

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To require lenders to include information regarding the mortgage and foreclosure rights of servicemembers under the Servicemembers Civil Relief Act.

**IN THE SENATE OF THE UNITED STATES—109th Cong., 1st Sess.**

**S. 1042**

To authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. BAYH

Viz:

1 At the end of subtitle E of title VI, add the following:

2 **SEC. 653. SERVICEMEMBERS RIGHTS UNDER THE HOUSING**

3 **AND URBAN DEVELOPMENT ACT OF 1968.**

4 (a) IN GENERAL.—Section 106(c)(5)(A)(ii) of the

5 Housing and Urban Development Act of 1968 (12 U.S.C.

6 1701x(c)(5)(A)(ii)) is amended—

7 (1) in subelause (II), by striking “; and” and

8 inserting a semicolon;

1           (2) in subclause (III), by striking the period  
2           and inserting “; and”; and

3           (3) by adding at the end the following:

4                           “(IV) notify the homeowner by a  
5                           statement or notice, written in plain  
6                           English by the Secretary of Housing  
7                           and Urban Development, in consulta-  
8                           tion with the Secretary of Defense  
9                           and the Secretary of the Treasury, ex-  
10                          plaining the mortgage and foreclosure  
11                          rights of servicemembers, and the de-  
12                          pendents of such servicemembers,  
13                          under the Servicemembers Civil Relief  
14                          Act (50 U.S.C. App. 501 et seq.), in-  
15                          cluding the toll-free military one  
16                          source number to call if  
17                          servicemembers, or the dependents of  
18                          such servicemembers, require further  
19                          assistance.”.

20           (b) NO EFFECT ON OTHER LAWS.—Nothing in this  
21           section shall relieve any person of any obligation imposed  
22           by any other Federal, State, or local law.

23           (c) DISCLOSURE FORM.—Not later than 150 days  
24           after the date of enactment of this Act, the Secretary of  
25           Housing and Urban Development shall issue a final disclo-

1 sure form to fulfill the requirement of section  
2 106(c)(5)(A)(ii)(IV) of the Housing and Urban Develop-  
3 ment Act of 1968 (12 U.S.C. 1701x(c)(5)(A)(ii)).

4 (d) EFFECTIVE DATE.—The amendments made  
5 under subsection (a) shall take effect 150 days after the  
6 date of enactment of this Act.