

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:

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

3 (a) IN GENERAL.—Section 102 of the
4 Servicemembers Civil Relief Act (50 U.S.C. App. 512) is
5 amended by adding at the end the following new sub-
6 section:

7 “(d) WRITTEN CONSENT REQUIRED FOR ARBITRA-
8 TION.—Notwithstanding any other provision of law, when-
9 ever a contract with a servicemember, or a servicemember
10 and the servicemember’s spouse jointly, provides for the
11 use of arbitration to resolve a controversy subject to a pro-
12 vision of this Act and arising out of or relating to such
13 contract, arbitration may be used to settle such con-
14 troversy only if, after such controversy arises, all parties
15 to such controversy consent in writing to use arbitration
16 to settle such controversy.”.

17 (b) APPLICABILITY.—Subsection (d) of such section,
18 as added by subsection (a), shall apply with respect to con-

1 tracts entered into, amended, altered, modified, renewed,
2 or extended after the date of the enactment of this Act.

3 **SEC. 550d. LIMITATION ON WAIVER OF RIGHTS AND PRO-**
4 **TECTIONS UNDER SERVICEMEMBERS CIVIL**
5 **RELIEF ACT.**

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

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

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

17 (b) APPLICABILITY.—The amendment made by sub-
18 section (a) shall apply with respect to waivers made on
19 or after the date of the enactment of this Act.

20 **SEC. 550e. PRESERVATION OF RIGHT TO BRING CLASS AC-**
21 **TION UNDER SERVICEMEMBERS CIVIL RE-**
22 **LIEF ACT.**

23 (a) IN GENERAL.—Section 802(a) of the
24 Servicemembers Civil Relief Act (50 U.S.C. App. 597a(a))
25 is amended—

1 (1) in paragraph (1), by striking “and” at the
2 end;

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

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

7 “(3) be a representative party on behalf of
8 members of a class or be a member of a class, in
9 accordance with the Federal Rules of Civil Proce-
10 dure, notwithstanding any previous agreement to the
11 contrary.”.

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

