

114TH CONGRESS
2D SESSION

H. R. 6509

To amend the Servicemembers Civil Relief Act to improve the submission of proof of military service for purposes of interest rate limitations under such Act.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 8, 2016

Mr. HECK of Washington introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend the Servicemembers Civil Relief Act to improve the submission of proof of military service for purposes of interest rate limitations under such Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Soldier’s Help Obtain-
5 ing Negotiated Rates Act” or the “Solider’s HONR Act”.

1 **SEC. 2. PROOF OF PERIOD OF MILITARY SERVICE FOR PUR-**
2 **POSES 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. 3937(b)(1)) is amended to read as follows:

7 “(1) PROOF OF MILITARY SERVICE.—

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

16 “(i) the military orders calling the
17 servicemember to military service and any
18 orders further extending military service;
19 or

20 “(ii) any other appropriate indicator
21 of military service, including a certified let-
22 ter from a commanding officer.

23 “(B) INDEPENDENT VERIFICATION BY
24 CREDITOR.—

25 “(i) IN GENERAL.—Regardless of
26 whether a servicemember has provided to a

1 creditor the written notice and documenta-
2 tion under subparagraph (A), the creditor
3 may use, in lieu of such notice and docu-
4 mentation, information retrieved from the
5 Defense Manpower Database Center
6 through the creditor's normal business re-
7 views of the Database Center for purposes
8 of obtaining information indicating that
9 the servicemember is on active duty.

10 “(ii) SAFE HARBOR.—A creditor that
11 uses the information retrieved from the
12 Defense Manpower Database Center under
13 clause (i) with respect to a servicemember
14 has not failed to treat the debt of the serv-
15 icemember in accordance with subsection
16 (a) if—

17 “(I) such information indicates
18 that, on the date the creditor retrieves
19 such information, the servicemember
20 is not on active duty; and

21 “(II) the creditor has not, as of
22 such date, received the written notice
23 and documentation required under

- 1 subparagraph (A) with respect to the
- 2 servicemember.”.

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