# Social Security Numbers and the Servicemembers Civil Relief Act

Testimony on H.169

Maryellen Griffin, Staff Attorney, Vermont Legal Aid April 4, 2025

### Vermont Legal Aid supports H.169

I'm here prepared to answer questions about the Servicemembers Civil Relief Act, and its use of Social Security Numbers.

Vermont Legal Aid supports adding citizenship and immigration status to the FHPA because the "national origin" class doesn't sufficiently protect this group. This additional protection will also help employers attract and retain workers.

My colleague Rachel Batterson is available to testify on the fair housing implications of this bill further if the Committee wishes.

## The SCRA protects active duty military

The Servicemembers' Civil Relief Act ("SCRA") is 50 U.S.C. app. §§ 501 et seq.

Section 521 of the SCRA protects servicemember defendants against the entry of default judgments for failing to defend a case against them because they are defending our country.

For a default judgment, any plaintiff must file an affidavit that they know the defendant is not in the military or that they could not determine (and pay a bond).

https://www.uscourts.gov/court-programs/bankruptcy/bankruptcy-basics/servicemembers-civil-relief-act-scra

## Vermont Civil Rule 55(c)(5)

(a) Motion for Default Judgment. When a party against whom a judgment for affirmative relief is sought by complaint, crossclaim, counterclaim, or other pleading has failed to plead or otherwise defend, the party seeking the affirmative relief may file a motion for a default judgment.

. . .

(c)(5) Affidavits Required by Servicemembers Civil Relief Act. Notwithstanding the foregoing, the court shall not enter judgment by default until the filing of an affidavit as required by section 201(b)(1) of the Servicemembers Civil Relief Act, 50 U.S.C. app. 521, stating whether or not the opposing party is in military service and showing necessary facts to support the affidavit or stating that the moving party is unable to determine whether or not the opposing party is in military service.

## Two main ways to comply with SCRA

Search the Department of Defense Database

Personal knowledge

### STATE OF VERMONT

## SUPERIOR COURT Unit CIVIL DIVISION Case No. Plaintiff(s) Defendant(s)

### MOTION FOR DEFAULT JUDGMENT And Declaration (Small Claims Case)

1.	Plaintiff moves for Default Judgment because defendant has failed to file an answer after being served.  I am  Plaintiff  Employee/Officer of the plaintiff and my title is (if applicable)
2.	I state, under oath, that on information and belief the defendant is at least 18 years old and is not mentally incompetent.
3.	I state, under oath, that on information and belief the defendant is not a person in military service.  I know this because:  a
	OR
	□ b. Diligent search of Department of Defense database found at: <a href="https://scra.dmdc.osd.mil/scra/#/home">https://scra.dmdc.osd.mil/scra/#/home</a> Proof of search attached.
4.	I further state, under oath, that defendant owes plaintiff \$ in damages.
	The total amount I am seeking is:
	Damages: \$
	Prejudgment interest: \$
	Filing fees: \$
	Service costs: \$
	TOTAL: \$

5. The reason the Defendant owes this money is Inlease set forth a complete, detailed evaluation of why the

## Database does not require SSN

From SCRA User Guide (page 25)

SSN is NOT required. Unless you are a financial institution or otherwise required to collect SSNs, you should not require individuals to provide you with their SSN for the purpose of conducting a query on this website. Searches can be conducted using Name and Date of Birth alone. Providing additional details such as First Name, Middle Name, or SSN, if already known, will increase the accuracy of the match.

https://scra.dmdc.osd.mil/scra/#/login?returnUrl=%2Fsingle-record

### Single Record Request

Use this page to request a Certificate verifying Active Duty Status for an individual on a specified date.

"SSN is NOT required. Unless you are a financial institution or otherwise required to collect SSNs, you should not require individuals to provide you with their SSN for the sole purpose of conducting a query on this website.

Searches can be conducted using Last Name and Date of Birth alone. Providing additional details such as First Name, Middle Name, or SSN, if already known, will increase the accuracy of the match. If you do provide SSN, Date of Birth is not required, however including it can further improve the accuracy of the match.

88N		
Show		
0		
- 4		
Repeat 88N		
Show		
Date of Birth		
Date of Birth		
MM/DD/YYYY	☐ Show	
"Last		
Name		
First Name		
Middle Name		
*Active Duty Status		
Date		
02/21/2025		

### Tips & Notes

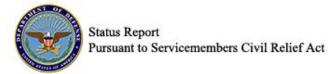
- Without a Social Security
   Number, DMDC cannot
   authoritatively assert that this is
   the same individual that your
   query refers to. Name and date of
   birth alone do not uniquely
   identify an individual.
- Check your data entry before submitting it.
- Response may take up to 15 seconds after clicking "Submit".

### Resources

- Download Adobe Reader (http://get.adobe.com/reader/).
- Unexpected Results?

### Department of Defense Manpower Data Center

FILED: S/10/2021 7:23 AM
Results as a 9/9809981-5-999999 Sepurt
Caledonia Unit
170-18/80/993cv



SSN:

Birth Date: Dec-XX-1957
Last Name: FRANKLIN
First Name: FREDERICK

Middle Name:

Status As Of: May-06-2021

Certificate ID: RKNXZKM8VW2HCK5

On Active Duty On Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA.	NA NA	No	NA

ctive Duty Start Date	Active Duty End Date	Status	Service Component
	I NA	No.	NA NA

Order Notification Start Date	Order Notification End Date	Status	Service Component	
NA.	NA .	No.	NA.	

Upon searching the data banks of the Department of Defense Manpower Data Center; based on the Information that you provided, the above is the status of the Individual on the active duty status date as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard). This status includes information on a Servicemember or his/her unit receiving notification of future orders to report for Active Duty. HOWEVER, WITHOUT A SOCIAL SECURITY NUMBER, THE DEPARTMENT OF DEFENSE MANPOWER DATA CENTER CANNOT AUTHORITATIVELY ASSERT THAT THIS IS THE SAME INDIVIDUAL THAT YOUR QUERY REFERS TO. NAME AND DATE OF BIRTH ALONE DO NOT UNIQUELY IDENTIFY AN INDIVIDUAL.

Michael V. Sorrento, Director

Department of Defense - Manpower Data Center

400 Gigling Rd. Seaside, CA 93955

## Personal knowledge

From samples in packet:

• "I see Frederick Franklin around locally pretty frequently. I saw him yesterday alongside the road in Lyndon, hitchhiking."

Certification by tenant