

Social Security Numbers and the Servicemembers Civil Relief Act

Testimony on H.169

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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-skra>

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. _____

<i>Plaintiff(s)</i>	vs.	<i>Defendant(s)</i>
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**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:
<https://scra.dmdc.osd.mil/scra/#/home> 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 *(please set forth a complete, detailed explanation 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.

** SSN

Show



Repeat SSN

Show

** Date of Birth

MM/DD/YYYY

Show

*Last
Name

First Name

Middle Name

*Active Duty Status

Date

02/21/2025



[Terms of Use Agreement](#)

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?](#)

Status Report
Pursuant to Servicemembers Civil Relief Act

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	No	NA
This response reflects the individual's active duty status based on the Active Duty Status Date			

Left Active Duty Within 367 Days of Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects where the individual left active duty status within 367 days preceding the Active Duty Status Date			

The Member or His/Her Unit Was Notified of a Future Call-Up to Active Duty on Active Duty Status Date			
Order Notification Start Date	Order Notification End Date	Status	Service Component
NA	NA	No	NA
This response reflects whether the individual or his/her unit has received early notification to report for active duty			

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