

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1960
OFFERED BY MR. CUMMINGS OF MARYLAND**

Page 232, after line 18, insert the following:

1 **SEC. 555. MORTGAGE PROTECTION FOR MEMBERS OF THE**
2 **ARMED FORCES, SURVIVING SPOUSES, AND**
3 **CERTAIN VETERANS AND OTHER IMPROVE-**
4 **MENTS TO THE SERVICEMEMBERS CIVIL RE-**
5 **LIEF ACT.**

6 (a) MEMBERS OF THE ARMED FORCES, SURVIVING
7 SPOUSES, AND CERTAIN DISABLED VETERANS.—

8 (1) IN GENERAL.—Title III of the
9 Servicemembers Civil Relief Act (50 U.S.C. App.
10 501 et seq.) is amended by inserting after section
11 303A, as added by section 553, the following new
12 section:

13 **“SEC. 303B. MORTGAGES AND TRUST DEEDS OF CERTAIN**
14 **SERVICEMEMBERS, SURVIVING SPOUSES,**
15 **AND DISABLED VETERANS.**

16 “(a) MORTGAGE AS SECURITY.—This section applies
17 only to an obligation on real or personal property owned
18 by a covered individual that—

1 “(1) originated at any time and for which the
2 covered individual is still obligated; and

3 “(2) is secured by a mortgage, trust deed, or
4 other security in the nature of a mortgage.

5 “(b) STAY OF PROCEEDINGS.—

6 “(1) IN GENERAL.—In accordance with sub-
7 section (d)(1), in a judicial action pending or in a
8 nonjudicial action commenced during a covered time
9 period to enforce an obligation described in sub-
10 section (a), a court—

11 “(A) may, after a hearing and on its own
12 motion, stay the proceedings until the end of
13 the covered time period; and

14 “(B) shall, upon application by a covered
15 individual, stay the proceedings until the end of
16 the covered time period.

17 “(2) OBLIGATION TO STOP PROCEEDINGS.—

18 Upon receipt of notice provided under subsection
19 (d)(1), a mortgagee, trustee, or other creditor seek-
20 ing to foreclose on real property secured by an obli-
21 gation covered by this section using any judicial or
22 nonjudicial proceedings shall immediately stop any
23 such proceeding until the end of the covered time pe-
24 riod.

1 “(c) SALE OR FORECLOSURE.—A sale, judicial or
2 nonjudicial foreclosure, or seizure of property for a breach
3 of an obligation described in subsection (a) that is not
4 stayed under subsection (b) shall not be valid during a
5 covered time period except—

6 “(1) upon a court order granted before such
7 sale, judicial or nonjudicial foreclosure, or seizure
8 with a return made and approved by the court; or

9 “(2) if made pursuant to an agreement as pro-
10 vided in section 107.

11 “(d) NOTICE REQUIRED.—

12 “(1) IN GENERAL.—To be covered under this
13 section, a covered individual shall provide to the
14 mortgagee, trustee, or other creditor written notice
15 that such individual is so covered.

16 “(2) MANNER.—Written notice under para-
17 graph (1) may be provided electronically.

18 “(3) TIME.—Notice provided under paragraph
19 (1) shall be provided during the covered time period.

20 “(4) CONTENTS.—With respect to a
21 servicemember described in subsection (g)(1)(A), no-
22 tice shall include—

23 “(A) a copy of the servicemember’s official
24 military orders, or any notification, certifi-
25 cation, or verification from a servicemember’s

1 commanding officer that provides evidence of
2 servicemember's eligibility for special pay as de-
3 scribed in subsection (g)(1)(A); or

4 “(B) an official notice using a form de-
5 signed under paragraph (5).

6 “(5) OFFICIAL FORMS.—

7 “(A) IN GENERAL.—The Secretary of De-
8 fense shall design and distribute an official De-
9 partment of Defense form that can be used by
10 an individual to give notice under paragraph
11 (1).

12 “(B) USE OF OFFICIAL FORM NOT RE-
13 QUIRED.—Failure by any individual to use a
14 form designed or distributed under subpara-
15 graph (A) to provide notice shall not make such
16 provision of notice invalid.

17 “(e) AGGREGATE DURATION.—The aggregate dura-
18 tion for which a covered individual (except a
19 servicemember described in subsection (g)(1)(A)) may be
20 covered under this section is one year.

21 “(f) MISDEMEANOR.—A person who knowingly
22 makes or causes to be made a sale, foreclosure, or seizure
23 of property that is prohibited by subsection (c), or who
24 knowingly attempts to do so, shall be fined as provided

1 in title 18, United States Code, or imprisoned for not more
2 than one year, or both.

3 “(g) DEFINITIONS.—In this section:

4 “(1) COVERED INDIVIDUAL.—The term ‘cov-
5 ered individual’ means the following individuals:

6 “(A) A servicemember who is or was eligi-
7 ble for hostile fire or imminent danger special
8 pay under section 310 of title 37, United States
9 Code, during a period of military service.

10 “(B) A servicemember placed on convales-
11 cent status, including a servicemember trans-
12 ferred to the temporary disability retired list
13 under section 1202 or 1205 of title 10, United
14 States Code.

15 “(C) A veteran who was medically dis-
16 charged and retired under chapter 61 of title
17 10, United States Code, except for a veteran
18 described in section 1207 of such title.

19 “(D) A surviving spouse (as defined in sec-
20 tion 101(3) of title 38, United States Code, and
21 in accordance with section 103 of such title) of
22 a servicemember who died while in military
23 service if such spouse is the successor in inter-
24 est to property covered under subsection (a).

1 “(2) COVERED TIME PERIOD.—The term ‘cov-
2 ered time period’ means the following time periods:

3 “(A) With respect to a servicemember who
4 is or was eligible for hostile fire or imminent
5 danger special pay under section 310 of title
6 37, United States Code, during a period of mili-
7 tary service, during the period beginning on the
8 first day on which the servicemember is or was
9 eligible for such special pay during such period
10 of military service and ending on the date that
11 is one year after the last day of such period of
12 military service.

13 “(B) With respect to a servicemember de-
14 scribed in paragraph (1)(B), during the one-
15 year period beginning on the date on which the
16 servicemember is placed on convalescent status
17 or transferred to the temporary disability re-
18 tired list under section 1202 or 1205 of title
19 10, United States Code.

20 “(C) With respect to a veteran described in
21 paragraph (1)(C), during the one-year period
22 beginning on the date of the retirement of such
23 veteran.

24 “(D) With respect to a surviving spouse of
25 a servicemember as described in paragraph

1 “(ii) in an amount not exceeding
2 \$220,000 for any subsequent violation; and

3 “(B) with respect to any other violation of
4 this Act—

5 “(i) in an amount not exceeding
6 \$55,000 for a first violation; and

7 “(ii) in an amount not exceeding
8 \$110,000 for any subsequent violation.”.

9 (c) CREDIT DISCRIMINATION.—Section 108 of such
10 Act (50 U.S.C. App. 518) is amended—

11 (1) by striking “Application by” and inserting
12 “(a) APPLICATION OR RECEIPT.—Application by”;
13 and

14 (2) by adding at the end the following new sub-
15 section:

16 “(b) ELIGIBILITY.—In addition to the protections
17 under subsection (a), an individual who is entitled to any
18 right or protection provided under this Act may not be
19 denied or refused credit or be subject to any other action
20 described under paragraphs (1) through (6) of subsection
21 (a) solely by reason of such entitlement.”.

22 (d) REQUIREMENTS FOR LENDING INSTITUTIONS
23 THAT ARE CREDITORS FOR OBLIGATIONS AND LIABIL-
24 ITIES COVERED BY THE SERVICEMEMBERS CIVIL RELIEF

1 ACT.—Section 207 of the Servicemembers Civil Relief Act
2 (50 U.S.C. App. 527) is amended—

3 (1) by redesignating subsections (d) and (e) as
4 subsections (e) and (f), respectively; and

5 (2) by inserting after subsection (e) the fol-
6 lowing new subsection (d):

7 “(d) LENDING INSTITUTION REQUIREMENTS.—

8 “(1) COMPLIANCE OFFICERS.—Each lending in-
9 stitution subject to the requirements of this section
10 shall designate an employee of the institution as a
11 compliance officer who is responsible for ensuring
12 the institution’s compliance with this section and for
13 distributing information to servicemembers whose
14 obligations and liabilities are covered by this section.

15 “(2) TOLL-FREE TELEPHONE NUMBER.—Dur-
16 ing any fiscal year, a lending institution subject to
17 the requirements of this section that had annual as-
18 sets for the preceding fiscal year of \$10,000,000,000
19 or more shall maintain a toll-free telephone number
20 and shall make such telephone number available on
21 the primary Internet website of the institution.”.

22 (e) PENSION FOR CERTAIN VETERANS COVERED BY
23 MEDICAID PLANS FOR SERVICES FURNISHED BY NURS-
24 ING FACILITIES.—Section 5503(d)(7) of title 38, United

1 States Code, is amended by striking “November 30, 2016”
2 and inserting “March 1, 2017”.

3 (f) EFFECTIVE DATE.—Section 303B of the
4 Servicemembers Civil Relief Act, as added by subsection
5 (a), and the amendments made by this section (other than
6 the amendment made by subsection (e)), shall take effect
7 on the date that is one year after the date of the enact-
8 ment of this Act.

