



US Attorney Report to the District

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Members of the United States Armed Forces make tremendous sacrifices in order to protect our Nation. Recognizing these sacrifices, Congress has enacted a number of laws specifically designed to protect the civil rights of servicemembers, both while they are on active duty and after they return to civilian life. These laws ensure that servicemembers will be able to vote while they are stationed overseas, return to their civilian employment after completing their service, and have certain civil financial protections while on active duty. Additionally, servicemembers who have been injured during their service and return to civilian life with a new disability have civil rights guaranteed by law. Safeguarding the civil rights of servicemembers and their families is one of the highest priorities of the Department of Justice and the U.S. Attorney's Office.

One protection afforded servicemembers is the Uniformed Services Employment and Reemployment Act (USERRA), which protects the civilian employment rights of servicemembers and veterans. Among other things, USERRA requires employers, under certain conditions, to put individuals back to work in their civilian jobs after military service. Servicemembers called to active duty from a reserve component must be restored to the position and benefits that they would have attained had they not been absent from work in order to perform military service. USERRA also protects servicemembers from discrimination in the workplace based on their military service or affiliation.

The Americans with Disabilities Act (ADA) has become increasingly applicable to veterans in recent years on account of injuries suffered in combat. The U.S. Attorney's Office aggressively enforces the ADA to the benefit of disabled veterans and other individuals. The ADA prohibits discrimination and guarantees that people with disabilities have the same opportunities as everyone else to participate in the mainstream of American life: To enjoy employment opportunities, to purchase goods and services, and to participate in state and local government programs and services. Businesses and federal, state and local government agencies must take reasonable steps to make it possible for people with disabilities to be an employee or customer.

In addition to the laws stated above, the Military Lending Act (MLA) and the Servicemembers Civil Relief Act (SCRA) are federal laws that provide financial relief to active duty service members. The MLA targets predatory lending practices for short-term debts, while the SCRA offers a wide range of financial protections and benefits to members of the Armed Forces, including postponing or suspending certain civil obligations so that servicemembers can focus

their full attention on their military responsibilities without adverse consequence for them or their families. Specifically, the MLA circumscribes the conduct of pay-day lenders, title loan companies and providers of tax refund anticipation loans. The SCRA applies lending restrictions to, among other things, rental agreements, security deposits, prepaid rent, eviction, installment contracts, credit card interest rates, mortgage interest rates, mortgage foreclosure, civil judicial proceedings, automobile leases, life insurance, health insurance, and income tax payments.

In November 2011, I established a Servicemembers and Veterans Civil Rights Committee. The committee currently includes representatives from the U.S. Attorney's Office, U.S. Department of Defense, Navy Judge Advocate General's Corps, Connecticut State Attorney General's Office, Connecticut Bar Association and the Connecticut Veterans Legal Center. The committee works to enforce the laws that protect veterans and servicemembers, and conducts outreach and training to the community. I'm proud to share with you a few examples of this group's efforts in the past year.

In the fall of 2011, Assistant United States Attorneys (AUSAs) Paul McConnell, Carolyn Ikari, and Ndiri Moses participated in a training sponsored by the Connecticut Veterans Legal Center to educate staff at the Veterans Affairs Hospital in West Haven about the Americans with Disabilities Act, and issues that may prevent Veterans from obtaining housing, employment and public accommodations.

In August 2012, AUSA Ndiri Moses and Special Assistant United States Attorney (SAUSA) Katherine Cruz spoke to the Basic Enlisted Submarine School in Groton on the benefits and protections provided under the MLA and the SCRA. AUSA Moses and SAUSA Cruz specifically addressed how the MLA and the SCRA protect servicemembers from the hazards of predatory lending and other abusive lending practices pertaining to payday loans, cell phone contracts, installment contracts, credit card interest rates, mortgage interest rates, mortgage foreclosure, car title loans and car leases. In explaining the protections available to servicemembers, AUSA Moses and SAUSA Cruz discussed recent cases where the Department of Justice successfully negotiated settlement agreements with lenders for alleged MLA and SCRA violations. For example, last year, the Department of Justice reached the largest civil settlement ever under the SCRA, pursuant to which Bank of America will pay approximately \$20 million to resolve allegations that it illegally foreclosed upon more than 150 servicemembers' homes without court orders.

In September 2012, AUSA Christine Sciarrino and SAUSA Cruz returned to the Basic Enlisted Submarine School to discuss remedies available under both federal and state law to debt collectors. The purpose of their talk was to explain how these remedies, which include judgment liens, writs of execution, installment payment orders, garnishment and fraudulent conveyances, could potentially be used against a servicemember who defaults on a debt leaving active duty. AUSA Sciarrino, the Chief of our office's Financial Litigation Unit, identified recent cases where the U.S. Attorney's Office has used these remedies to collect debts owed to the U.S. Government, including the U.S. Department of Education for unpaid student loans. AUSA Sciarrino and SAUSA Cruz encouraged the sailors to seek legal assistance from the Judge Advocate General's Corps (JAG) and

financial counseling from the Navy's Fleet and Family Support Center to resolve problems and avoid future dealings with debt collectors.

On November 13, 2012, to commemorate Veteran's Day, AUSAs Paul McConnell and David Nelson, along with two JAG officers, Lieutenant Mark Devry and Lieutenant Scott Simpson, presented to the Connecticut Bar Association's Veterans Committee in New Haven. Their presentation covered MLA, SCRA, USERRA, and the ADA. The presentation gave the bar members an overview of the benefits and protections offered under these federal laws, and provided examples of how the bar members could work together to protect veterans' rights.

For more information about the Justice Department's work on behalf of service members, please visit www.servicemembers.gov. The Federal Voting Assistance Program website provides detailed information about voting procedures and materials and can be found at www.fvap.gov. More information about USERRA can be found on the Justice Department website: www.justice.gov/crt/emp, as well as on the Labor Department's website at www.dol.gov/vets/programs/userra/main.htm.