



# Resolution 19-2

For

## MNGEA / EANGUS Resolutions Process

Date: 15 April 2019

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Chapter: 48

Category (Joint, ARNG, ANG): Joint

*Passed*

Type Resolution - NEW

Relating To - Honoring American Veterans in Extreme Need (HAVEN) Act

### Background -

Senators Tammy Baldwin (D-WI) and John Cornyn (R-TX) recently introduced the bipartisan, *Honoring American Veterans in Extreme Need (HAVEN) Act* (S. 679) to protect the economic security and well-being of veterans and their families who rely on disability benefits and may be experiencing financial hardship. Under current bankruptcy law, disability benefits paid by the Department of Veterans Affairs (VA) and Department of Defense (DoD) are included in the calculation of a debtor's disposable income, increasing the portion of the debtor's income that is subject to the reach of creditors. By contrast, bankruptcy law explicitly exempts Social Security disability benefits from this calculation. To remove this unequal treatment among various disability benefits, the *HAVEN Act* would exclude VA and DoD disability payments made to veterans or their dependent survivors from the monthly income calculation used for bankruptcy means tests. This reform will protect veterans' disability benefits when they fall on hard times. Supporters of the legislation say it's unfair that veterans may be forced to give up their disability benefits when declaring bankruptcy, while the general population receiving similar benefits through Social Security does not. It has also earned the support of organizations like the American Legion, Disabled Veterans of America and the American Bankruptcy Institute, among others.

### Proposed Recommendation -

Propose endorsement of these bills by MNGEA and move to have these forwarded to EANGUS at the national level.

Resolution #: 19-2 Date Rec'd: \_\_\_\_\_ Disposition: \_\_\_\_\_

Submit NLT 15 April to: Mail to: Marcus Erickson via email: [legislative@mngear.com](mailto:legislative@mngear.com)