



## ASA DIX LEGAL BRIEF

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# ***SERVICEMEMBERS CIVIL RELIEF ACT*** **TERMINATION OR SUSPENSION OF CONTRACTS** **FOR CELLULAR TELEPHONE SERVICE** **(SCRA)**

[50 U.S.C. App. 535a]

IN GENERAL — A Servicemember who receives orders to deploy outside of the continental United States for not less than 90 days or for a permanent change of duty station within the United States may request the termination or suspension of any contract for cellular telephone service entered into by the Servicemember before the date of the commencement of such deployment or permanent change if the Servicemember's ability to satisfy the contract or to utilize the service will be materially affected by such deployment or permanent change. The request shall include a copy of the Servicemember's military orders.

RELIEF — Upon receiving the request of a Servicemember under subsection (a), the cellular telephone service contractor concerned shall —

(1) grant the requested relief without imposition of an early termination fee for termination of the contract or a reactivation fee for suspension of the contract; or

(2) in the case that such Servicemember is deployed outside the continental United States as described in subsection (a), permit the Servicemember to suspend the contract at no charge until the end of the deployment without requiring, whether as a condition of suspension or otherwise, that the contract be extended.

CELLULAR TELEPHONE SERVICE DEFINED.—In this section, the term “cellular telephone service” has the meaning given the term “commercial mobile service” in section 332(d) of the Communications Act of 1934 (47 U.S.C. 332(d)).