AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. HECK OF WASHINGTON

Page 148, after line 21, add the following new section:

SEC. 586. PROOF OF PERIOD OF MILITARY SERVICE FOR
PURPOSES OF INTEREST RATE LIMITATION
UNDER THE SERVICEMEMBERS CIVIL RELIEF
ACT.

Section 207(b)(1) of the Servicemembers Civil Relief
Act (50 U.S.C. App. 527(b)(1)) is amended to read as
follows:

“(1) Proof of military service.—

“(A) In general.—Not later than 180
days after the date of a servicemember’s termi-
nation or release from military service, in order
for an obligation or liability of the
servicemember to be subject to the interest rate
limitation in subsection (a), the servicemember
shall provide to the creditor written notice and
a copy of—

“(i) the military orders calling the
servicemember to military service and any
orders further extending military service;

or

“(ii) any other appropriate indicator

of military service, including a certified let-
ter from a commanding officer.

“(B) INDEPENDENT VERIFICATION BY

CREDITOR.—

“(i) IN GENERAL.—Regardless of

whether a servicemember has provided to a

creditor the written notice and documenta-
tion under subparagraph (A), the creditor

may use, in lieu of such notice and docu-
mentation, information retrieved from the

Defense Manpower Database Center

through the creditor’s normal business re-
views of the Database Center for purposes

of obtaining information indicating that

the servicemember is on active duty.

“(ii) SAFE HARBOR.—A creditor that

uses the information retrieved from the

Defense Manpower Database Center under

clause (i) with respect to a servicemember

has not failed to treat the debt of the

servicemember in accordance with sub-

section (a) if—
“(I) such information indicates that, on the date the creditor retrieves such information, the servicemember is not on active duty; and

“(II) the creditor has not, as of such date, received the written notice and documentation required under subparagraph (A) with respect to the servicemember.”.