AMENDMENT TO
RULES COMMITTEE PRINT FOR H.R. 6395
OFFERED BY M__.

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

1 SEC. 539A. 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. 3912) 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, whenever a contract with a servicemember, or a servicemember
9 and the servicemember’s spouse jointly, provides for the
10 use of arbitration to resolve a controversy subject to a pro-
11 vision of this Act and arising out of or relating to such
12 contract, arbitration may be used to settle such con-
13 troversy only if, after such controversy arises, all parties
14 to such controversy consent in writing to use arbitration
15 to settle such controversy.”.
16 (b) APPLICABILITY.—Subsection (d) of such section,
17 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. 539B. 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. 3918(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. 539C. CLARIFICATION OF PRIVATE RIGHT OF ACTION UNDER SERVICEMEMBERS CIVIL RELIEF ACT.

Section 802(a) of the Servicemembers Civil Relief Act (50 U.S.C. 4042(a)) is amended—
(1) in the matter preceding paragraph (1), by inserting “, notwithstanding any previous agreement to the contrary,” after “may”; and
(2) in paragraph (3), by striking “, notwithstanding any previous agreement to the contrary”.