

CHARRTS No.: SJC-01-001
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Committee: SJC
Member: Senator Klobuchar
Witness: COL Kantwill
Question: #1

Consumer Protections

Question: I know that ensuring our service members have all the necessary information about their rights is very important for making sure that they get the protections in the Uniformed Services Employment and Reemployment Rights Act and the Service members Civil Relief Act. How can we improve our efforts, so that those who serve are aware of these important consumer protections?

Answer:

The Department of Defense has developed forward-leaning programs to ensure that Service members know about the benefits and protections of the SCRA and USERRA. This educational process involves coordinated and overlapping efforts to alert the Service members and their commanders of these benefits and protections, and then to ensure that the proper counselors are there to help individuals fully understand the nuances of the relevant laws and receive their full protections under the law.

First, it is vital that we actively listen to Service members and their families, taking stock of what they have to say, in order that we can assess what we are doing and how we can improve. What products are they using? How frequently are they using them? Why are they using them? What is their assessment of their own financial situation? What help do they need? In order to do this, the DoD has commissioned three surveys of DoD personnel: (1) members of our force; (2) the “boots on the ground” financial counselors; and (3), legal assistance attorneys, consumer watchdogs and advocacy groups that help us look out for military families.

Secondly, based upon what we hear and what these surveys tell us, we will then appropriately tailor the education and training of our Total Force. Specifically, the Department's efforts to educate Service members and their families are centered at our installation readiness facilities, pre-deployment and re-deployment process facilities, and reserve component mobilization and demobilization processing centers. Reserve component processing centers, in particular, have been of critical importance because two of the most important economic protections and benefits—the 6% interest rate cap and the extension of foreclosure protections—apply only to pre-service obligations and thus predominately affect Reservists and National Guardsmen called to active duty from the civilian workforce.

Likewise, USERRA protects the job rights of individuals who voluntarily or involuntarily leave civilian jobs to perform service in the uniformed services. As a result, SCRA, USERRA, and related financial training at pre-deployment and re-deployment processing facilities is more detailed and helpful than ever before. To the extent that we can, it is the Department's goal to

get out in front of these issues through education, counseling, and offering a range of programs, as well as individual counseling, that better meet our Service members' needs.

Regarding USERRA, the Employer Support of the Guard and Reserve (ESGR) is a DoD office which helps inform and educate Service members and their civilian employers about their rights and responsibilities under the Act. ESGR serves as a neutral, free resource for employers and Service members. Furthermore, ESGR's Ombudsman Services Program provides information and mediation on issues related to USERRA. The ESGR Customer Service Center is available to answer USERRA questions. Specially trained ESGR Ombudsmen are also available to assist members of the Guard and Reserve in resolving disputes with their civilian employers related to service in the uniformed services through neutral and impartial mediation throughout the U.S. and U.S. territories. In Fiscal Year (FY) 2013, more than 4,700 ESGR volunteers donated 230,850 hours of time assisting service members, recognizing employers and helping resolve employment and reemployment issues.

Last but not least, these results are reinforced through sustained, proactive engagement between the DoD and other government agencies, as well as with the financial industry. The Department is fortunate to enjoy a very cooperative working relationship with other Federal agencies relating to consumer law issues—the Department of Justice, the Consumer Financial Protection Bureau (CFPB), the CFPB's Office of Service member's Affairs, and the Office of the Comptroller of the Currency, to name a few. These cooperative working relationships enable swift and effective Federal enforcement actions brought by our colleagues, as well as critical compliance and enforcement efforts at State and local compliance and enforcement efforts. Our overarching goal is to provide comprehensive support for our Service members and their loved ones, ensuring a well-informed, financially-secure, and resilient force.