

Home > Jewish World

U.S. clarifies ambiguity in Victims of Nazi Persecution Act

Exemption enjoyed by Holocaust survivors who receive reparations also applies to those who have inherited the reparation payments.

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An ambiguity in the law defining the rights of Holocaust survivors in the United States has been clarified by the Social Security Administration, the New York Observer reported.

In an emergency message released this month, the administration explained that an exemption enjoyed by Holocaust survivors who receive reparations also applies to those who have inherited the reparation payments.

The Victims of Nazi Persecution Act of 1994 states that reparations given to Holocaust survivors should be disregarded in determining eligibility for needs-based federal programs. But it doesn't mention those who inherit the reparations.

The latest message clarifies the issue: Inheritors are also exempted.

The clarification was the product of 20 years' work by two lawyers – Michael and Barbara Lissner – to alter the vagueness of the act. The Lissners, a married couple, are the children of Holocaust survivors.

The issue recently came to a head when a New York-based client of the Lissners inherited \$35,000 from his mother's restitution trust. As a result, the government terminated his monthly supplemental security income payment of \$264.

The Lissners fought the termination in court, and the SSA reinstated the client's supplemental income. But the decision was reversed soon after the reinstatement.

A subsequent appeal to the authority brought about the emergency message.