

116TH CONGRESS
1ST SESSION

H. R. 2938

To exempt from the calculation of monthly income certain benefits paid by the Department of Veterans Affairs and the Department of Defense.

IN THE HOUSE OF REPRESENTATIVES

MAY 23, 2019

Mrs. MCBATH (for herself and Mr. STEUBE) introduced the following bill;
which was referred to the Committee on the Judiciary

A BILL

To exempt from the calculation of monthly income certain benefits paid by the Department of Veterans Affairs and the Department of Defense.

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. SHORT TITLE.**

4 This Act may be cited as the “Honoring American
5 Veterans in Extreme Need Act of 2019” or the “HAVEN
6 Act”.

7 **SEC. 2. DEFINITION OF CURRENT MONTHLY INCOME.**

8 Section 101(10A) of title 11, United States Code, is
9 amended by striking subparagraph (B) and inserting the
10 following:

1 “(B)(i) includes any amount paid by any
2 entity other than the debtor (or in a joint case
3 the debtor and the debtor’s spouse), on a reg-
4 ular basis for the household expenses of the
5 debtor or the debtor’s dependents (and in a
6 joint case the debtor’s spouse if not otherwise
7 a dependent); and

8 “(ii) excludes—

9 “(I) benefits received under the Social
10 Security Act (42 U.S.C. 301 et seq.);

11 “(II) payments to victims of war
12 crimes or crimes against humanity on ac-
13 count of their status as victims of such
14 crimes;

15 “(III) payments to victims of inter-
16 national terrorism or domestic terrorism,
17 as those terms are defined in section 2331
18 of title 18, on account of their status as
19 victims of such terrorism; and

20 “(IV) any monthly compensation, pen-
21 sion, pay, annuity, or allowance paid under
22 title 10, 37, or 38 in connection with a dis-
23 ability, combat-related injury or disability,
24 or death of a member of the uniformed
25 services, except that any retired pay ex-

1 cluded under this subclause shall include
2 retired pay paid under chapter 61 of title
3 10 only to the extent that such retired pay
4 exceeds the amount of retired pay to which
5 the debtor would otherwise be entitled if
6 retired under any provision of title 10
7 other than chapter 61 of that title.”.

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