the removal process? If not, when did this practice end?
- When a former Nazi official left the U.S. prior to deportation and continued to receive benefits, did the Department of Justice seek to notify the country to which the individual traveled? Did the Department of Justice encourage the country to which the former Nazi official traveled to try the individual?
- When a former Nazi official left the U.S. prior to deportation and continued to receive Social Security benefits, did the Department of Justice monitor whether the individual ultimately stood trial?

I understand that many of these proceedings and discussions occurred over the course of several decades and that it may be difficult to ascertain specific facts and details. It's nonetheless important for the American people and for our historic record to understand how individuals who played a role in the Holocaust could have possibly retained their Social Security benefits even after they've left the country.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael Bennet", with a stylized flourish at the end.

Michael Bennet  
United States Senator

**From:** (b) (6)  
**To:** (b) (6)  
**Cc:** (b) (6)  
**Subject:** RE: Nazi Bill  
**Date:** Friday, November 14, 2014 1:18:53 PM

---

Thanks,

(b) (6)

Office of Legislation and Congressional Affairs

Office: (b) (6)

Blackberry: (b) (6)

---

**From:** (b) (6)  
**Sent:** Friday, November 14, 2014 9:18 AM  
**To:** (b) (6)  
**Cc:** Bussman, Susan; #ODCLCA Lrs  
**Subject:** RE: Nazi Bill

Here's Representative Maloney's Statement of Introduction. We'll continue to check for text for S. 2920.

<< File: REPRESENTATIVE MALONEY'S STATEMENT OF INTRODUCTION .doc >>

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**From:** (b) (6)  
**Sent:** Friday, November 14, 2014 8:39 AM  
**To:** (b) (6)  
**Cc:** Bussman, Susan; #ODCLCA Lrs; (b) (6)  
**Subject:** RE: Nazi Bill

Thanks. Erik got a copy of the Maloney bill from DoJ. We'd still like a copy of Casey if you can get it.

<< Message: FW: Here's the Maloney Nazi Benefits Bill, as Introduced Yesterday (courtesy THOMAS website) >>

(b) (6)

Office of Legislation and Congressional Affairs

Office: (b) (6)

Blackberry: (b) (6)

---

**From:** (b) (6)  
**Sent:** Friday, November 14, 2014 7:26 AM

**To:** (b) (6)  
**Cc:** Bussman, Susan; #ODCLCA Lrs  
**Subject:** RE: Nazi Bill

**We'll check the Congressional Record for more information when available.**

**[113rd] H.R.5706 :** To deny Social Security benefits and other benefits to individuals whose citizenship has been revoked or renounced on the basis of their participation in Nazi persecution.

**Sponsor:** [Rep Maloney, Carolyn B.](#) [NY-12] (introduced 11/13/2014)  
**Cosponsors** (13)

**Committees:** House Ways and Means; House Judiciary

**Latest Major Action:** 11/13/2014 Referred to House committee. Status: Referred to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

Bill Text: <http://www.gpo.gov/fdsys/pkg/BILLS-113hr5706ih/pdf/BILLS-113hr5706ih.pdf>

**[113rd] S.2920 :** A bill to deny Social Security benefits and other benefits to individuals who participated in Nazi persecution.

**Sponsor:** [Sen Casey, Robert P., Jr.](#) [PA] (introduced 11/13/2014)  
**Cosponsors** (2)

**Committees:** Senate Finance

**Latest Major Action:** 11/13/2014 Referred to Senate committee. Status: Read twice and referred to the Committee on Finance.

Bill Text: Not yet available

---

**From:** (b) (6)  
**Sent:** Thursday, November 13, 2014 3:21 PM  
**To:** (b) (6)  
**Cc:** Bussman, Susan; (b) (6)  
**Subject:** FW: Nazi Bill

(b) (6)

Tomorrow morning, could your folks pull this bill from the congressional record for us?  
Thanks,

(b) (6)

Office of Legislation and Congressional Affairs

Office: (b) (6)

Blackberry: (b) (6)

---

**From:** Bussman, Susan  
**Sent:** Thursday, November 13, 2014 3:17 PM  
**To:** (b) (6)  
**Cc:** Hansen, Erik; Min, Royce; Najjar, Joel; Mannella, Kenneth E.  
**Subject:** Nazi Bill

<http://maloney.house.gov/media-center/press-releases/maloney-chaffetz-lance-introduce-bill-to-terminate-social-security>

*Sue Bussman*

*Staff Director*

*Retirement and Survivors Insurance Branch*

*Office of Legislation and Congressional Affairs*

*Social Security Administration*

*410-965-3313*

*[Susan.Bussman@ssa.gov](mailto:Susan.Bussman@ssa.gov)*



**From:** (b) (6)  
**To:** (b) (6)  
**Cc:** [Bussman, Susan](#); #ODCLCA Lrs  
**Subject:** RE: Nazi Bill  
**Date:** Friday, November 14, 2014 9:17:45 AM  
**Attachments:** [REPRESENTATIVE MALONEY'S STATEMENT OF INTRODUCTION .doc](#)

---

Here's Representative Maloney's Statement of Introduction. We'll continue to check for text for S. 2920.

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**From:** (b) (6)  
**Sent:** Friday, November 14, 2014 8:39 AM  
**To:** (b) (6)  
**Cc:** Bussman, Susan; #ODCLCA Lrs; (b) (6)  
**Subject:** RE: Nazi Bill

Thanks. Erik got a copy of the Maloney bill from DoJ. We'd still like a copy of Casey if you can get it.

<< Message: FW: Here's the Maloney Nazi Benefits Bill, as Introduced Yesterday (courtesy THOMAS website) >>

(b) (6)

Office of Legislation and Congressional Affairs

Office: (b) (6)

Blackberry: (b) (6)

---

**From:** (b) (6)  
**Sent:** Friday, November 14, 2014 7:26 AM  
**To:** (b) (6)  
**Cc:** Bussman, Susan; #ODCLCA Lrs  
**Subject:** RE: Nazi Bill

**We'll check the Congressional Record for more information when available.**

[113rd] [H.R.5706](#) : To deny Social Security benefits and other benefits to individuals whose citizenship has been revoked or renounced on the basis of their participation in Nazi persecution.

**Sponsor:** [Rep Maloney, Carolyn B.](#) [NY-12] (introduced 11/13/2014)  
**Cosponsors** (13)

**Committees:** House Ways and Means; House Judiciary

**Latest Major Action:** 11/13/2014 Referred to House committee. Status: Referred to the Committee on Ways and Means, and in addition to the

Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

Bill Text: <http://www.gpo.gov/fdsys/pkg/BILLS-113hr5706ih/pdf/BILLS-113hr5706ih.pdf>

**[113rd] S.2920** : A bill to deny Social Security benefits and other benefits to individuals who participated in Nazi persecution.

**Sponsor:** [Sen Casey, Robert P., Jr.](#) [PA] (introduced 11/13/2014)

**Cosponsors** (2)

**Committees:** Senate Finance

**Latest Major Action:** 11/13/2014 Referred to Senate committee. Status: Read twice and referred to the Committee on Finance.

Bill Text: Not yet available

---

**From:** (b) (6)  
**Sent:** Thursday, November 13, 2014 3:21 PM  
**To:** (b) (6)  
**Cc:** Bussman, Susan; (b) (6)  
**Subject:** FW: Nazi Bill

(b) (6)

Tomorrow morning, could your folks pull this bill from the congressional record for us?  
Thanks,

(b) (6)

Office of Legislation and Congressional Affairs

Office: (b) (6)

Blackberry: (b) (6)

---

**From:** Bussman, Susan  
**Sent:** Thursday, November 13, 2014 3:17 PM  
**To:** (b) (6)  
**Cc:** Hansen, Erik; Min, Royce; Najar, Joel; Mannella, Kenneth E.  
**Subject:** Nazi Bill

<http://maloney.house.gov/media-center/press-releases/maloney-chaffetz-lance-introduce-bill-to-terminate-social-security>

*Sue Bussman*

*Staff Director*

*Retirement and Survivors Insurance Branch*

*Office of Legislation and Congressional Affairs*

*Social Security Administration*

*410-965-3313*

*[Susan.Bussman@ssa.gov](mailto:Susan.Bussman@ssa.gov)*

**STATEMENT OF INTRODUCTION FOR THE NAZI SOCIAL SECURITY  
BENEFITS TERMINATION ACT OF 2014 -- (Extensions of Remarks -  
November 13, 2014)**

[Page: E1564]

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SPEECH OF

**HON. CAROLYN B. MALONEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

THURSDAY, NOVEMBER 13, 2014

- Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, today I am introducing the bipartisan Nazi Social Security Benefits Termination Act of 2014 along with my colleagues Representatives *Jason Chaffetz, Leonard Lance, Steve Cohen, James McGovern, Kathy Castor, Peter King, Hank Johnson, David Cicilline, Keith Ellison, Patrick Murphy, Steve Israel, Derek Kilmer, and Jackie Speier*. I commend Sens. *Bob Casey and Charles Schumer* for introducing the Senate companion.
- After the conclusion of World War II, thousands of people who participated in Nazi persecution fled to the United States and lied about their pasts to gain U.S. citizenship. The Department of Justice has successfully identified and deported hundreds of these individuals over more than three decades. There were, however, individuals who left the country of their own accord before being issued an order of removal, which would have terminated all federal benefits, including Social Security. Without this order, eligibility for these benefits remained intact and these individuals collected millions of dollars in federal benefit checks.
- The Nazi Social Security Benefits Termination Act of 2014 would require the U.S. Attorney General to notify the Social Security Commissioner to terminate benefits for any individual who has renounced citizenship or been denaturalized on the grounds of participation in Nazi persecution. In the event that the Department of Justice identifies Nazi war criminals still residing in the U.S., it may initiate its denaturalization process as normal, and this rule change would allow benefits termination at the end of that process. The

measure also requires an annual report to Congress from the Department of Justice on the number of individuals it has determined are disqualified for Social Security benefits under this new legislation as well as the number of active investigations against Nazi war criminals it continues to pursue.

- I urge my colleagues to cosponsor this legislation that would finally put an end to this grave misuse of federal dollars. After decades of paying out benefits to Nazi criminals who slipped through our justice system, it is past time to correct this injustice.

*END*

**From:** (b) (6)  
**To:** (b) (6)  
**Cc:** Bussman, Susan; #ODCLCA Lrs; (b) (6)  
**Subject:** RE: Nazi Bill  
**Date:** Friday, November 14, 2014 8:39:17 AM  
**Attachments:** [FW Here's the Maloney Nazi Benefits Bill as Introduced Yesterday \(courtesy THOMAS website\).msg](#)

---

Thanks. Erik got a copy of the Maloney bill from DoJ. We'd still like a copy of Casey if you can get it.

(b) (6)

Office of Legislation and Congressional Affairs

Office: (b) (6)

Blackberry: (b) (6)

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**From:** (b) (6)  
**Sent:** Friday, November 14, 2014 7:26 AM  
**To:** (b) (6)  
**Cc:** Bussman, Susan; #ODCLCA Lrs  
**Subject:** RE: Nazi Bill

**We'll check the Congressional Record for more information when available.**

**[113rd] [H.R.5706](#)** : To deny Social Security benefits and other benefits to individuals whose citizenship has been revoked or renounced on the basis of their participation in Nazi persecution.

**Sponsor:** [Rep Maloney, Carolyn B.](#) [NY-12] (introduced 11/13/2014)  
**Cosponsors** (13)

**Committees:** House Ways and Means; House Judiciary

**Latest Major Action:** 11/13/2014 Referred to House committee. Status: Referred to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

Bill Text: <http://www.gpo.gov/fdsys/pkg/BILLS-113hr5706ih/pdf/BILLS-113hr5706ih.pdf>

**[113rd] [S.2920](#)** : A bill to deny Social Security benefits and other benefits to individuals who participated in Nazi persecution.

**Sponsor:** [Sen Casey, Robert P., Jr.](#) [PA] (introduced 11/13/2014)  
**Cosponsors** (2)

**Committees:** Senate Finance

**Latest Major Action:** 11/13/2014 Referred to Senate committee. Status: Read twice and referred to the Committee on Finance.

Bill Text: Not yet available

---

**From:** (b) (6)  
**Sent:** Thursday, November 13, 2014 3:21 PM  
**To:** (b) (6)  
**Cc:** Bussman, Susan; (b) (6)  
**Subject:** FW: Nazi Bill

(b) (6)

Tomorrow morning, could your folks pull this bill from the congressional record for us?  
Thanks,

(b) (6)

Office of Legislation and Congressional Affairs

Office: (b) (6)

Blackberry: (b) (6)

---

**From:** Bussman, Susan  
**Sent:** Thursday, November 13, 2014 3:17 PM  
**To:** (b) (6)  
**Cc:** Hansen, Erik; Min, Royce; Najjar, Joel; Mannella, Kenneth E.  
**Subject:** Nazi Bill

<http://maloney.house.gov/media-center/press-releases/maloney-chaffetz-lance-introduce-bill-to-terminate-social-security>

*Sue Bussman*

*Staff Director*

*Retirement and Survivors Insurance Branch*

*Office of Legislation and Congressional Affairs*

*Social Security Administration*

*410-965-3313*

[Susan.Bussman@ssa.gov](mailto:Susan.Bussman@ssa.gov)

**From:** [Hansen, Erik](#)  
**To:** [Parrott, Thomas M.](#); [Min, Royce](#)  
**Cc:** [\(b\) \(6\)](#); [Najar, Joel](#); [Mannella, Kenneth E.](#); [Bussman, Susan](#)  
**Subject:** FW: Here's the Maloney Nazi Benefits Bill, as Introduced Yesterday (courtesy THOMAS website)  
**Date:** Friday, November 14, 2014 8:13:41 AM  
**Attachments:** [Nazi Benefits Termination Act of 2014, HR 5706, as intro'd by Rep Maloney 13Nov14.pdf](#)

---

Here it is:

---

**From:** Masling, Susan [mailto:[Susan.Masling@usdoj.gov](mailto:Susan.Masling@usdoj.gov)]  
**Sent:** Friday, November 14, 2014 8:08 AM  
**To:** Hansen, Erik  
**Subject:** FW: Here's the Maloney Nazi Benefits Bill, as Introduced Yesterday (courtesy THOMAS website)

I assume you have seen this....



**From:** [Bussman, Susan](#)  
**To:** (b) (6)  
**Cc:** [Hansen, Erik](#); [Min, Royce](#); [Parrott, Thomas M.](#); [Najar, Joel](#)  
**Subject:** Nazi Bill  
**Date:** Thursday, November 13, 2014 12:06:05 PM

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<http://www.newser.com/article/1c1cb03406414939b208401d02957db9/lawmakers-to-introduce-legislation-in-congress-stripping-ex-nazis-of-social-security-benefits.html>

*Sue Bussman*

*Staff Director*

*Retirement and Survivors Insurance Branch*

*Office of Legislation and Congressional Affairs*

*Social Security Administration*

*410-965-3313*

*Susan.Bussman@ssa.gov*

MICHAEL F. BENNET  
COLORADO

COMMITTEES:  
AGRICULTURE, NUTRITION, AND FORESTRY

FINANCE

HEALTH, EDUCATION, LABOR,  
AND PENSIONS

## United States Senate

WASHINGTON, DC 20510-0609

WASHINGTON, DC:  
458 RUSSELL SENATE OFFICE BUILDING  
WASHINGTON, DC 20510  
(202) 224-5852

COLORADO:  
1127 SHERMAN STREET  
SUITE 150  
DENVER, CO 80203-2398  
(303) 455-7600

<http://www.bennet.senate.gov>

October 29, 2014

The Honorable Eric Holder  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue  
Washington, DC 20530

Acting Commissioner Carolyn Colvin  
Social Security Administration  
6401 Security Boulevard  
Baltimore, MD 21235-0001

Dear Attorney General Holder and Acting Commissioner Colvin:

I write to express my deep concern about recent reports that the U.S. government may have used Social Security payments as a means of encouraging former Nazi officials to leave the country and that several of these individuals are still receiving benefits.

As you know, the Associated Press recently reported that the U.S. government may have used the prospect of continuing Social Security payments as leverage to encourage former Nazi officials to leave the country and renounce their citizenship rather than undergoing the deportation process. Because these individuals weren't formally deported, they were still able to receive their Social Security benefits after they left the country.

According to the AP, since 1979, "at least 38 of 66 suspects removed from the United States kept their Social Security benefits." At least four of these individuals are alive and still collecting benefits. Furthermore, the AP found that as of 1999, "28 suspected Nazi criminals had collected \$1.5 million in Social Security payments after their removal from the U.S."

It's extremely disturbing to learn that the U.S. taxpayer has supported individuals who participated in the worst genocide in modern history. Although I understand the need to act expeditiously to remove these individuals from the U.S. so that they can face trial, the receipt of Social Security benefits should not have served as a "bargaining chip" in the removal process. Even worse, according to the AP report, it appears that many of these individuals did not even stand trial once they left the United States.

As Congress considers legislation to prevent these individuals from receiving Social Security benefits, it is my hope the Department of Justice and the Social Security Administration can provide further information. Specifically:

- Can the Department of Justice and the Social Security Administration verify the accuracy of the AP's reporting? For instance, can your respective agencies specify the number of former Nazi officials who have received Social Security benefits? And how much in benefits did they ultimately receive?

- Do Social Security benefits continue to play any role during the removal process? If not, when did this practice end?
- When a former Nazi official left the U.S. prior to deportation and continued to receive benefits, did the Department of Justice seek to notify the country to which the individual traveled? Did the Department of Justice encourage the country to which the former Nazi official traveled to try the individual?
- When a former Nazi official left the U.S. prior to deportation and continued to receive Social Security benefits, did the Department of Justice monitor whether the individual ultimately stood trial?

I understand that many of these proceedings and discussions occurred over the course of several decades and that it may be difficult to ascertain specific facts and details. It's nonetheless important for the American people and for our historic record to understand how individuals who played a role in the Holocaust could have possibly retained their Social Security benefits even after they've left the country.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael Bennet", with a stylized flourish at the end.

Michael Bennet  
United States Senator

SAM JOHNSON, TEXAS  
SUBCOMMITTEE CHAIRMAN

PAT TIBERI, OHIO  
TIM GRIFFIN, ARKANSAS  
JIM RENACCI, OHIO  
AARON SCHOCK, ILLINOIS  
MIKE KELLY, PENNSYLVANIA  
KEVIN BRADY, TEXAS

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SUBCOMMITTEE RANKING MEMBER  
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JENNIFER SAFAVIAN, STAFF DIRECTOR  
KIM HILDRED, SUBCOMMITTEE STAFF DIRECTOR

JANICE MAYS, MINORITY CHIEF COUNSEL  
KATHRYN OLSON, SUBCOMMITTEE MINORITY STAFF

# Congress of the United States

## House of Representatives

### COMMITTEE ON WAYS AND MEANS

WASHINGTON, DC 20515

#### SUBCOMMITTEE ON SOCIAL SECURITY

December 15, 2014

The Honorable Carolyn Colvin  
Acting Commissioner of Social Security  
Social Security Administration  
6401 Security Boulevard  
Woodlawn, MD 21207

Dear Acting Commissioner Colvin:

As you know, we recently discovered that a small number of known Nazi persecutors had slipped through a loophole in our laws and were receiving Social Security benefits, which was never Congress's intention. The House and Senate have unanimously passed legislation to close the loophole and cut off the benefits, and we expect that the President will sign it into law very shortly.

We appreciate the technical assistance the Social Security Administration provided to help tightly close this loophole, and are writing to urge you to act quickly once the Department of Justice notifies you of the affected individuals. By acting promptly, you will ensure that those who participated in Nazi persecutions will not receive January Social Security benefits.

Thank you very much for your prompt attention to this matter.

Sincerely,



SAM JOHNSON  
Chairman



XAVIER BECERRA  
Ranking Member

# United States Senate

WASHINGTON, DC 20510

December 1, 2014

## VIA ELECTRONIC TRANSMISSION

The Honorable Carolyn W. Colvin  
Acting Commissioner  
Social Security Administration  
6401 Security Boulevard  
Baltimore, Maryland 21235-6401

Dear Commissioner Colvin:

A recent news report revealed that the United States has paid millions of dollars in Social Security to former Nazis living abroad. This is happening because the Department of Justice (DOJ) is allegedly allowing former Nazis to retain their Social Security benefits in exchange for renouncing U.S. citizenship and leaving the country voluntarily.<sup>1</sup> Under law, participating in Nazi persecution is a deportable offense.<sup>2</sup> However, former Nazis who leave the U.S. voluntarily may maintain their Social Security benefits because Nazi participation is not ground for benefit termination unless it is first used as a ground for deportation.<sup>3</sup>

These beneficiaries include people who committed egregious crimes during the Holocaust, such as SS guards from some of the Holocaust's most notorious death camps and a Nazi collaborator who was responsible for the execution of thousands of Jews.<sup>4</sup> According to the Associated Press, "at least 38 of 66 suspects... kept their Social Security benefits."<sup>5</sup>

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<sup>1</sup>David Rising, Randy Herschaft, and Richard Lardner, *Millions in Social Security for Expelled Nazis*, ASSOCIATED PRESS, Oct. 20, 2014, <http://bigstory.ap.org/article/6ae3352f4d474b028c84be0c627e7780/expelled-nazis-paid-millions-social-security>

<sup>2</sup>*Id.*

<sup>3</sup>*Id.*

<sup>4</sup>*Id.*

<sup>5</sup>*Id.*

The Social Security Administration (SSA) and the State Department objected to the DOJ practice of allowing ex-Nazis to continue receiving Social Security benefits.<sup>6</sup> In 1997, SSA Acting Commissioner John Callahan stated: “Social Security benefits cannot, and should not, be used as a bargaining tool.”<sup>7</sup>

Even with these objections, DOJ has continued the practice to this day. [REDACTED], a 90 year old former Auschwitz guard who later became an American citizen, collects approximately \$1,500 per month in Social Security payments.<sup>8</sup> [REDACTED] has long since renounced his American citizenship and now lives in Germany, yet the payments continue. At least three other ex-Nazis are still alive and continue to receive Social Security benefits abroad.<sup>9</sup>

Furthermore, newly discovered Nazi suspects who currently live in the U.S. could retain their Social Security benefits if they are removed to another country. Alleged SS commander [REDACTED] currently lives in Minnesota and is under investigation in Germany for ordering his unit to attack a Polish village, killing dozens of women and children.<sup>10</sup> Like [REDACTED] [REDACTED] could potentially retain his Social Security benefits even if he leaves the U.S.

In addition, this case raises important questions regarding the accuracy and consistency of SSA record-keeping. The Associated Press states that information provided by SSA was “directly inconsistent” with information contained in prior communications to the AP.<sup>11</sup> Specifically, SSA stated in 2013 that [REDACTED], a suspected Nazi who returned to Germany in 2007, received his last Social Security payment in 2008 after he returned to Germany.<sup>12</sup> But in a 2014 disclosure, SSA said that [REDACTED] received his last payment in 2007 while still living in the United States.<sup>13</sup>

The Associated Press also found discrepancies in the information retained by SSA’s FOIA department and its press department. The AP reported that SSA’s FOIA office could not identify certain individuals, although the SSA Press Office had previously identified the “exact same individuals using the exact same information” provided by the AP in the FOIA request.<sup>14</sup> It appears that SSA is not tracking this

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<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*

<sup>11</sup> Letter from Brian Barrett on behalf of reporter Randy Herschaft, Counsel, Associated Press, to Kirsten Moncada, Executive Director, Office of Privacy and Disclosure, Social Security Administration (Oct. 16, 2014), available at <http://hosted.ap.org/interactives/2014/nazi-social-security/>

<sup>12</sup> *Id.*

<sup>13</sup> *Id.*

<sup>14</sup> *Id.*

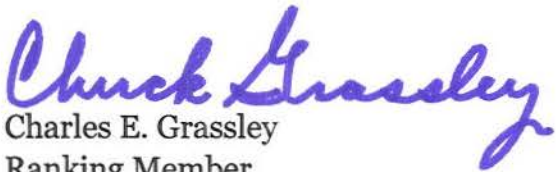
information carefully or ensuring that all departments within the agency have the correct records.

We have introduced bi-partisan, bi-cameral legislation to close the Social Security loophole in order to prevent this practice in the future and hope that it will become law soon. However, there remain questions about DOJ's actions and what will be done in current cases if the law is not passed before they are resolved. Therefore, we ask that you please provide the following information:

1. What is the total number of Nazi suspects who received Social Security benefits after leaving the United States? How many suspected Nazis currently receive Social Security benefits and live outside the country?
2. What is the total dollar amount of Social Security benefits that have been paid to date to suspected Nazis residing outside the US?
3. If ██████████ leaves the United States and renounces citizenship will he be permitted to retain his Social Security benefits?
4. What communications does SSA have with DOJ regarding suspected Nazis who have left the US? When SSA objected to DOJ's practice, what was DOJ's response?
5. When did ██████████ receive his last Social Security payment? Why was the AP provided contradictory information about him and 6 other suspected Nazis?
6. Does SSA have procedures in place to ensure the accuracy of records regarding Social Security payments? If so, what are they? If not, why not?
7. Does SSA have procedures in place in order to ensure that all divisions of the agency retain the same information? If so, what are they? If not, why not?
8. Please explain why separate divisions within SSA provided differing information to the AP, and whether SSA has taken any steps to address it.

Thank you for your attention to this matter. We would appreciate a response by December 15, 2014. If you have any questions, please do not hesitate to contact Tegan Millspaw at (202) 224-5225 or Kim Brandt at (202) 224-4515.

Sincerely,



Charles E. Grassley  
Ranking Member  
Committee on the Judiciary



Orrin G. Hatch  
Ranking Member  
Committee on Finance





## SOCIAL SECURITY

The Commissioner

November 26, 2014

The Honorable Michael F. Bennet  
United States Senate  
Washington, DC 20510

Dear Senator Bennet:

I want to let you know that we received your October 29, 2014 request to Attorney General Eric Holder and me regarding former Nazi persecutors who have received Social Security benefits.

I assure you that your request, which involves reviewing decades of records, is a priority for us. We are working to respond as expeditiously as possible to your question about the number of individuals who were determined to be former Nazi persecutors who received Social Security benefits, as well as the total amount of benefits received. We understand that the Department of Justice will respond separately to your letter.

I want to let you know that I appreciate your patience and understanding. We are gathering and reviewing the information necessary to respond and will have a reply for you as soon as possible.

In the meantime, if you would like to discuss this matter further, please do not hesitate to contact me. Your staff may contact Judy Chesser, our Deputy Commissioner for Legislation and Congressional Affairs, at (202) 358-6030.

Sincerely,

Carolyn W. Colvin  
Acting Commissioner



## SOCIAL SECURITY

The Commissioner

December 11, 2014

The Honorable Shaun Donovan  
Director, Office of Management and Budget  
725 17th Street, NW  
Washington, DC 20503

Dear Mr. Donovan:

You asked for our recommendation regarding whether the President should sign enrolled bill H.R. 5739, the *No Social Security for Nazis Act*. This legislation would amend the Social Security Act to prevent payment of Social Security benefits to individuals identified as Nazis who participated in persecution. Under current law, individuals removed from the United States due to participation in Nazi persecution are prohibited from collecting Social Security benefits. H.R. 5739 would expand the prohibition to individuals whose citizenship or nationality was revoked based on Nazi activity.

Regarding the merits of the legislation, we strongly support efforts to ensure that individuals identified as Nazis do not receive Social Security benefits, and we recommend that the President approve the bill. We will need to work closely with our colleagues at the Department of Justice (DOJ) to identify individuals whose benefits are eligible for termination under H.R. 5739 once the legislation is approved. However, we anticipate a swift and successful collaboration with DOJ.

If I may be of further assistance, please contact me, or your staff may contact Judy Chesser, our Deputy Commissioner for Legislation and Congressional Affairs, at (202) 358-6030.

Sincerely,

Carolyn W. Colvin  
Acting Commissioner

# United States Senate

WASHINGTON, DC 20510-4606

October 31, 2014

COMMITTEES:  
FINANCE

BANKING, HOUSING, AND  
URBAN AFFAIRS

BUDGET

INTELLIGENCE

RULES AND ADMINISTRATION

Ms. Sharon A. Wilson  
Constituent Relations Staff  
Social Security Administration  
6401 Security Boulevard  
Baltimore, MD 21235-6401

Dear Ms. Wilson,

I have recently been contacted by several of my constituents (3) concerned about Social Security payments paid to Nazi suspects. Attached, please find copies of their correspondence. I would appreciate it if you could look into this matter and provide me with an appropriate response. Thank you.

Sincerely,



MARK R. WARNER  
United States Senator

MRW/l  
Enclosures

(b) (6)

Contact Information:

(b) (6)

Incoming Message:

Date: 10/20/2014

The headline reads

Dozens of suspected Nazi war criminals and SS guards collected millions of dollars in U.S. Social Security benefits after being forced out of the United States, an Associated Press investigation has found.

The payments, underwritten by American taxpayers, flowed through a legal loophole that gave the U.S. Justice Department leverage to persuade Nazi suspects to leave the U.S. If they agreed to go, or simply fled before deportation, they could keep their Social Security, according to interviews and internal U.S. government records.

How and why can our government be so stupid. It cuts aid to poor, screws the middle class with a tax code that is totally unfair, and then pays millions to the Nazi's.

When will you and your peers wake up and bring a bit of fairness to how our government works?

Please introduce legislation today to stop any more payments and please confirm in writing that you have done so.

Kindest personal regards,

(b) (6)

(b) (6)

Contact Information:

(b) (6)

Incoming Message:

Date: 10/22/2014

Dear Sen. Warner:

I can't tell you how upset I was to read in our local newspapers that the Social Security Administration have been paying monthly benefits to former Nazi personnel. I understand that this has been going on for a number of years. Being a retired Civil Service employee, this is a slap in the face. We can pay Social Security benefits to people that were responsible for killing millions of people of the Jewish faith but we can't give full Social Security benefits to retired Civil Service employees that worked extra jobs under Social Security to supplement their income.

As you probably know, retired Civil Service employees can only draw 40% of their entitled Social Security benefits. I, like many other federal employees, worked part time jobs on my days off during my federal employment to supplement my income. All of us paid the required Social Security taxes yet we get penalized because we draw Civil Service retirement benefits. The retirement income that I receive from the Civil Service is not entirely a free gift as I paid approximately 8% of my wages into the retirement system each pay day. Also, even though I have the highest respect for them, our military retirees get great retirement benefits, pay nothing into their retirement plan and can draw full Social Security benefits without any penalty. Do you think this is fair?

I sincerely hope that you will consider legislation that will repeal this law that is now on the books that limit Civil Service retirees their full earned Social Security benefits. If we have the funds to pay Nazi personnel these benefits then we should have the funds to pay our Civil Service retirees the full earned Social Security benefits that they paid into the system to get.

I know you get lots of letters and emails and I know it's impossible for you to personally answer each one but I sincerely request you answer this one. I need to know exactly how you stand on this matter.

Wishing you success in the up coming election and letting you know as always, you will have my vote.

Thanking you for your kind attention, I am,

(b) (6)

(b) (6)

Contact Information:

(b) (6)

Incoming Message:

Date: 10/27/2014

Senator,

UNBELIEVEABLE, sir. What is wrong with this picture show? I seriously hope your response is "We in the U.S. Senate (elected officials)" have a duty to our constituents to STOP this egregious NAZI tactic given to the IRS, with the ability to destroy Americans Savings, NOW. The better answer is to abolish the IRS and require a flat tax to all entities that pay taxes, right? (answer required)

Civil asset forfeiture, which allows law enforcement agents to take property they suspect of being tied to crime even if no criminal charges are filed. Law enforcement agencies get to keep a share of whatever is forfeited.

I expect an answer to these questions/issues prior to November 4th.

r response is "We in "The Senate" have a duty to our constituents to STOP this egregious NAZI tactic to destroy Americans Savings, NOW.

11-12 11/13  
22970

United States Senate

WASHINGTON, DC 20510-4606

OFFICIAL BUSINESS

PRESORT STD

2/10

Mark R Warner  
U.S.S.

Ms. Sharon A. Wilson  
Constituent Relations Staff  
Social Security Administration  
6401 Security Boulevard  
Baltimore, MD 21235-6401

11 IHY-NPI 21235





**From:** [Bailey, Cheryl](#)  
**To:** [Bussman, Susan](#)  
**Cc:** [#ODCLCA RSIB](#); [#ODCLCA Lrs](#); [Hansen, Erik](#); [Min, Royce](#)  
**Subject:** FW: Johnson, Becerra Developing Legislation to Stop the Payment of Social Security Benefits to Nazi War Criminals  
**Date:** Thursday, October 23, 2014 1:14:08 PM

FYI

**From:** Ways & Means Republicans [mailto:pressfromways&means@mail.house.gov]  
**Sent:** Thursday, October 23, 2014 1:10 PM  
**To:** Bailey, Cheryl  
**Subject:** Johnson, Becerra Developing Legislation to Stop the Payment of Social Security Benefits to Nazi War Criminals



## Press Release

**FOR IMMEDIATE RELEASE**

**October 23, 2014**

**Sarah Swinehart**

**202-226-4774**

### **Johnson, Becerra Developing Legislation to Stop the Payment of Social Security Benefits to Nazi War Criminals**

Washington, DC – Ways and Means Subcommittee on Social Security Chairman Sam Johnson (R-TX) and Ranking Member Xavier Becerra (D-CA) announced today that they are working together on legislation to stop all payment of Social Security benefits to Nazis and others who actively assisted in Nazi crimes.

"Like all Americans, I was stunned to learn that those responsible for the deaths of millions of innocents have received millions in Social Security benefits due to a loophole in the law. By leaving the country voluntarily, instead of being deported, these murderers were able to keep their benefits. Congress must stop these benefit payments now," said Johnson.

"It's unacceptable that some of the most heinous perpetrators of war crimes are receiving Social Security benefits on account of a loophole," said Becerra. "Social Security must be preserved for hard-working individuals who've earned it, not for participants in the atrocities of the Holocaust. The horrific crimes of the Holocaust must never be forgiven or forgotten."

The legislation will:

- Reaffirm the longstanding American view that Nazi perpetrators of the Holocaust engaged in a uniquely horrifying form of evil, and that the genocide they committed must be punished.
- Amend the law to stop benefit payments to those stripped of U.S. citizenship due to participation in Nazi activities or who voluntarily renounced their citizenship due to such participation. (Those who are judicially deported are already ineligible for Social

Security under current law.)

- Require a report to Congress on the number of Nazis whose benefits have been terminated by the Social Security Administration.

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Ways and Means Press Office  
[www.WaysandMeans.House.gov](http://www.WaysandMeans.House.gov)



**From:** (b) (6)  
**To:** #ODCLCA\_RSIB  
**Cc:** (b) (6)  
**Subject:** FW: House Passes Bipartisan Bill to End Social Security Benefits for Nazis  
**Date:** Tuesday, December 02, 2014 4:43:01 PM

(b) (6)

Office of Legislation and Congressional Affairs

Office: (b) (6)

Blackberry: (b) (6)

**From:** Bailey, Cheryl  
**Sent:** Tuesday, December 02, 2014 4:29 PM  
**To:** Bussman, Susan; (b) (6)  
**Cc:** Hansen, Erik; Min, Royce; #ODCLCA Lrs  
**Subject:** FW: House Passes Bipartisan Bill to End Social Security Benefits for Nazis

FYI

**From:** Ways & Means Republicans [<mailto:pressfromways&means@mail.house.gov>]  
**Sent:** Tuesday, December 02, 2014 4:28 PM  
**To:** Bailey, Cheryl  
**Subject:** House Passes Bipartisan Bill to End Social Security Benefits for Nazis



## Press Release

**FOR IMMEDIATE RELEASE**

**December 2, 2014**

**Molly Edwards (Ways and Means)**

**202-226-4774**

**Daniel Herrera (Becerra)**

**202-225-1400**

### **House Passes Bipartisan Bill to End Social Security Benefits for Nazis**

Washington, DC – Today, the House of Representatives passed H.R. 5739, the *No Social Security for Nazis Act*, with unanimous support from both sides of the aisle. Introduced by Ways and Means Social Security Chairman Sam Johnson (R-TX) and Ranking Member Xavier Becerra (D-CA), H.R. 5739 would stop Social Security benefits to Nazis.

In introducing the bill on the House floor, **Chairman Johnson said**, “For many years, a loophole has allowed Nazis to get Social Security benefits. While the number of Nazis receiving Social Security is few, allowing payments to continue is an insult to those who suffered at the hands of the Nazis. Today the House took an important step to right this wrong. I urge the Senate to immediately take up this bill and send it to the President.”

**Ranking Member Becerra added**, “The perpetrators of the Holocaust have no place in the United States of America and under no circumstances should they have access to our crown jewel, Social Security. Thanks to bipartisan work in both the House and Senate, Congress is taking swift action to ensure that these heinous war criminals can no longer exploit a loophole to receive benefits. This vote shows that Congress can and will continue to protect the hard-earned Social Security benefits that millions of Americans rely on.”

Specifically, the bill amends the law to:

- Stop benefit payments to those denaturalized due to participation in Nazi persecutions (as defined in the Immigration and Nationality Act) or who voluntarily renounced their citizenship as part of a settlement with the Attorney General related to their participation in Nazi persecution (those who are judicially deported are already ineligible for Social Security under current law);
- Ensure individuals who are ineligible for benefits based on participation in Nazi persecutions do not receive spouse benefits due to marriage to a Social Security beneficiary or Supplemental Security Income benefits; and
- Requires the Attorney General to certify to the Ways and Means Committee and Finance Committee that Social Security has been notified of all those whose benefits should be terminated due to participation in Nazi persecutions and requires the Commissioner of Social Security to certify that benefits were terminated.

Last month, the Senate [introduced](#) an identical companion bill. More information, including the full bill text and letters of support, can be viewed [here](#).

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Ways and Means Press Office  
[www.WaysandMeans.House.gov](http://www.WaysandMeans.House.gov)

