

# PROTECT OUR VETS

*Strengthening & expanding federal protections for veterans*

## The Issue

Legislative protections for our nation's veterans are incomplete and ineffective, making a population already at increased risk of depression and suicide vulnerable to bias, harassment, and discrimination in employment, housing, education, and hate crimes at a disproportionate rate compared to other protected classes.

## Partial Solutions

- The Vietnam Era Veterans Readjustment & Assistance Act (VEVRAA) & Uniformed Services Employment & Employment Rights Act (USERRA) are **limited to employment** in the public sector and government contracting.
- Veterans receive no protections if they are employed by private businesses doing little or no business with the federal government.
- Enforceability of VEVRAA is difficult because **employers can easily satisfy formal compliance requirements** by displaying efforts at token "outreach and positive recruitment activities" shown to be ineffective.

## Missing Enforcement

- Protection of veterans and their family members under the Hate Crimes Prevention Act of 2009 is **restricted to 5 years after discharge**.
- The Equal Employment Opportunity Commission **does not extend protection** based on veteran status.
- The Housing and Urban Development office of Fair Housing and Equal Opportunity **does not extend protection** based on veteran status.

## Congress Can Fix This

**Veterans need and deserve affirmative statutory protection** on par with those that cover other protected classes such as race, color, religion, family status, gender identity, sexual orientation, national origin, age, disability, and genetic information. Congress can fix this by 1) standing up federal protections for veterans comparable to those extended to other suspect classifications, 2) improving those already enshrined in law, and 3) strengthening enforcement mechanisms across the board.

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# Federal Protections & Veterans

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## Typical Protections

Typical federal protections in the United States are from harassment, bias, and discrimination based on race, color, religion, nationality, age, sexual orientation, gender expression, citizenship, family size and status, disability, veteran status, and genetic information. Statutory protections typically extend into areas such as equal employment opportunity, access to educational programs, reasonable accommodation, fair housing, protection from hate crimes, and (less frequently) consumer protections. The major pieces of relevant legislation are the Equal Pay Act of 1963, the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, The Civil Rights Act of 1968, Title VIII, the Rehabilitation Act of 1973, Americans with Disabilities Act of 1990, the Vietnam Veterans Readjustment and Assistance Act of 1974 (VEVRAA), the Uniformed Services Employment and Reemployment Rights Act, the Immigration Reform and Control Act, and the Genetic Information Nondiscrimination Act.

## Reasons for Protections

Social groups are afforded "suspect classification" status and will be candidates for protection if the group has historically been discriminated against or have been subject to prejudice, hostility, or stigma, due, at least in part, to stereotypes. Defining traits of the group must be immutable or highly visible but which do not in fact inhibit them from contributing meaningfully to society. Finally, the social group must be powerless to protect themselves via the political process (the group is a "discrete" and "insular" minority). The Hate Crimes Prevention Act of 2009 protects social groups from crimes against them based on the characteristics described above.

## Limitations for Veterans

Veterans are a federally protected population but receive only limited statutory support compared to other social groups. The only dedicated protection that veterans receive is under VEVRAA, which is restricted to employment in the public sector workforce and private government-contracted employers. No protections exist for veterans employed in small businesses or large companies without federal contracts. The Equal Employment Opportunity Commission excludes veteran status, however, making the Department of Labor's Office of Federal Contracts, Compliance, and Programs the sole enforcement agency with jurisdiction over veterans. The Hate Crimes Prevention Act protects veterans from being targeted for crimes for just five years after their discharge. **These are the only federal protections for veterans.**

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