

## **How to Protect Your SSI Benefits After Receiving Payments from the Claims Conference**

Instructions for Holocaust survivors who receive or qualify for government benefits based on financial need.

### **Under U.S. law, the government is not allowed to reduce or terminate your benefits when you receive Holocaust compensation or other payments from the Claims Conference**

- Under U.S. federal law, payments that are based on your status as a victim of Nazi persecution cannot be counted as part of your income or resources (assets) when decisions are made about your eligibility for government benefits based on financial need, such as SSI (Supplemental Security Income), Medicaid, Section 8 or other subsidized housing, Food Stamps (SNAP), or Meals on Wheels.
- Also, because Holocaust compensation is not counted as income or resources, you are allowed to keep the compensation payments in your bank account. You are not required to withdraw or spend the funds in order to maintain your eligibility for government benefits. If you wish, you can open a separate bank account to keep your compensation payments separate from your regular income; however, this is not required.

### **You can protect your SSI benefits by telling Social Security that you received Holocaust compensation from the Claims Conference**

- **If you receive SSI (Supplemental Security Income)**, it is important to tell Social Security about your Holocaust compensation payments. Otherwise, they will not know that the payments are based on your status as a victim of Nazi persecution, and your SSI benefits could be erroneously reduced or terminated. You also might be asked to return previous SSI payments to the government. If that happens, you will have to file an appeal and it could take several months to restore your benefits. It is better to avoid this outcome by reporting the payment to Social Security as soon as possible.
- Simply withdrawing the funds from your account may not protect you from having your benefits reduced. Social Security uses a computerized system that automatically detects when your bank account balance exceeds the allowed limit, even if you withdraw the extra funds right away. Their automated system can also find undisclosed accounts held in your name.

## **You can use the Attached Form to Inform Social Security that you received non-countable Holocaust compensation**

- You may use the form at the end of this fact sheet to report your Claims Conference payment to Social Security or to other government agencies. Fill in the blank spaces as indicated, and attach one or both of the following:
  - A copy of the approval letter that you received from the Claims Conference
  - A copy of your bank statement or transaction record showing the date and amount of the compensation payment that you received.
- If your local Social Security office is closed to the public, or if you are unable to go to the office in person, **you can send the form and any attachments to Social Security by fax or by certified mail.** To find the fax number and mailing address of your local office, enter your ZIP code on this webpage: <https://secure.ssa.gov/ICON/main.jsp>. You can also find this webpage by searching the Internet for “Social Security Office Locator.”
- Whether you deliver the form and any attachments in person, by fax, or by mail, you should keep a copy with your records (along with any receipt or fax confirmation page), in case Social Security loses the documents and you need to provide them again.

## **Reporting Claims Conference payments to other government benefits agencies**

- You can also use the attached form to inform other government agencies that provide benefits based on your financial need – such as Medicaid, Food Stamps (SNAP), or federal housing assistance – about your Claims Conference payments.
- At a minimum, you should keep a copy of this fact sheet with your personal records, together with the Claims Conference’s approval letter and a copy of your bank statement showing the source of the payment, so that you can show them to any agency that requires information about your income or assets.

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### **Regulations regarding exclusion of Holocaust compensation from income and resources:**

For determinations related to SSI:

- SSA POMS SI 00830.710, SI 01130.610 – exclusion from income and resources
- SSA POMS SI 01130.700 – excluded funds commingled with nonexcluded funds
- SSA EM-21014 – Supplemental Hardship Fund payments to Jewish Nazi victims

For determinations related to Medicaid:

- 42 CFR §§ 435.601 – states must use methodologies no more restrictive than that used for SSI or most closely related cash assistance program

For determinations related to federally assisted housing programs:

- HUD Handbook 4350.3 REV-1, Exhibit 5-1 (income exclusions); 24 CFR § 5.609(c)(10)

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## Notice Regarding Receipt of Holocaust Restitution (Exempt from Income and Resources)

To the Social Security Administration and other relevant agencies:

RE: NAME / имя: \_\_\_\_\_

SOCIAL SECURITY NUMBER (SSN): \_\_\_\_\_

TELEPHONE NUMBER / номер тел: \_\_\_\_\_

ADDRESS / адрес: \_\_\_\_\_

Please take notice that I have received one or more Holocaust restitution payments from the Conference on Jewish Material Claims Against Germany ("Claims Conference"), because of my status as a victim of Nazi persecution. Under the Nazi Persecution Victims Eligibility Act of 1994, **such payments may not be counted as income or resources by any need based, federally assisted program – including but not limited to SSI, Medicaid, SNAP, and subsidized housing programs and vouchers.**

SSA's policy regarding the exclusion for payments to victims of Nazi persecution is set forth in its Program Operations Manual System at **POMS SI 00830.710** and **SI 01130.610**. The excluded funds will remain exempt if I save them in my bank account and if they are mixed with nonexempt funds. See **POMS SI 01130.700**. I am not required to spend the funds down or to keep them in a separate account.

<u>Amount(s) received / полученная суммы:</u>	<u>Date(s) / дата получения</u>
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\$ _____	_____
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\$ _____	_____
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\$ _____	_____
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This is a recurring payment / это регулярные платежи ☐ Yes/да ☐ No/нет

Name of my bank / название банка: \_\_\_\_\_

Bank account number (last 4 digits) /  
номер банковского счета (последние 4 цифры): \_\_\_\_\_

**Kindly take any necessary steps to ensure that the payment(s) listed above, and any future payments transferred to my account by the Claims Conference, are excluded from income or resources.**

\_\_\_\_\_  
Signature / Подпись

\_\_\_\_\_  
Date / Дата

Enclosure(s) / прилагаемые документы:

☐ Claims Conference approval letter / Письмо-одобрение Claims Conference

☐ Bank statement or transaction report / Выписка из банка или компьютерную распечатку

## Social Security

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### Emergency Message

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**Identification Number:** EM-21014  
**Intended Audience:** All RCs/ARCs/ADs/FOs/TSCs/PSCs/OCO/OCO-CSTs/OHO/OARO  
**Originating Office:** ORDP OISP  
**Title:** Supplemental Hardship Fund Payments to Jewish Nazi Victims One-Time-Only Instructions  
**Type:** EM - Emergency Messages  
**Program:** Title XVI (SSI); All Programs  
**Retention Date:** August 27, 2021

#### A. Purpose

This EM provides instructions for excluding Supplemental Hardship Fund payments to Jewish Nazi victims from income and resource counting for SSI eligibility and payment amount.

#### B. Background

The Claims Conference (Conference on Jewish Material Claims Against Germany) is issuing payments from its Supplemental Hardship Fund to help Jewish Nazi victims experiencing financial challenges due to the pandemic. Eligible individuals will receive two supplemental payments at approximately \$1,400 each, for a total of \$2,800. There will be two installments, the first paid in December 2020 or in early 2021 and the second to be paid in 2022.

The Victims of Nazi Persecution Act of 1994 (P.L. 103-286) provides that any payments made to individuals because of their status as victims of Nazi persecution must be disregarded in determining eligibility for and the amount of benefits provided under any needs-based federal program. Supplemental Hardship Fund payments are payable to individuals because of their status as victims of Nazi persecution. Thus, these payments are excluded from both income and resources for purposes of SSI.

#### C. Policy for income and resource treatment

##### 1. Income and resource exclusion

Exclude from income and resources, payments received from the Supplemental Hardship Fund. For more information on how to exclude payments to victims of Nazi persecution, see [SI 00830.710](#) and [SI 01130.610](#)

##### 2. Interest income

Exclude from income any interest earned on Supplemental Hardship Fund payments. For more information on how to exclude interest income, see [SI 00830.500](#).

#### D. Procedure

If an individual reports receiving payments from the Supplemental Hardship Fund, obtain the individual's statement, either signed or recorded on a locked Report of Contact (DROC) screen, of the amount(s) involved and the date(s) they received these payments. No further development or documentation is required.