

111TH CONGRESS
1ST SESSION

H. R. 23

To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to establish the Merchant Mariner Equity Compensation Fund to provide benefits to certain individuals who served in the United States merchant marine (including the Army Transport Service and the Naval Transport Service) during World War II.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 2009

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

A BILL

To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to establish the Merchant Mariner Equity Compensation Fund to provide benefits to certain individuals who served in the United States merchant marine (including the Army Transport Service and the Naval Transport Service) during World War II.

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 “Belated Thank You
5 to the Merchant Mariners of World War II Act of 2009”.

1 **SEC. 2. PAYMENTS TO INDIVIDUALS WHO SERVED DURING**
2 **WORLD WAR II IN THE UNITED STATES MER-**
3 **CHANT MARINE.**

4 (a) ESTABLISHMENT OF COMPENSATION FUND.—
5 Subchapter II of chapter 5 of title 38, United States Code,
6 is amended by adding at the end the following new section:

7 **“§ 532. Merchant Mariner Equity Compensation Fund**

8 “(a) COMPENSATION FUND.—(1) There is in the gen-
9 eral fund of the Treasury a fund to be known as the ‘Mer-
10 chant Mariner Equity Compensation Fund’ (in this sec-
11 tion referred to as the ‘compensation fund’).

12 “(2) Subject to the availability of appropriations for
13 such purpose, amounts in the fund shall be available to
14 the Secretary without fiscal year limitation to make pay-
15 ments to eligible individuals in accordance with this sec-
16 tion.

17 “(b) ELIGIBLE INDIVIDUALS.—(1) An eligible indi-
18 vidual is an individual who—

19 “(A) before October 1, 2009, submits to the
20 Secretary an application containing such information
21 and assurances as the Secretary may require;

22 “(B) has not received benefits under the Serv-
23 icemen’s Readjustment Act of 1944 (Public Law
24 78–346); and

25 “(C) has engaged in qualified service.

1 “(2) For purposes of paragraph (1), a person has en-
2 gaged in qualified service if, between December 7, 1941,
3 and December 31, 1946, the person—

4 “(A) was a member of the United States mer-
5 chant marine (including the Army Transport Service
6 and the Naval Transport Service) serving as a crew-
7 member of a vessel that was—

8 “(i) operated by the War Shipping Admin-
9 istration or the Office of Defense Transpor-
10 tation (or an agent of the Administration or Of-
11 fice);

12 “(ii) operated in waters other than inland
13 waters, the Great Lakes, and other lakes, bays,
14 and harbors of the United States;

15 “(iii) under contract or charter to, or prop-
16 erty of, the Government of the United States;
17 and

18 “(iv) serving the Armed Forces; and

19 “(B) while so serving, was licensed or otherwise
20 documented for service as a crewmember of such a
21 vessel by an officer or employee of the United States
22 authorized to license or document the person for
23 such service.

24 “(c) AMOUNT OF PAYMENTS.—The Secretary shall
25 make a monthly payment out of the compensation fund

1 in the amount of \$1,000 to an eligible individual. The Sec-
2 retary shall make such payments to eligible individuals in
3 the order in which the Secretary receives the applications
4 of the eligible individuals.

5 “(d) AUTHORIZATION OF APPROPRIATIONS.—(1)

6 There are authorized to be appropriated to the compensa-
7 tion fund amounts as follows:

8 “(A) For fiscal year 2008, \$120,000,000.

9 “(B) For fiscal year 2009, \$108,000,000.

10 “(C) For fiscal year 2010, \$97,000,000.

11 “(D) For fiscal year 2011, \$85,000,000.

12 “(E) For fiscal year 2012, \$75,000,000.

13 “(2) Funds appropriated to carry out this section
14 shall remain available until expended.

15 “(e) REPORTS.—The Secretary shall include, in docu-
16 ments submitted to Congress by the Secretary in support
17 of the President’s budget for each fiscal year, detailed in-
18 formation on the operation of the compensation fund, in-
19 cluding the number of applicants, the number of eligible
20 individuals receiving benefits, the amounts paid out of the
21 compensation fund, the administration of the compensa-
22 tion fund, and an estimate of the amounts necessary to
23 fully fund the compensation fund for that fiscal year and
24 each of the three subsequent fiscal years.

1 “(f) REGULATIONS.—The Secretary shall prescribe
2 regulations to carry out this section.”.

3 (b) REGULATIONS.—Not later than 180 days after
4 the date of the enactment of this Act, the Secretary shall
5 prescribe the regulations required under section 532(f) of
6 title 38, United States Code, as added by subsection (a).

7 (c) CLERICAL AMENDMENT.—The table of sections
8 at the beginning of such chapter is amended by inserting
9 after the item related to section 531 the following new
10 item:

“532. Merchant Mariner Equity Compensation Fund.”.

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