

## **GAO Reports on USERRA—Enforcement**

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The Government Accountability Office (GAO) on Oct. 19 published GAO-06-60 titled "Federal Management of Servicemember Employment Rights Can Be Further Improved." The title is a good summary of the report's findings.

The GAO calls itself the "audit, evaluation, and investigative arm of Congress, [and] exists to support Congress in meeting its constitutional responsibilities and to help improve the performance and accountability of the federal government for the American people." GAO examines the use of public funds; evaluates federal programs and policies; and provides analyses, recommendations, and other assistance to help Congress make informed oversight, policy, and funding decisions.

In the executive summary of its report on servicemember employment rights, the GAO said, "Agency abilities to efficiently and effectively address servicemember complaints are hampered by incompatible data systems, a reliance on paper files, and a segmented process that lacks visibility." The report also said the Department of Defense, the Department of Labor (DOL), the Department of Justice, and the Office of the Special Counsel do not use compatible systems to track Uniformed Services Employment and Reemployment Rights Act (USERRA) cases. "As a result, data collection efforts are sometimes duplicated, and DOL relies on its paper files when transferring or reviewing complaints. This slows the transfer of complaints and limits the ability of DOL managers to conduct effective, timely oversight of complaint files."

Furthermore, GAO found that "segmented responsibilities and lack of visibility have led agencies to focus on outputs rather than results. For example, agencies measure complaint processing times but not the elapsed time servicemembers actually wait to have their complaints fully addressed." An analysis of 52 complaints that had been closed and reopened two or more times found that "processing times averaged 103 days, but the actual elapsed times servicemembers waited to have their complaints fully addressed averaged 619 days.

"To encourage results rather than outputs, Congress should consider designating a single office to maintain visibility over the entire complaint resolution process," the report said.  
You can find the full report on GAO's website, [www.gao.gov](http://www.gao.gov).