



H.R. 6225 – INJUNCTIVE RELIEF FOR VETERANS ACT OF 2008

FLOOR SITUATION

H.R. 6225 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative Stephanie Herseth Sandlin (D-SD) on June 10, 2008. The House Committee on Veteran's Affairs agreed to the bill, as amended, by voice vote on July 16, 2008.

H.R. 6225 is expected to be considered on the floor of the House on July 29, 2008.

SUMMARY

Tuition, Enrollment, and Loan Relief for Students Called to Military Duty

H.R. 6225 requires that institutions of higher education: 1) refund the tuition of service members who have been called to military service and have not receive academic credit; 2) allow these service members to reenroll at their school with the same academic status prior to their official notice of military service as well as extending the time period during which they may reenroll after returning from service; and 3) cap student loan interest payments at six percent while the student is fulfilling military service duties.

Termination or Suspension of Certain Service Contracts by Servicemembers

H.R. 6225 provides that Servicemembers called to military deployment lasting longer than 90 days or required to permanently change their station to a location not supported by their current contract, may choose to suspend or terminate certain service contracts that they are party to without paying service or termination fees. These service contracts include those for cell phone, home internet, and home cable services, as well as for utility contracts.

Under the bill, service providers may charge nominal fees for equipment remaining in the possession of the Servicemembers during their deployment, with payment of such fees deferrable to after the Servicemembers return and for a time as long as their deployment. Additionally, Servicemembers suspending or terminating a service must notify provider(s) in writing and with a copy of their official military orders. Individuals violating these provisions will be fined \$5,000 and organizations will be fined \$10,000.

Residency of Military Personnel and Their Spouse

H.R. 6225 provides that military Servicemembers and their spouses who have been relocated from their home state in compliance with military orders do not have to change their state of residency and may retain their original voting and tax jurisdiction.

Injunctive Relief for Service Members Against State and Private Employers

H.R. 6225 requires courts to grant equitable injunctive relief to veterans who file claims against state and private employers for alleged violations of the Uniformed Servicemembers Employment and Reemployment Rights Act (USERRA).

BACKGROUND

According to the Department of Labor, USERRA prohibits discriminatory rehiring practices on the part of private or state employers against full-time Servicemembers and reservists upon returning from military service or a military related obligation.

USERRA was signed into law in October 1994 and applies to individuals who perform voluntary and involuntary service in the U.S. Army, Navy, Marines, Air Force, Coast Guard, and Public Health Service commissioned corps, as well as any reserve components of each.



According to the Department of Defense, 94 percent of those enlisted in the armed forces have high school diplomas and 90 percent have some college experience. Of military officers, 95 percent have undergraduate or advanced degrees. The U.S. Military offers service members college-level degrees and classes at military installations around the world and on-line. These in-service programs have tuition assistance programs that pay 75 percent of tuition costs. Members can also use the G.I. Bill to cover certain costs associated with off-duty college and technical courses.

COST

CBO estimates that implementing H.R. 6225 would not have a significant effect on the federal budget.

Additionally, CBO estimates that private sector mandates contained in H.R. 6225 would total \$136 million in 2008.

[Full CBO cost estimate for H.R. 6225](#)

STAFF CONTACT

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