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Washington, D.C. – This week, the U.S. House of Representatives passed H.R. 3219, the Veterans' Benefits Act of 2010, which contains legislation written by

Rep.

Brad Miller (NC-13)

to ensure legal protection for military members whose assignments abroad hinder them from meeting financial obligations at home. Amended and approved by the Senate earlier in the week, the House's action last night sends the bill to President Obama for his signature.

The Servicemembers' Rights Protection section of the bill temporarily suspends certain judicial and administrative proceedings and transactions that may harm legal rights during active duty. There are a growing number of cases throughout the country where members of the U.S. military serving in Iraq or Afghanistan have had no recourse in the courts during their wartime service – home foreclosure, business loss and apartment rental contracts are a few examples.

"Our military men and women should not have to worry about whether their residences will be foreclosed on, or whether their families will be evicted from their homes while serving their country overseas," said **Rep. Miller**.

In 2003 Congress passed the Servicemembers Civil Relief Act (SCRA) to provide protections for servicemembers when their military service prevents them from meeting financial obligations taken on before their entry into active duty. While most courts have recognized the inherent right of individual servicemembers to bring suit against those who violate their rights under the SCRA, recent court rulings have thrown into question this assumed right of servicemembers to access the courts.

Congressman Miller introduced The Servicemembers' Rights Protection Act in an effort to eliminate any ambiguity about the protections for servicemembers under the SCRA. It would authorize the Attorney General to file a civil action when reasonable belief exists that a person or group of persons has engaged in actions that violate the SCRA. It allows the military member or covered individuals the right to join the civil action commenced by the Attorney General. Most importantly, the legislation would amend the SCRA to clarify that those persons individually protected by the SCRA have their own private cause of action, regardless of any enforcement action taken by the Attorney General.

State Representative Grier Martin (D-Wake), an Army Reservist and Afghanistan war veteran, contacted **Rep. Miller** about the need for the legislation after reading a Federal District Court case that denied a military member's right to court access.

To view Rep. Miller's remarks on the House floor regarding Servicemembers Rights Protection, go to:

<http://www.youtube.com/watch?v=j3Yy4IIVCws>

H.R.3219, the Veterans' Benefits Act of 2010 also includes:

- Enhances employment opportunities by reauthorizing the recently expired VA work-study program and expand the type of work available for participating veterans. The extension allows for veteran students to complete work study in congressional offices, state veteran agencies, or any position working jointly between the VA and an institution of higher learning.
- Prevents homelessness among veterans by reauthorizing the Homeless Veterans Reintegration Program for fiscal years 2010 through 2014, and authorizing an additional \$10

million to provide dedicated services for homeless women veterans and homeless veterans with children.

- Secures compensation, benefits and other benefits by increasing the number of veterans to receive independent assisted living services and the quality of those benefits.
- Strengthens education benefits by extending the life of the Veterans Advisory Committee on Education
- Permit a parent whose child gave their life in service to our country to be buried in a national cemetery with that child when their veteran child has no living spouse or children

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