AMENDMENT TO THE RULES COMMITTEE PRINT

116-19

OFFERED BY MR. CICILLINE OF RHODE ISLAND

At the end of subtitle E of title V, add the following:

SEC. 550c. TO RESOLVE CONTROVERSIES UNDER
SERVICEMEMBERS CIVIL RELIEF ACT.

(a) IN GENERAL.—Section 102 of the Servicemembers Civil Relief Act (50 U.S.C. App. 512) is amended by adding at the end the following new subsection:

“(d) WRITTEN CONSENT REQUIRED FOR ARBITRATION.—Notwithstanding any other provision of law, whenever a contract with a servicemember, or a servicemember and the servicemember’s spouse jointly, provides for the use of arbitration to resolve a controversy subject to a provision of this Act and arising out of or relating to such contract, arbitration may be used to settle such controversy only if, after such controversy arises, all parties to such controversy consent in writing to use arbitration to settle such controversy.”.

(b) APPLICABILITY.—Subsection (d) of such section, as added by subsection (a), shall apply with respect to con-
tracts entered into, amended, altered, modified, renewed, or extended after the date of the enactment of this Act.

SEC. 550d. LIMITATION ON WAIVER OF RIGHTS AND PROTECTIONS UNDER SERVICEMEMBERS CIVIL RELIEF ACT.

(a) IN GENERAL.—Section 107(a) of the Servicemembers Civil Relief Act (50 U.S.C. App. 517(a)) is amended—

(1) in the second sentence, by inserting “and if it is made after a specific dispute has arisen and the dispute is identified in the waiver” after “to which it applies”; and

(2) in the third sentence, by inserting “and if it is made after a specific dispute has arisen and the dispute is identified in the waiver” after “period of military service”.

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply with respect to waivers made on or after the date of the enactment of this Act.

SEC. 550e. PRESERVATION OF RIGHT TO BRING CLASS ACTION UNDER SERVICEMEMBERS CIVIL RELIEF ACT.

(a) IN GENERAL.—Section 802(a) of the Servicemembers Civil Relief Act (50 U.S.C. App. 597a(a)) is amended—
(1) in paragraph (1), by striking “and” at the end;

(2) in paragraph (2), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new paragraph:

“(3) be a representative party on behalf of members of a class or be a member of a class, in accordance with the Federal Rules of Civil Procedure, notwithstanding any previous agreement to the contrary.”.

(b) CONSTRUCTION.—The amendments made by subsection (a) shall not be construed to imply that a person aggrieved by a violation of such Act did not have a right to bring a civil action as a representative party on behalf of members of a class or be a member of a class in a civil action before the date of the enactment of this Act.