

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 1873

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IN THE SENATE OF THE UNITED STATES

JULY 14 (legislative day, JULY 11), 1994

Received

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## AN ACT

To require certain payments made to victims of Nazi persecution to be disregarded in determining eligibility for and the amount of benefits or services based on need.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. CERTAIN PAYMENTS MADE TO VICTIMS OF**  
4                               **NAZI PERSECUTION DISREGARDED IN DE-**  
5                               **TERMINING ELIGIBILITY FOR AND THE**  
6                               **AMOUNT OF NEED-BASED BENEFITS AND**  
7                               **SERVICES.**

8               (a) IN GENERAL.—Payments made to individuals be-  
9       cause of their status as victims of Nazi persecution shall

1 be disregarded in determining eligibility for and the  
2 amount of benefits or services to be provided under any  
3 Federal or federally assisted program which provides  
4 xbenefits or services based, in whole or in part, on need.

5 (b) APPLICABILITY.—Subsection (a) shall apply to  
6 determinations made on or after the date of the enactment  
7 of this Act with respect to payments referred to in sub-  
8 section (a) made before, on, or after such date.

9 (c) PROHIBITION AGAINST RECOVERY OF VALUE OF  
10 EXCESSIVE BENEFITS OR SERVICES PROVIDED DUE TO  
11 FAILURE TO TAKE ACCOUNT OF CERTAIN PAYMENTS  
12 MADE TO VICTIMS OF NAZI PERSECUTION.—No officer,  
13 agency, or instrumentality of any government may at-  
14 tempt to recover the value of excessive benefits or services  
15 provided before the date of the enactment of this Act  
16 under any program referred to in subsection (a) by reason  
17 of any failure to take account of payments referred to in  
18 subsection (a).

19 (d) NOTICE TO INDIVIDUALS WHO MAY HAVE BEEN  
20 DENIED ELIGIBILITY FOR BENEFITS OR SERVICES DUE  
21 TO THE FAILURE TO DISREGARD CERTAIN PAYMENTS  
22 MADE TO VICTIMS OF NAZI PERSECUTION.—Any agency  
23 of government that has not disregarded payments referred  
24 to in subsection (a) in determining eligibility for a pro-  
25 gram referred to in subsection (a) shall make a good faith

1 effort to notify any individual who may have been denied  
2 eligibility for benefits or services under the program of the  
3 potential eligibility of the individual for such benefits or  
4 services.

5 (e) REPAYMENT OF ADDITIONAL RENT PAID UNDER  
6 HUD HOUSING PROGRAMS BECAUSE OF FAILURE TO  
7 DISREGARD REPARATION PAYMENTS.—

8 (1) AUTHORITY.—To the extent that amounts  
9 are provided in appropriation Acts for payments  
10 under this subsection, the Secretary of Housing and  
11 Urban Development shall make payments to quali-  
12 fied individuals in the amount determined under  
13 paragraph (3).

14 (2) QUALIFIED INDIVIDUALS.—For purposes of  
15 this subsection, the term “qualified individual”  
16 means an individual who—

17 (A) has received any payment because of  
18 the individual’s status as a victim of Nazi per-  
19 secution;

20 (B) at any time during the period begin-  
21 ning on February 1, 1993 and ending on April  
22 30, 1993, resided in a dwelling unit in housing  
23 assisted under any program for housing assist-  
24 ance of the Department of Housing and Urban  
25 Development under which rent payments for

1 the unit were determined based on or taking  
2 into consideration the income of the occupant of  
3 the unit;

4 (C) paid rent for such dwelling unit for  
5 any portion of the period referred to in sub-  
6 paragraph (B) in an amount determined in a  
7 manner that did not disregard the payment re-  
8 ferred to in subparagraph (A); and

9 (D) has submitted a claim for payment  
10 under this subsection as required under para-  
11 graph (4).

12 The term does not include the successors, heirs, or  
13 estate of an individual meeting the requirements of  
14 the preceding sentence.

15 (3) AMOUNT OF PAYMENT.—The amount of a  
16 payment under this subsection for a qualified indi-  
17 vidual shall be equal to the difference between—

18 (A) the sum of the amount of rent paid by  
19 the individual for rental of the dwelling unit of  
20 the individual assisted under a program for  
21 housing assistance of the Department of Hous-  
22 ing and Urban Development, for the period re-  
23 ferred to in paragraph (2)(B), and

24 (B) the sum of the amount of rent that  
25 would have been payable by the individual for

1 rental of such dwelling unit for such period if  
2 the payments referred to in paragraph (2)(A)  
3 were disregarded in determining the amount of  
4 rent payable by the individual for such period.

5 (4) SUBMISSION OF CLAIMS.—A payment under  
6 this subsection for an individual may be made only  
7 pursuant to a written claim for such payment by  
8 such individual submitted to the Secretary of Hous-  
9 ing and Urban Development in the form and manner  
10 required by the Secretary before—

11 (A) in the case of any individual notified  
12 by the Department of Housing and Urban De-  
13 velopment orally or in writing that such specific  
14 individual is eligible for a payment under this  
15 subsection, the expiration of the 6-month period  
16 beginning on the date of receipt of such notice;  
17 and

18 (B) in the case of any other individual, the  
19 expiration of the 12-month period beginning on  
20 the date of the enactment of this Act.

Passed the House of Representatives July 12, 1994.

Attest: DONNALD K. ANDERSON,  
*Clerk.*