

Statement for the Record

of

**The Honorable Michael L. Dominguez
Principal Deputy Under Secretary of Defense
(Personnel and Readiness)**

For the

**Subcommittee on Economic Opportunity
Of
House Committee on Veterans' Affairs**

"Pending Legislation"

June 19, 2008

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Mr. Chairman and members of this distinguished Committee, thank you for the opportunity to provide views on draft legislation. Our comments on one of the bills is below.

H.R. 3786, the bill to amend the Servicemembers Civil Relief Act to allow individuals called to military service to terminate telecommunications contracts entered into before the individual receives notice of a permanent change of station or deployment orders.

While the Department generally supports this provision, it needs additional clarification with respect to whom it applies. Section(b)(1) talks about entering military service under a call or order specifying a period of not less than 90 days. It is unclear if this refers to someone with no military status, as opposed to a reservist, who enters active duty. Those having no military status are not usually considered to be under a call or order to active duty.

More importantly, this legislation is applicable to only those who receive orders for a permanent change of station (PCS) outside the continental United States or orders to deploy with a military unit for a period of 90 days to certain locations that do not support continued telecommunication service under contract. This excludes a person with a PCS move from Hawaii or Alaska into the Continental U.S. Also, the new legislation would not cover the PCS move from one point to another inside the Continental U.S., where the service could not be maintained.

On *H.R. 2721*, we will submit a separate DoD-VA joint views letter. We are currently working with the VA in understanding the implication of this provision.

We do not have comments on any other DoD-related proposed legislation (including H.R. 6070) and for those legislation that are VA-related, we defer to the Department of Veterans' Affairs.