

Senators Say: "Stop Siphoning Off Social Security Benefits to Repay Student Debt"

Social Security benefits for tens of thousands of older and disabled Americans are being cut to below the poverty line to recover student loan debt. A group of senators including Elizabeth Warren (D-MA) and Bernie Sanders (I-VT) are trying to change that. They have introduced a bill that would prohibit the government from garnishing Social Security disability and retirement payments to pay off these old debts. Senator Warren, in a news release on her website, said, "The hard-earned Social Security checks that are the sole

source of income for millions of seniors should not be siphoned off to pay interest and fees on student loan debt."

This is the second time the Senate has tried to change the way the government collects on student loans. A similar bill was introduced in 2015 but failed to pass. In the current strongly partisan environment in Washington, no one believes passage of this bill will be any easier this time around.

"It's a challenge," Senator Sherrod Brown (D-OH), a co-sponsor of the new bill, told *MarketWatch* (a financial newsletter published by Dow Jones & Company). "Senators and House members are hearing about this problem more and more. We're hearing all kinds of people calling us surprised that [the government] can do this."

The number of those with unpaid student loans who are facing garnishment (which the government calls an offset) has jumped dramatically in recent years. According to a December report from the Government Accountability Office between 2002 and 2015 those in this predicament has increased nearly 400%.

MarketWatch says there are "multiple factors [which] explain that spike. For one, over the past several years we've



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witnessed rapid growth in the number of students going to college or returning to school during their career. But perhaps more important, rising college costs over the past few decades means that it's more likely that an older adult would have taken on a student debt either to pay for their own schooling or that of a child. The challenges these older or disabled borrowers face paying back their loans is increasingly pushing them toward the financial brink.

The 1996 law that allows the feds to garnish Social Security benefits over student loans requires that they leave the borrower with a minimum of \$750 in benefits. But that floor hasn't been adjusted since the 1990s to account for the rising cost of living." Senator Brown quoted on his official website says, "The number of Americans who have had their benefits garnished by the federal government has dramatically

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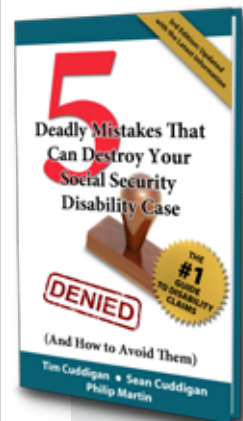
10855 West Dodge Road, Suite #100
Omaha, NE 68154
cuddiganlaw.com
402.933.5318

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increased in recent years – from 36,000 in 2002 to a staggering 173,000 in 2015... [which] includes certain people under 65 who receive Social Security Disability Insurance."

As reported by *Marketwatch*, "Brown said he'd like to see lawmakers do more on the front end so that fewer Americans end up in default on their student loans while collecting on Social Security. He suggests reforms, such as allowing borrowers to refinance their federal student loans to lower interest rates, increasing the value of the Pell grant — the money the government provides to low-income students to pay for college — and a larger investment in the nation's community colleges to make them more affordable for students. Until then, though, he's hoping to at least make it easier for student loan borrowers collecting on Social Security to cope with their debts. 'It's just government punishing them and it shouldn't work that way.'"

"Americans work hard to earn their Social Security and we cannot allow it to be stolen away by student debt," Brown said in a news release. "Instead of going after seniors and the disabled, the government should be working to address the skyrocketing cost of student debt."



"5 Deadly Mistakes That Can Destroy Your Social Security Disability Case" is the #1 guide to improving the odds of winning a disability case.

For a FREE copy for you or someone you care about call Cuddigan Law at 402.933.5318 or email us at lawteam@cuddiganlaw.com

White House Creates New Accountability Office at VA

In an executive order, President Trump created a new accountability and whistleblower protection office at the Department of Veterans Affairs. VA Secretary David Shulkin, said in a VA news release that, when appointed, the new executive director of the office "will report directly to me as secretary so that we can identify barriers that are preventing us from removing employees and people that we have identified that should no longer be working at VA. We want make sure that we have employees who work hard and are committed to the mission of serving our Veterans."

The VA says it will establish the office and appoint a director within 45 days of the April 27 signing of the executive order.



President Trump visits the VA and signs the executive order entitled, "Improving Accountability and Whistleblower Protection at the Department of Veterans Affairs."



Comfort Food

From the kitchen of Janet Cuddigan

Here is a yummy recipe for a streusel-topped cake packed with tart apples that is perfect for dessert or as an anytime treat with a cup of coffee.

Apple Streusel Cake

10 apples, peeled and diced
Cinnamon
Nutmeg
Sugar
Top layer:
1 cup flour
1 cup sugar
1 teaspoon baking powder
½ teaspoon salt
1 egg, beaten
½ cup melted margarine

Peel and dice apples; sprinkle with a small amount of sugar, cinnamon and nutmeg. Place in an ungreased 9" x 13" baking dish. For the top layer: mix flour, sugar, baking powder, salt and egg – blend until crumbly. Spread mixture over apples. Drizzle melted margarine over the dry mixture. Bake in a 350 degree oven for 45 minutes.

A Deadly Mistake that Can Destroy Your Social Security Disability Case

It is not enough to say you are disabled. To qualify for Social Security disability benefits you have to prove your medical condition and the Social Security Administration requires detailed reports from your doctor. An all-too-common mistake we see in our office — which can destroy a disability claim — is when a disability applicant has not seen a doctor to get their disability assessed and documented.

Social Security relies on medical information from doctors, clinics and hospitals to determine how severe a physical or mental condition is. No matter how disabled you may think you are, SSA will not pay benefits without precise medical documentation.

For most disability claims you must prove that you cannot do any work due to one or more physical or mental conditions. The condition must be expected to end in death or last for at least 12 months. You can file for disability before you have been disabled for 12 months but you must be able to prove that the disability will last at least that long.

Keep a log of your medical information regarding any appointments with your doctor, counselors and hospitals. Write down the names of any health care providers you see and the dates. This log will be helpful in obtaining all your medical records for your case.

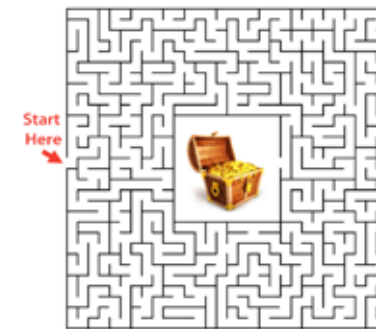
Also, keep copies of any medical records provided to you.

(This article is an excerpt from *5 Deadly Mistakes That Can Destroy Your Social Security Disability Case*. To learn about the other "Deadly Mistakes" call or email our office for a FREE copy of this informative book — a must-have guide for anyone who is applying or has been turned down for SSDI or SSI benefits.)



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Disability law is all we do.



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Cuddigan Law
10855 West Dodge Road,
Suite #100
Omaha, NE 68154
cuddiganlaw.com
402.933.5318

Are you a disabled veteran?

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