

LAW REVIEW¹ 25033

September 2025

DOJ Should Prioritize Enforcement of the Servicemembers Civil Relief Act (SCRA).

By Captain Samuel F. Wright, JAGC, USN (Ret.)²

4.9—SCRA enforcement.

On 4/11/2025, I sent a letter to the Honorable Harmeet Dhillon, the Assistant Attorney General for Civil Rights, United States Department of Justice (DOJ). In that letter, I urged her to ensure that DOJ devotes adequate time, attention, and resources to enforcement of the Servicemembers Civil Relief Act (SCRA). Here is the entire text of that letter:

¹ I invite the reader's attention to www.roa.org/lawcenter. You will find more than 2,000 "Law Review" articles about the Uniformed Services Employment and Reemployment Rights Act (USERRA), the Servicemembers Civil Relief Act (SCRA), the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), the Uniformed Services Former Spouses' Protection Act (USFSPA), and other laws that are especially pertinent to those who serve our country in uniform. You will also find a detailed Subject Index, to facilitate finding articles about specific topics. The Reserve Officers Association, now doing business as the Reserve Organization of America (ROA), initiated this column in 1997. I am the author of more than 90% of the articles, but we are always looking for "other than Sam" articles by other lawyers.

² BA 1973 Northwestern University, JD (law degree) 1976 University of Houston, LLM (advanced law degree) 1980 Georgetown University. I served in the Navy and Navy Reserve as a Judge Advocate General's Corps officer and retired in 2007. I am a life member of ROA. For 45 years, I have collaborated with volunteers around the country to reform absentee voting laws and procedures to facilitate the enfranchisement of the brave young men and women who serve our country in uniform. I have also dealt with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and the Veterans' Reemployment Rights Act (VRRRA—the 1940 version of the Federal reemployment statute) for 38 years. I developed the interest and expertise in this law during the decade (1982-92) that I worked for the United States Department of Labor (DOL) as an attorney. Together with one other DOL attorney (Susan M. Webman), I largely drafted the proposed VRRRA rewrite that President George H.W. Bush presented to Congress, as his proposal, in February 1991. On 10/13/1994, President Bill Clinton signed into law USERRA, Public Law 103-353, 108 Stat. 3162. The version of USERRA that President Clinton signed in 1994 was 85% the same as the Webman-Wright draft. USERRA is codified in title 38 of the United States Code at sections 4301 through 4335 (38 U.S.C. §§ 4301-35). I have also dealt with the VRRRA and USERRA as a judge advocate in the Navy and Navy Reserve, as an attorney for the Department of Defense (DOD) organization called Employer Support of the Guard and Reserve (ESGR), as an attorney for the United States Office of Special Counsel (OSC), as an attorney in private practice, and as the Director of the Service Members Law Center (SMLC), as a full-time employee of ROA, for six years (2009-15). Please see Law Review 15052 (June 2015), concerning the accomplishments of the SMLC. My paid employment with ROA ended 5/31/2015, but I have continued the work of the SMLC as a volunteer. You can reach me by e-mail at <mailto:swright@roa.org>.

April 11, 2025

Honorable Harmeet Dhillon
Assistant Attorney General for Civil Rights
United States Department of Justice
Washington, DC 20530

Re: Enforcement of the Servicemembers Civil Relief Act

Dear Ms. Dhillon:

Congratulations on your confirmation as the Assistant Attorney General for Civil Rights. One of the many responsibilities of the Civil Rights Division is to enforce the Servicemembers Civil Relief Act (SCRA). *See* 50 U.S.C. § 4041(a).

In my letter to you dated 4/7/2025, I urged you to ensure that sufficient attention and sufficient resources are devoted to the enforcement of the Uniformed Services Employment and Reemployment Rights Act (USERRA). In my letter to you dated 4/10/2025, I urged you to ensure that sufficient attention and sufficient resources are devoted to the enforcement of the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA). In the final letter in this series, I will urge you to ensure that sufficient attention and sufficient resources are devoted to the enforcement of the Servicemembers Civil Relief Act (SCRA).

For almost half a century, I have devoted my legal career and my military career primarily to advocating for the rights and interests of the brave young men and women who have volunteered to serve our country in the armed forces and for their spouses and families. I have focused primarily on these three essential laws.

In 1917, shortly after our country entered World War I, Congress enacted and President Woodrow Wilson signed the Soldiers' and Sailors' Civil Relief Act (SSCRA). The original SSCRA expired in 1919, at the end of the World War I period of national emergency. In 1940, after World War II had begun in Europe, Congress reenacted the SSCRA. After World War II, Congress made the SSCRA permanent.

On 12/19/2003, Congress enacted and President George W. Bush signed the Servicemembers Civil Relief Act (SCRA), Public Law 108-189, as a long-overdue update and rewrite of the SSCRA. The SCRA is codified in title 50 of the United States Code, starting at section 3901.

The SCRA applies to people on active duty in our nation's eight uniformed services [the Army, Navy, Marine Corps, Air Force, Space Force, and Coast Guard, as well as the commissioned corps of the Public Health Service (PHS) and the commissioned corps of the National Oceanic & Atmospheric Administration (NOAA)]. *See* 10 U.S.C. 101(a)(5) (definition of "uniformed services"). Some SCRA provisions apply to individuals who have recently entered or reentered full-time active-duty service, while other provisions accord rights to those who have already been on active duty for years, including career service members.

This law gives many important rights to service members, including the following ten rights:

- a. The right to terminate a lease on premises (house, apartment, office) or a vehicle lease upon entering or leaving active duty or upon being transferred to a distant location. *See* 50 U.S.C. § 3955 and Law Review 24049 (October 2024).
- b. The right to reduce the interest rates on pre-service financial obligations upon entering active duty if the entry adversely affected the individual's ability to meet his or her financial obligations. *See* 50 U.S.C. § 3937 and Law Review 24049 (October 2024).
- c. The right to request a postponement and protection from default judgment in civil and administrative proceedings if the service member's duties interfere with their ability to participate. *See* 50 U.S.C. §§ 3931, 3932 and Law Review 22039 (March 2022).
- d. Protection against the imposition of state income taxes and personal property taxes by a state where the service member physically resides, pursuant to military orders, but is not domiciled. *See* 50 U.S.C. § 4001 and Law Review 21073 (November 2021).

- e. The right of a military spouse who has an occupational license issued by State A to utilize that license in State B if the spouse is in State B to accompany his or her active-duty spouse. *See* 50 U.S.C. § 4025a and Law Review 24031 (May 2024). This applies to all occupational licenses except licenses to practice law.
- f. The statute of limitations on the service member's claims is tolled while he or she is on active duty. *See* 50 U.S.C. § 3936 and Law Review 09060 (June 2009).
- g. Protection against non-judicial foreclosure on the service member's real or personal property while he or she is on active duty. *See* 50 U.S.C. § 3902 and Law Review 21063 (October 2021).
- h. The service member does not lose his or her right to vote in a state where he or she was domiciled upon entering active duty because of absence from that state pursuant to military orders, even absence for many years. *See* 50 U.S.C. §§ 4001, 4025 and Law Review 19073 (November 2019).
- i. The entitlement to regain civilian health insurance coverage upon return from active duty. *See* 50 U.S.C. § 4024 and Law Review 19043 (May 2019).
- j. The right to suspend professional liability insurance (medical malpractice, legal malpractice) upon entering active duty and to reinstate the coverage upon leaving active duty. *See* 50 U.S.C. § 4023 and Law Review 22009 (February 2022).

I invite your attention to www.roa.org/lawcenter. You will find more than 2,300 "Law Review" articles about the SCRA and other laws that are especially pertinent to those who serve our country in uniform. For your convenience, I am enclosing a copy of each article that I have cited.

I fully understand that there are many important statutes under your purview as the Assistant Attorney General for the Civil Rights Division. Please ensure that appropriate attention and resources are devoted to SCRA enforcement.

Very respectfully,

Samuel F. Wright

Please join or support ROA.

This article is one of 2,300-plus “Law Review” articles available at www.roa.org/lawcenter. The Reserve Officers Association, now doing business as the Reserve Organization of America (ROA), initiated this column in 1997. We add new articles each month.

ROA is the nation’s only national military organization that exclusively and solely supports the nation’s reserve components, including the Coast Guard Reserve (6,179 members), the Marine Corps Reserve (32,599 members), the Navy Reserve (55,224 members), the Air Force Reserve (68,048 members), the Air National Guard (104,984 members), the Army Reserve (176,171 members), and the Army National Guard (329,705 members).³

ROA is more than a century old—on 10/2/1922 a group of veterans of “The Great War,” as World War I was then known, founded our organization at a meeting in Washington’s historic Willard Hotel. The meeting was called by General of the Armies John J. Pershing, who had commanded American troops in the recently concluded “Great War.” One of those veterans was Captain Harry S. Truman. As President, in 1950, he signed our congressional charter. Under that charter, our mission is to advocate for the implementation of policies that provide adequate national security. For more than a century, we have argued that the Reserve Components, including the National Guard, are a cost-effective way to meet our nation’s defense needs.

Through these articles, and by other means, including *amicus curiae* (“friend of the court”) briefs that we file in the Supreme Court and

³ See <https://crsreports.congress.gov/product/pdf/IF/IF10540/>. These are the authorized figures as of 9/30/2022.

other courts, we advocate for the rights and interests of service members and educate service members, military spouses, attorneys, judges, employers, Department of Labor (DOL) investigators, Employer Support of the Guard and Reserve (ESGR) volunteers, federal and state legislators and staffers, and others about the legal rights of service members and about how to exercise and enforce those rights. We provide information to service members, without regard to whether they are members of ROA, but please understand that ROA members, through their dues and contributions, pay the costs of providing this service and all the other great services that ROA provides.

If you are now serving or have ever served in any one of our nation's eight⁴ uniformed services, you are eligible for membership in ROA,⁵ and a one-year membership only costs \$20 or \$450 for a life membership. Enlisted personnel as well as officers are eligible for full membership, and eligibility applies to those who are serving or have served in the Active Component, the National Guard, or the Reserve.

If you are eligible for ROA membership, please join. You can join on-line at <https://www.roa.org/page/memberoptions> or call ROA at 800-809-9448. If you are not eligible to join, please contribute financially, to help us keep up and expand this effort on behalf of those who serve. Please mail us a contribution to:

Reserve Organization of America
1 Constitution Ave. NE
Washington, DC 20002⁶

⁴ Congress recently established the United States Space Force as the eighth uniformed service.

⁵ Spouses, widows, and widowers of past or present members of the uniformed services are also eligible to join.

⁶ You can also contribute on-line at www.roa.org.