

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 2337

To extend benefits for qualified service to certain merchant mariners who served during World War II, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JULY 29 (legislative day, JULY 20), 1994

Mr. LOTT introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To extend benefits for qualified service to certain merchant mariners who served during World War II, and for other purposes.

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. MERCHANT MARINER BENEFITS.**

4       (a) Part G of subtitle II, title 46, United States Code,  
5   is amended by adding at the end the following new chap-  
6   ter:

### 7       **“CHAPTER 112—MERCHANT MARINER** 8       **BENEFITS**

“Sec.

“11201. Qualified service.

“11202. Benefits for qualified service.

“11203. Processing fees to correct records.

1 **“§ 11201. Qualified service**

2 “An individual who served as a member of the United  
3 States merchant marine, including the Army Transport  
4 Service and the Naval Transportation Service, between  
5 August 16, 1945, and December 31, 1946, is deemed to  
6 have been engaged in qualified service for purposes of this  
7 chapter if during that period such individual was—

8 “(1) licensed or otherwise documented by an of-  
9 ficer or employee of the United States authorized to  
10 license or document such individual; and

11 “(2) a crewmember of a vessel that at the time  
12 of the service was—

13 “(A) operated by the War Shipping Ad-  
14 ministration or the Office of Defense Transpor-  
15 tation (or an agent of the Administration or Of-  
16 fice);

17 “(B) operated in waters other than inland  
18 waters, the Great Lakes, other lakes, bays, and  
19 harbors of the United States;

20 “(C) under contract, charter to, or prop-  
21 erty of, the Government of the United States;  
22 and

23 “(D) serving the Armed Forces.

1 **“§ 11202. Benefits for qualified service**

2 “(a) An individual who believes to have performed  
3 qualified service under section 11201 of this title may  
4 apply to the Secretary for a determination under this sec-  
5 tion and for a correction of the service records of such  
6 applicant under section 11203 of this title. Not later than  
7 1 year after the Secretary receives an application under  
8 this section, the Secretary shall determine whether the in-  
9 dividual performed qualified service.

10 “(b) The Secretary shall issue an honorable discharge  
11 to an individual who performed qualified service, as deter-  
12 mined by the Secretary under subsection (a). The Sec-  
13 retary shall issue the discharge subject to the same stand-  
14 ards relating to the nature and duration of service that  
15 apply to the honorable discharges issued under section  
16 401(a)(1)(B) of the GI Bill Improvement Act of 1977 (38  
17 U.S.C. 106 note).

18 “(c) Qualified service of an individual who—

19 “(1) receives an honorable discharge under sub-  
20 section (b), and

21 “(2) is not eligible under any other provision of  
22 law for benefits administered by the Secretary of  
23 Veterans Affairs,

24 is deemed to be active duty in the Armed Forces during  
25 a period of war for purposes of eligibility for benefits  
26 under chapters 23 and 24 of title 38, United States Code.

1       “(d) The Secretary shall reimburse the Secretary of  
 2 Veterans Affairs for the value of benefits that the Depart-  
 3 ment of Veterans Affairs provides to an individual by rea-  
 4 son of eligibility under this chapter.

5       “(e) An individual is not entitled to, and may not re-  
 6 ceive, benefits under this chapter for any period before the  
 7 date of enactment of this chapter.

8       **“§ 11203. Processing fees to correct records**

9       “(a) The Secretary shall ensure that the service  
 10 records of an individual who performed qualified service,  
 11 as determined by the Secretary under section 11202(a)  
 12 of this title, are corrected to reflect the qualified service.

13       “(b) The Secretary shall collect a fee of \$30 from  
 14 each applicant for processing an application submitted  
 15 under section 11202(a) of this title.

16       “(c) Amounts received by the Secretary under this  
 17 section shall be credited to the amounts made available  
 18 to the Secretary by appropriations for the purpose of car-  
 19 rying out this chapter.”.

20       (b) The analysis at the beginning of subtitle II of title  
 21 46, United States Code, is amended by inserting after the  
 22 item relating to chapter 111 the following:

**“112. Merchant Mariner Benefits .....11201”.**

