

Union Calendar No. 45

111TH CONGRESS
1ST SESSION

H. R. 23

[Report No. 111-98]

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

MAY 7, 2009

Additional sponsors: Mr. KING of New York, Mr. ACKERMAN, Ms. KOSMAS, Mr. WAMP, Mr. BOYD, Mr. COSTA, Mr. DOYLE, Mr. LOBIONDO, Mr. WEXLER, Mr. MCNERNEY, Mr. BURTON of Indiana, Mr. BISHOP of New York, Mr. HASTINGS of Florida, Mr. MICHAUD, Ms. WATSON, Ms. BORDALLO, Mr. HONDA, Mr. BOUSTANY, Mr. TIM MURPHY of Pennsylvania, Mr. WALZ, Mr. NEAL of Massachusetts, Mr. WESTMORELAND, Mr. WU, Mr. HINCHEY, Mr. STARK, Mr. MURTHA, Mr. MORAN of Kansas, Mr. GORDON of Tennessee, Mr. BRADY of Pennsylvania, Mr. PAUL, Mr. LUCAS, Mr. MILLER of North Carolina, Mr. WOLF, Mr. MARKEY of Massachusetts, Mr. MOORE of Kansas, Mr. YARMUTH, Mr. LARSON of Connecticut, Mr. COURTNEY, Mr. WILSON of Ohio, Mr. LOEBSACK, Mrs. TAUSCHER, Mr. BOCCIERI, Mr. MITCHELL, Mr. LATTA, Ms. CORRINE BROWN of Florida, Mr. SPACE, Mr. ALTMIRE, Mr. MCCOTTER, Mr. MCINTYRE, Mr. THOMPSON of California, Mr. BONNER, Mrs. DAVIS of California, Mr. CARNAHAN, Mr. SCHIFF, Mr. DUNCAN, Mr. MICA, Mr. TONKO, Mr. MILLER of Florida, Mr. GERLACH, Mr. STUPAK, Mr. ALEXANDER, Mr. CHANDLER, Mrs. NAPOLITANO, Mr. CARNEY, Mr. ROSKAM, Mr. HODES, Ms. WOOLSEY, Ms. MCCOLLUM, Mr. OBERSTAR, Mr. PAYNE, Mr. LYNCH, Mr. THOMPSON of Mississippi, Ms. SUTTON, Mr. KANJORSKI, Ms. BERKLEY, Mr. YOUNG of Alaska, Mr. GUTIERREZ, Mr. ROHRABACHER, Ms. SHEA-PORTER, Mrs. MALONEY, Mrs. BLACKBURN,

Mr. SMITH of Washington, Mr. CLEAVER, Mr. DEFazio, Ms. KAPTUR, Mrs. CAPPS, Mr. PUTNAM, Mr. FATAH, Mr. HOLT, Mr. GEORGE MILLER of California, Mr. CALVERT, Mr. BISHOP of Georgia, Mr. GRIJALVA, Mr. MASSA, Mr. GENE GREEN of Texas, Mr. CARDOZA, Mr. FRANK of Massachusetts, Mr. HARE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. RUSH, Mr. ROSS, Mr. COHEN, Mr. HOLDEN, Mr. DAVIS of Tennessee, Mr. ISSA, Mr. RODRIGUEZ, Mr. ROGERS of Alabama, Ms. LEE of California, Mrs. BONO MACK, Ms. KILPATRICK of Michigan, Ms. WASSERMAN SCHULTZ, Mr. JONES, Ms. DELAURO, Ms. LORETTA SANCHEZ of California, Mr. BARROW, Mr. REYES, Mr. LARSEN of Washington, Mr. SCOTT of Virginia, Mr. CONNOLLY of Virginia, Mr. KENNEDY, Mr. GOHMERT, Mr. MCGOVERN, Mr. MARCHANT, Ms. ROYBAL-ALLARD, Mr. LATOURETTE, Mr. SESTAK, Mr. MEEKS of New York, Mr. HIMES, Mr. PASCRELL, Mr. SHERMAN, Mr. DREIER, Mr. BERMAN, Mr. SHULER, Mr. COSTELLO, Mrs. CHRISTENSEN, Mr. PALLONE, Mr. MORAN of Virginia, Mr. VISCLOSKY, Mr. LANGEVIN, Mr. TERRY, Mr. PETERSON, Mr. WILSON of South Carolina, Mr. CUMMINGS, Mr. KAGEN, Ms. GINNY BROWN-WAITE of Florida, Mr. BROWN of South Carolina, Mr. ROTHMAN of New Jersey, Mr. ARCURI, Ms. VELÁZQUEZ, Mr. KIND, Ms. DEGETTE, Mr. HALL of New York, Mr. DENT, Mr. WELCH, Mrs. CAPITO, Mr. MURPHY of Connecticut, Mr. NYE, Mr. ROONEY, Ms. HARMAN, Mr. FARR, Mr. WAXMAN, Mr. PERLMUTTER, Mr. KING of Iowa, Mr. PASTOR of Arizona, Mr. LEWIS of Georgia, Mr. ADLER of New Jersey, Mr. DELAHUNT, and Ms. SPEIER

MAY 7, 2009

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on January 6, 2009]

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 to*
5 *the Merchant Mariners of World War II Act of 2009”.*

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

9 *(a) ESTABLISHMENT OF COMPENSATION FUND.—Sub-*
10 *chapter II of chapter 5 of title 38, United States Code, is*
11 *amended by adding at the end the following new section:*

12 **“§ 533. Merchant Mariner Equity Compensation Fund**

13 *“(a) COMPENSATION FUND.—(1) There is in the gen-*
14 *eral fund of the Treasury a fund to be known as the ‘Mer-*
15 *chant Mariner Equity Compensation Fund’ (in this section*
16 *referred to as the ‘compensation fund’).*

17 *“(2) Subject to the availability of appropriations for*
18 *such purpose, amounts in the compensation fund shall be*
19 *available to the Secretary without fiscal year limitation to*
20 *make payments to eligible individuals in accordance with*
21 *this section.*

22 *“(b) ELIGIBLE INDIVIDUALS.—(1) An eligible indi-*
23 *vidual is an individual who—*

24 *“(A) during the one-year period beginning on*
25 *the date of the enactment of the Belated Thank You*

1 *to the Merchant Mariners of World War II Act of*
2 *2009, submits to the Secretary an application con-*
3 *taining such information and assurances as the Sec-*
4 *retary may require;*

5 *“(B) has not received benefits under the Service-*
6 *men’s Readjustment Act of 1944 (Public Law 78-*
7 *346); and*

8 *“(C) has engaged in qualified service.*

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

12 *“(A) was a member of the United States mer-*
13 *chant marine (including the Army Transport Service*
14 *and the Naval Transport Service) serving as a crew-*
15 *member of a vessel that was—*

16 *“(i) operated by the War Shipping Admin-*
17 *istration or the Office of Defense Transportation*
18 *(or an agent of the Administration or Office);*

19 *“(ii) operated in waters other than inland*
20 *waters, the Great Lakes, and other lakes, bays,*
21 *and harbors of the United States;*

22 *“(iii) under contract or charter to, or prop-*
23 *erty of, the Government of the United States;*
24 *and*

25 *“(iv) serving the Armed Forces; and*

1 “(B) *while so serving, was licensed or otherwise*
2 *documented for service as a crewmember of such a*
3 *vessel by an officer or employee of the United States*
4 *authorized to license or document the person for such*
5 *service.*

6 “(c) *AMOUNT OF PAYMENTS.—The Secretary shall*
7 *make a monthly payment out of the compensation fund in*
8 *the amount of \$1,000 to an eligible individual. The Sec-*
9 *retary shall make such payments to eligible individuals in*
10 *the order in which the Secretary receives the applications*
11 *of the eligible individuals.*

12 “(d) *AUTHORIZATION OF APPROPRIATIONS.—(1)*
13 *There are authorized to be appropriated to the compensa-*
14 *tion fund amounts as follows:*

15 “(A) *For fiscal year 2010, \$120,000,000.*

16 “(B) *For fiscal year 2011, \$108,000,000.*

17 “(C) *For fiscal year 2012, \$97,000,000.*

18 “(D) *For fiscal year 2013, \$85,000,000.*

19 “(E) *For fiscal year 2014, \$75,000,000.*

20 “(2) *Funds appropriated to carry out this section shall*
21 *remain available until expended.*

22 “(e) *REPORTS.—The Secretary shall include, in docu-*
23 *ments submitted to Congress by the Secretary in support*
24 *of the President’s budget for each fiscal year, detailed infor-*
25 *mation on the operation of the compensation fund, includ-*

1 *ing the number of applicants, the number of eligible indi-*
2 *viduals receiving benefits, the amounts paid out of the com-*
3 *ensation fund, the administration of the compensation*
4 *fund, and an estimate of the amounts necessary to fully*
5 *fund the compensation fund for that fiscal year and each*
6 *of the three subsequent fiscal years.*

7 “(f) *REGULATIONS.*—*The Secretary shall prescribe reg-*
8 *ulations to carry out this section.*”.

9 (b) *REGULATIONS.*—*Not later than 180 days after the*
10 *date of the enactment of this Act, the Secretary shall pre-*
11 *scribe the regulations required under section 532(f) of title*
12 *38, United States Code, as added by subsection (a).*

13 (c) *CLERICAL AMENDMENT.*—*The table of sections at*
14 *the beginning of such chapter is amended by inserting after*
15 *the item related to section 532 the following new item:*

“533. Merchant Mariner Equity Compensation Fund.”.

Union Calendar No. 45

111TH CONGRESS
1ST Session

H. R. 23

[Report No. 111-98]

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.

MAY 7, 2009

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed