

Entering military service can sometimes make it difficult or impossible for our Soldiers, Sailors, Airmen, and Marines to meet their civilian legal and financial obligations. In laws dating back to the Civil War, Congress has given active-duty military personnel special protections against legal actions that might be taken against them while they are away from home because of military service. The purpose of these laws, according to a 1943 Supreme Court decision, is “to protect those who have been obliged to drop their own affairs to take up the burden of the nation.” Congress re-wrote the World War II-era “Soldiers and Sailor Relief Act” in 2003, as full-time military, Reservists, and National Guard personnel were deploying in large numbers to Iraq and Afghanistan. This comprehensively updated statute was re-named the “Servicemembers Civil Relief Act.”

Since the September 11 attacks, we have asked our military personnel—both our active-duty and reserve components—for unprecedented service and sacrifice. We have asked them to deploy multiple times to Iraq and Afghanistan, and we have asked their families to live without their loved ones for long periods of time. We have asked our National Guard and Reserve personnel—not just once, but sometimes two or three times—to leave their jobs, put their civilian lives on hold, and answer their country’s call to service. The promise the SCRA makes to these Americans is that while they are engaged in the defense of our country, we will protect them and their families from adverse financial actions on the home front. One important way the SCRA protects these servicemembers is by lowering their mortgage interest rates while they are on active duty, and by prohibiting banks from foreclosing on their homes without first getting court approval.

Unfortunately, as I learned during a joint House-Senate forum I held in the Senate Commerce Committee hearing room in July 2011, not all banks have been following the law. In May 2011, for example, the Department of Justice settled lawsuits with the former Countrywide Home Loans, now a subsidiary of Bank of America, and Saxon Mortgage, a subsidiary of Morgan Stanley, for \$22 million. In these lawsuits, DOJ alleged that the companies violated the SCRA by foreclosing on more than 170 servicemembers without court orders. At the House-Senate forum, which I organized with Representative ELIJAH CUMMINGS, the Ranking Member of the House Oversight and Government Reform Committee, we heard from two members of the military and other experts about how these SCRA violations can devastate military families. Mrs. Holly Petraeus, who is the Director of Servicemember Affairs at the Consumer Financial Protection Bureau, as well as the wife of General David Petraeus, told us that:

... [W]hile a foreclosure is devastating for any American family, it can be especially

painful for military families. Both the family back home and the deployed servicemember, who feels helpless to take action to prevent the foreclosure, are put in a terrible situation. It is vital that servicemembers receive all the protections afforded to them by the SCRA.

At the time we held this forum, legislators in both houses were already hard at work on legislation to strengthen the SCRA and improve banks’ compliance with the SCRA. In late 2010, Congress passed a new law, P.L. 111-275, that allowed deploying soldiers to terminate their cell phone contracts without penalties, and that gave the United States Attorney General new powers to enforce the SCRA against creditors. In June 2011, the Senate Veterans’ Affairs Committee, on which I serve, approved a bill sponsored by Senator BEGICH, S. 941, which included a provision to extend the period of SCRA mortgage protections from nine months to twelve months after a servicemember leaves military duty. The Senate Veterans’ Affairs Committee is also actively considering other proposals to improve the SCRA.

The legislation I am introducing today with Senator CARDIN was introduced in the House of Representatives as H.R. 5747 on May 15, 2012, by Ranking Member CUMMINGS, along with the Ranking Member of the House Armed Services Committee, Representative ADAM SMITH, and the Ranking Member of the House Veterans’ Affairs Committee, Representative BOB FILNER. Two days later, it was adopted as an amendment to the National Defense Authorization Act by an overwhelming vote of 394-27.

Now that the House has expressed its bipartisan support for this legislation, I am introducing it in the Senate for consideration. The recent House vote shows that this is an issue that should rise above partisan politics. I hope that the House’s recent action will give the Senate new momentum to look at what we can do to strengthen the SCRA and protect our military personnel and their families. A short summary of the bill is provided below.

The Military Family Home Protection Act expands the class of covered individuals under the SCRA’s mortgage provisions to include: All servicemembers serving on the battlefield, regardless of when they bought their home. Servicemembers retiring 100 percent disabled due to service-connected injuries and surviving spouses of servicemembers who died in military service.

The act stays mortgage foreclosure proceedings against SCRA-covered persons for 1 year following their service; it also eliminates a current sunset provision that will reduce this protection to 90 days beginning January 1, 2013.

The Act doubles the civil penalty for SCRA mortgage violations to \$110,000 for the first offense and \$220,000 for subsequent violations.

The act protects servicemembers and their families against discrimination by banks and lenders on account of

servicemembers’ eligibility for SCRA protections. It also requires banks and lenders to take further steps to ensure SCRA compliance. These steps include: Designating an SCRA compliance officer. Requiring SCRA compliance officers to distribute information to servicemembers about their SCRA protections, and providing a toll-free telephone number and website to help servicemembers better understand their SCRA protections.

#### SUBMITTED RESOLUTIONS

SENATE RESOLUTION 500—CELEBRATING THE ACCOMPLISHMENTS OF TITLE IX OF THE EDUCATION AMENDMENTS OF 1972, ALSO KNOWN AS THE PATSY TAKEMOTO MINK EQUAL OPPORTUNITY IN EDUCATION ACT, AND RECOGNIZING THE NEED TO CONTINUE PURSUING THE GOAL OF EQUAL EDUCATIONAL OPPORTUNITIES FOR ALL WOMEN AND GIRLS

Mrs. MURRAY (for herself, Ms. SNOWE, Mr. AKAKA, Mr. BAUCUS, Mr. BENNET, Mr. BINGAMAN, Mr. BLUMENTHAL, Mrs. BOXER, Mr. BROWN of Massachusetts, Mr. BROWN of Ohio, Mr. CASEY, Ms. CANTWELL, Mr. COONS, Mr. ENZI, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mrs. HAGAN, Mr. HARKIN, Mrs. HUTCHISON, Mr. INOUE, Mr. KERRY, Mr. KIRK, Ms. LANDRIEU, Mr. LEAHY, Mr. MERKLEY, Ms. MIKULSKI, Mr. SANDERS, Mr. SCHUMER, Mrs. SHAHEEN, Ms. STABENOW, Mr. TESTER, Mr. UDALL of Colorado, Mr. WYDEN, Mr. LIEBERMAN, Ms. COLLINS, Mr. LAUTENBERG, Mr. ISAKSON, Ms. MURKOWSKI, Ms. AYOTTE, Mrs. MCCASKILL, and Ms. KLOBUCHAR) submitted the following resolution; which was considered and agreed to:

S. RES. 500

Whereas 40 years ago, on June 23, 1972, title IX of the Education Amendments of 1972 (in this preamble referred to as “title IX”) (20 U.S.C. 1681 et seq.) was signed into law by the President of the United States;

Whereas Representatives Patsy T. Mink and Edith Green led the successful fight in Congress to pass this legislation;

Whereas, on October 29, 2002, title IX was named the “Patsy Takemoto Mink Equal Opportunity in Education Act” in recognition of Representative Mink’s heroic, visionary, and tireless leadership in developing and passing title IX;

Whereas title IX prohibits discrimination on the basis of sex in the administration of any education program receiving Federal financial assistance, including sports, and bars sexual and sex-based harassment, discrimination against pregnant and parenting students, and the use of stereotypes and other barriers to limit a person’s access to a particular educational field;

Whereas remarkable gains have been made to ensure equal opportunity for women and girls under the inspiration and mandate of title IX;

Whereas title IX has increased educational opportunities for women and girls, including their access to professional schools and non-traditional fields of study, and has improved their employment opportunities;

Whereas title IX has increased opportunities for women and girls in sports, leading to greater access to competitive sports and building strong values such as teamwork, leadership, discipline, work ethic, self-sacrifice, pride in accomplishment, and strength of character;

Whereas, while title IX has been instrumental in fostering 40 years of progress toward equality between men and women in educational institutions and the workplace, there remains progress to be made;

Whereas, in the 2010-2011 school year, girls were provided 1,300,000 fewer opportunities to play high school sports than boys;

Whereas, in 2010, at the typical Division I Football Bowl Subdivision school, 51 percent of the students were women, but female athletes received only 28 percent of the total money spent on athletics, 31 percent of the money spent to recruit new athletes, and 42 percent of the total athletic scholarship funds;

Whereas research shows that more than 8 out of 10 successful businesswomen played organized sports as children;

Whereas, for girls who engage in sports, 80 percent are less likely to have a drug problem and 92 percent are less likely to have an unwanted pregnancy;

Whereas title IX seeks to protect students from sexual harassment and defend pregnant and parenting students from discrimination;

Whereas stereotypes and discriminatory barriers in the fields of science, technology, engineering, and mathematics persist and contribute to the low numbers of women and girls in those fields;

Whereas, in 2009, women comprised only 19 percent of students receiving baccalaureate degrees in physics, 18 percent of students receiving baccalaureate degrees in computer science, 16 percent of students receiving baccalaureate degrees in engineering and engineering technologies, and 22 percent of students receiving master's or doctorate degrees in engineering and engineering technologies; and

Whereas, while title IX has resulted in significant gains for women and girls in education, the law's full promise of equal educational opportunities for all women and girls has not yet been fulfilled: Now, therefore, be it

*Resolved*, That the Senate—

(1) celebrates the accomplishments resulting from the passage of title IX of the Education Amendments of 1972, also known as the Patsy Takemoto Mink Equal Opportunity in Education Act, in increasing opportunities for women and girls in many facets of education, including the magnificent accomplishments of women and girls in sports;

(2) reaffirms the commitment of title IX to ending all discrimination against women and girls in elementary, secondary, and higher education, and to equal opportunities for women and girls in athletics; and

(3) recognizes the continued importance of title IX in providing needed protections for women and girls.

#### SENATE RESOLUTION 501—SUPPORTING NATIONAL MEN'S HEALTH WEEK

Mr. CRAPO submitted the following resolution; which was considered and agreed to:

S. RES. 501

Whereas, despite advances in medical technology and research, men continue to live an average of more than 5 years less than women, and African-American men have the lowest life expectancy;

Whereas 9 of the 10 leading causes of death, as defined by the Centers for Disease Control

and Prevention, affect men at a higher percentage than women;

Whereas, between ages 45 and 54, men are more than 1½ times more likely than women to die of heart attacks;

Whereas men die of heart disease at 1½ times the rate of women;

Whereas men die of cancer at almost 1½ times the rate of women;

Whereas testicular cancer is 1 of the most common cancers in men aged 15 to 34, and, when detected early, has a 96 percent survival rate;

Whereas the number of cases of colon cancer among men will reach almost 50,000 in 2012, and more than half of those men will die from the disease;

Whereas the likelihood that a man will develop prostate cancer is 1 in 6;

Whereas the number of men who develop prostate cancer in 2012 is expected to reach more than 241,740, and an estimated 28,170 of those men will die from the disease;

Whereas African-American men in the United States have the highest incidence of prostate cancer;

Whereas significant numbers of health problems that affect men, such as prostate cancer, testicular cancer, colon cancer, and infertility, could be detected and treated if awareness among men of those problems was more pervasive;

Whereas more than ½ of the elderly widows now living in poverty were not poor before the death of their husbands, and by age 100, women outnumber men by a ratio of 4 to 1;

Whereas educating both the public and health care providers about the importance of early detection of male health problems will result in reducing rates of mortality for those diseases;

Whereas appropriate use of tests such as prostate specific antigen exams, blood pressure screens, and cholesterol screens, in conjunction with clinical examination and self-testing for problems such as testicular cancer, can result in the detection of many of those problems in their early stages and increase the survival rates to nearly 100 percent;

Whereas women are 2 times more likely than men to visit their doctors for annual examinations and preventive services;

Whereas men are less likely than women to visit their health centers or physicians for regular screening examinations of male-related problems for a variety of reasons;

Whereas Congress established National Men's Health Week in 1994 and urged men and their families to engage in appropriate health behaviors, and the resulting increased awareness has improved health-related education and helped prevent illness;

Whereas the Governors of all 50 States issue proclamations annually declaring Men's Health Week in their respective States;

Whereas, since 1994, National Men's Health Week has been celebrated each June by dozens of States, cities, localities, public health departments, health care entities, churches, and community organizations throughout the United States that promote health awareness events focused on men and family;

Whereas the National Men's Health Week Internet website has been established at [www.menshealthweek.org](http://www.menshealthweek.org) and features Governors' proclamations and National Men's Health Week events;

Whereas men who are educated about the value that preventive health can play in prolonging their lifespans and their roles as productive family members will be more likely to participate in health screenings;

Whereas men and their families are encouraged to increase their awareness of the

importance of a healthy lifestyle, regular exercise, and medical checkups;

Whereas June 11 through 17, 2012, is National Men's Health Week; and

Whereas the purpose of National Men's Health Week is to heighten the awareness of preventable health problems and encourage early detection and treatment of disease among men and boys: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the annual National Men's Health Week; and

(2) calls upon the people of the United States and interested groups to observe National Men's Health Week with appropriate ceremonies and activities.

#### SENATE RESOLUTION 502—CELEBRATING THE 150TH ANNIVERSARY OF THE SIGNING OF THE FIRST MORRILL ACT

Mr. LEAHY (for himself, Mr. SANDERS, Mr. BROWN of Ohio, Mr. ROBERTS, Mr. ALEXANDER, Mr. GRAHAM, Mr. LEVIN, Mrs. FEINSTEIN, Ms. LANDRIEU, Mrs. HUTCHISON, Mr. BENNET, Mrs. MURRAY, Mr. AKAKA, Mr. MORAN, Mr. CARDIN, Ms. STABENOW, Ms. MIKULSKI, Mr. NELSON of Florida, Mr. BOOZMAN, Mr. RUBIO, Mr. BINGAMAN, Mrs. GILLIBRAND, Mr. SCHUMER, and Mr. PRYOR) submitted the following resolution; which was considered and agreed to:

S. RES. 502

Whereas July 2, 2012, marks the sesquicentennial of the signing of the Act of July 2, 1862 (commonly known as the "First Morrill Act"; 7 U.S.C. 301 et seq.), which granted public lands to States and territories to support colleges in promoting education as a means of economic advancement and intellectual pursuit;

Whereas the genesis of the national focus on public higher education in the United States is attributed to the establishment of the land-grant institutions under the First Morrill Act;

Whereas United States Representative Justin Morrill of Strafford, Vermont, inspired by his own lack of a formal education, authored the legislation that would become the First Morrill Act to provide an "opportunity in every State for a liberal and larger education to larger numbers, not merely to those destined to sedentary professions, but to those needing higher instruction for the world's business, for the industrial pursuits and professions of life";

Whereas the 37th Congress sought to energize the vital intellectual resources of the United States by enacting legislation to make higher education accessible to the public and thereby apply those intellectual resources to stimulate the national economy, which at the time was based in agriculture and the mechanical arts;

Whereas, in the midst of the Civil War and domestic strife, President Abraham Lincoln supported, encouraged, and signed into law the First Morrill Act, which encompassed ideals that united the North and the South;

Whereas the First Morrill Act opened the doors of colleges and universities to all people with the ability and will to learn, irrespective of heredity, occupation, or economic status;

Whereas the United States leads the world in the quality of its public universities and has provided extraordinary opportunities for higher education to the people of the United States, thus enriching each State and the country as a whole;

Whereas the land-grant institutions and other public research universities of the