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**AMENDMENT TO H.R. 2647, AS REPORTED
OFFERED BY MR. MILLER OF NORTH CAROLINA**

At the end of subtitle I of title V (page 180, after line 11), add the following new section:

1 **SEC. 594. ENFORCEMENT OF SERVICEMEMBERS CIVIL RE-**
2 **LIEF ACT BY THE ATTORNEY GENERAL AND**
3 **BY PRIVATE CAUSE OF ACTION.**

4 (a) GENERAL CIVIL LIABILITY AND ENFORCE-
5 MENT.—The Servicemembers Civil Relief Act (50 U.S.C.
6 App. 501 et seq.) is amended by adding at the end the
7 following new title:

8 **“TITLE VIII—CIVIL LIABILITY**
9 **FOR NONCOMPLIANCE**

10 **“SEC. 801. ENFORCEMENT BY THE ATTORNEY GENERAL.**

11 “(a) ENFORCEMENT BY THE ATTORNEY GEN-
12 ERAL.—The Attorney General may commence a civil ac-
13 tion in any appropriate United States District Court
14 whenever the Attorney General has reasonable cause to
15 believe—

16 “(1) that any person or group of persons is en-
17 gaging in, or has engaged in, a pattern or practice
18 of conduct in violation of any provision of this Act;
19 or

1 “(2) that any person or group of persons is de-
2 nying, or has denied, any person or group of persons
3 any protection afforded by any provision of this Act
4 and that such denial raises an issue of general pub-
5 lic importance.

6 “(b) RELIEF THAT MAY BE GRANTED IN CIVIL AC-
7 TIONS.—In a civil action under subsection (a), the court—

8 “(1) may enter any temporary restraining
9 order, temporary or permanent injunction, or other
10 order as may be appropriate;

11 “(2) may award monetary damages to a
12 servicemember, dependent, or other person protected
13 by any provision of this Act who is harmed by the
14 failure to comply with any provision of this Act, in-
15 cluding consequential and punitive damages; and

16 “(3) may, to vindicate the public interest, as-
17 sess a civil penalty against each defendant—

18 “(A) in an amount not exceeding \$55,000
19 for a first violation; and

20 “(B) in an amount not exceeding \$110,000
21 for any subsequent violation.

22 “(c) INTERVENTION IN CIVIL ACTIONS.—Upon time-
23 ly application, a servicemember, dependent, or other per-
24 son protected by any provision of this Act may intervene
25 in a civil action commenced by the Attorney General that

1 involves an alleged violation of any provision of this Act
2 or a denial of any protection afforded by any provision
3 of this Act with respect to which such person claims to
4 be harmed. The court may grant to any such intervening
5 party appropriate relief as is authorized under subsection
6 (b)(1) or (b)(2). The court may also, in its discretion,
7 grant a prevailing intervening party reasonable attorneys'
8 fees and costs.

9 **“SEC. 802. PRIVATE CAUSES OF ACTION.**

10 “A servicemember, dependent, or other person pro-
11 tected by any provision of this Act may commence an ac-
12 tion in any appropriate United States District Court or
13 in a State court of competent jurisdiction to enforce any
14 requirement imposed or protection afforded by any provi-
15 sion of this Act. The court may grant to any such
16 servicemember, dependent, or person such appropriate re-
17 lief as is authorized under section 801(b)(1) or (b)(2). The
18 court may also, in its discretion, grant a prevailing party
19 reasonable attorneys' fees and costs.

20 **“SEC. 803. PRESERVATION OF OTHER REMEDIES.**

21 “The remedies provided under sections 801 and 802
22 are in addition to and do not preclude any other causes
23 of action available under Federal or State law or any other
24 remedies otherwise available under Federal or State law,

1 including any award for consequential and punitive dam-
2 ages.”.

3 (b) APPLICABILITY.—Title VIII of the
4 Servicemembers Civil Relief Act, as added by subsection
5 (a), shall apply to any cause of action, claim, or action
6 to enforce the Servicemembers Civil Relief Act, or to seek
7 damages or other relief under any provision of that Act,
8 in progress on the date of the enactment of this Act or
9 that may be brought after such date.

10 (c) CONFORMING AMENDMENTS.—

11 (1) Section 207 of such Act (50 U.S.C. App.
12 527) is amended by striking subsection (f).

13 (2) Section 301(e) of such Act (50 U.S.C. App.
14 531(e)) is amended to read as follows:

15 “(c) MISDEMEANOR.—Except as provided in sub-
16 section (a), a person who knowingly takes part in an evic-
17 tion or distress described in subsection (a), or who know-
18 ingly attempts to do so, shall be fined as provided in title
19 18, United States Code, or imprisoned for not more than
20 one year, or both.”.

21 (3) Section 302(b) of such Act (50 U.S.C. App.
22 532(b)) is amended to read as follows:

23 “(b) MISDEMEANOR.—A person who knowingly re-
24 sumes possession of property in violation of subsection (a),
25 or in violation of section 107 of this Act, or who knowingly

1 attempts to do so, shall be fined as provided in title 18,
2 United States Code, or imprisoned for not more than one
3 year, or both.”.

4 (4) Section 303(d) of such Act (50 U.S.C. App.
5 533(d)) is amended to read as follows:

6 “(d) MISDEMEANOR.—A person who knowingly
7 makes or causes to be made a sale, foreclosure, or seizure
8 of property that is prohibited by subsection (c), or who
9 knowingly attempts to do so, shall be fined as provided
10 in title 18, United States Code, or imprisoned for not more
11 than one year, or both.”.

12 (5) Section 305(h) of such Act (50 U.S.C. App.
13 535(h)) is amended to read as follows:

14 “(h) MISDEMEANOR.—Any person who knowingly
15 seizes, holds, or detains the personal effects, security de-
16 posit, or other property of a servicemember or a
17 servicemember’s dependent who lawfully terminates a
18 lease covered by this section, or who knowingly interferes
19 with the removal of such property from premises covered
20 by such lease, for the purpose of subjecting or attempting
21 to subject any of such property to a claim for rent accru-
22 ing subsequent to the date of termination of such lease,
23 or attempts to do so, shall be fined as provided in title
24 18, United States Code, or imprisoned for not more than
25 one year, or both.”.

1 (6) Section 306(e) of such Act (50 U.S.C. App.
2 536(e)) is amended to read as follows:

3 “(e) MISDEMEANOR.—A person who knowingly takes
4 an action contrary to this section, or attempts to do so,
5 shall be fined as provided in title 18, United States Code,
6 or imprisoned for not more than one year, or both.”.

7 (7) Section 307(c) of such Act (50 U.S.C. App.
8 537(c)) is amended to read as follows:

9 “(c) MISDEMEANOR.—A person who knowingly takes
10 an action contrary to this section, or attempts to do so,
11 shall be fined as provided in title 18, United States Code,
12 or imprisoned for not more than one year, or both.”.

13 (d) CLERICAL AMENDMENT.—The table of contents
14 in section 1(b) of such Act is amended by adding at the
15 end the following:

“TITLE VIII—CIVIL LIABILITY FOR NONCOMPLIANCE

“Sec. 801. Enforcement by the attorney general.

“Sec. 802. Private causes of action.

“Sec. 803. Preservation of other remedies.”.

