

June 14, 2022

The Honorable Jon Tester
Chairman
Senate Committee on Veterans Affairs
412 Russell Senate Office Building
Washington, DC 20515

The Honorable Jerry Moran
Ranking Member
Senate Committee on Veterans Affairs
412 Russell Senate Office Building
Washington DC 20515

The Honorable Jack Reed
Chairman
Senate Armed Services Committee
228 Russell Senate Office Building
Washington, D.C. 20510

The Honorable Jim Inhofe
Ranking Member
Senate Armed Services Committee
205 Russell Senate Office Building
Washington, D.C. 20510

Re: Letter in Support of the Justice for Servicemembers Act

Dear Chairmen Tester and Reed, and Ranking Members Moran and Inhofe;

We, the undersigned 31 groups representing servicemembers and veterans, write in support of the Justice for Servicemembers Act, H.R.2196, any forthcoming Senate companion bill, and any National Defense Authorization Act amendment that includes the bill's protections for servicemembers. This important legislation will empower servicemembers and their families against the adverse practice of forced arbitration, a much too common dispute process that strips our servicemembers of their afforded rights under the Servicemembers Civil Relief Act (SCRA) and the Uniformed Services Employment and Reemployment Rights Act (USERRA). Forced arbitration is a one-sided, non-transparent process in which servicemembers have very little chance at achieving a favorable outcome when their rights and protections set forth under these federal laws are violated.

In 1994, Congress passed USERRA, a bipartisan law that protects servicemembers from employment discrimination based on their military obligations. Unfortunately, due to the use of forced arbitration clauses in employment contracts, servicemembers are required to give up their USERRA rights in order to get or keep a job. Thus, when an employer violates USERRA, servicemembers have no ability to hold the employer publicly accountable.

The Servicemember Civil Relief Act (SCRA), a bi-partisan law enacted in 2003, was intended to provide financial and legal protections for active-duty servicemembers and their families. Servicemembers often face significant burdens that the civilian world does not, such as limited access to internet or banking services while deployed. These factors make our military personnel especially vulnerable to unjustly elevated interest rates and prematurely illegal foreclosures which would otherwise be prevented under SCRA but for the failure of these financial institutions to follow the law. These forced arbitration clauses deny military personnel their protections and rights as intended under SCRA. In 2012, the GAO identified no fewer than 15,000 instances of financial institutions failing to properly reduce mortgage interest rates for servicemembers who qualified. In addition, the GAO determined that over 300 illegal foreclosures occur every year in violation of SCRA. The perpetrators of these illegal violations are not being held accountable as they simply hide behind forced arbitration clauses.

Servicemembers need their legal protections restored without delay, not another study to show what they already know – that forced arbitration hurts them and their families, and renders rights granted

by SCRA and USERRA virtually meaningless. The Justice for Servicemembers Act would restore their ability to enforce USERRA and SCRA and hold wrongdoers accountable.

Members of the military fight to protect our rights, and we need to protect theirs. We urge Congress to pass the Justice for Servicemembers Act and protect these rights for America's servicemembers and veterans.

Sincerely,

Chanin Nuntavong-Executive Director
American Legion

Dennis Egge-President
American Retirees Association

Sgt. Maj. (Ret.) John Monahan-President
Armed Forces Retirees Association

RADM (Ret.) Frederic G. Sanford, M.D.
Association of Military Surgeons of the United States

Jason Beardsley-Executive Director
Association of the United States Navy

Donald D. Overton, Jr.-Executive Director
Blinded Veterans Association

Michael Little-Executive Director
Chief Warrant & Warrant Officers Association of the United States Coast Guard

Capt. Jacqueline Rychnovsky, USN (Ret.)-Executive Director
Commissioned Officers Association of the U.S. Public Health Service

CSM Karen M. Craig (Ret.)-President
Enlisted Association of the National Guard of the United States

Chris Slawinski-National Executive Director
Fleet Reserve Association

Lisa Colella-Executive Director
Healing Household 6

Carl S. Ey- Chairman
Heroes Athletic Association

Jeremy Butler-CEO
Iraq and Afghanistan Veterans of America

Kenneth Greenberg-National Executive Director
Jewish War Veterans of the U.S.A.

Bill McCabe-Deputy Director of Policy and Government Affairs
K9s For Warriors

Col. Paul K. Hopper (Ret.)-National President
Marine Corps Reserve Association

Lt. Gen. Dana T. Atkins (Ret.)-President and CEO
Military Officers Association of America

James McCormick-National Commander
Military Order of the Purple Heart, U.S.A.

Brig. Gen. (Ret.) J. Roy Robinson-President
National Guard Association of the United States

Stephen R. Sandy, DCCM (Ret.)-Executive Director
Naval Enlisted Reserve Association

FLTCM (Ret.) Paul A. Kingsbury-President/National Commander
Non Commissioned Officers Association

Heather Ansley-Associate Executive Director
Paralyzed Veterans of America

Maj. Gen. Jeffrey E. Phillips U.S. Army (Ret.)-Executive Director
Reserve Organization of America

Deshauna Barber- President and CEO
Service Women's Action Network

BG (Ret.) David J. Warager, Esq. - President
State Guard Association of the United States

Justin G. Jump-National President
TREA: The Enlisted Association

Bob Carey-Executive Vice President, Advocacy and Strategy
The Independence Fund

Col. Michael Farrell, USMC (Ret.)-Chief of Staff and COO
The Military Order of the World Wars

Jack Du Teil-Executive Director
U.S. Army Warrant Officers Association

Randy Reid-Executive Director
U.S. Coast Guard Chief Petty Officers Association and Enlisted Association

Bob Wallace-Executive Director
Veterans of Foreign Wars of the United States