

**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:

1 **SEC. 586. PROOF OF PERIOD OF MILITARY SERVICE FOR**
2 **PURPOSES OF INTEREST RATE LIMITATION**
3 **UNDER THE SERVICEMEMBERS CIVIL RELIEF**
4 **ACT.**

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

8 “(1) PROOF OF MILITARY SERVICE.—

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

17 “(i) the military orders calling the
18 servicemember to military service and any

1 orders further extending military service;
2 or

3 “(ii) any other appropriate indicator
4 of military service, including a certified let-
5 ter from a commanding officer.

6 “(B) INDEPENDENT VERIFICATION BY
7 CREDITOR.—

8 “(i) IN GENERAL.—Regardless of
9 whether a servicemember has provided to a
10 creditor the written notice and documenta-
11 tion under subparagraph (A), the creditor
12 may use, in lieu of such notice and docu-
13 mentation, information retrieved from the
14 Defense Manpower Database Center
15 through the creditor’s normal business re-
16 views of the Database Center for purposes
17 of obtaining information indicating that
18 the servicemember is on active duty.

19 “(ii) SAFE HARBOR.—A creditor that
20 uses the information retrieved from the
21 Defense Manpower Database Center under
22 clause (i) with respect to a servicemember
23 has not failed to treat the debt of the
24 servicemember in accordance with sub-
25 section (a) if—

1 “(I) such information indicates
2 that, on the date the creditor retrieves
3 such information, the servicemember
4 is not on active duty; and

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

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