

118TH CONGRESS  
1ST SESSION

# H. R. 39

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.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 9, 2023

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

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## 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 “Honoring Our WWII  
5 Merchant Mariners Act of 2023”.

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 **“§ 533. 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 compensation fund shall be  
14 available to the Secretary without fiscal year limitation to  
15 make payments to eligible individuals in accordance with  
16 this section.

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

19 “(A) during the one-year period beginning on  
20 the date of the enactment of this section, submits to  
21 the Secretary an application containing such infor-  
22 mation and assurances as the Secretary may require;

23 “(B) has not received benefits under the Serv-  
24 icemen’s Readjustment Act of 1944 (Public Law  
25 78–346); and

26 “(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       “(3) In determining the information and assurances  
25 required in the application pursuant to paragraph (1)(A),

1 the Secretary shall accept a DD–214 form as proof of  
2 qualified service.

3 “(c) AMOUNT OF PAYMENT.—The Secretary shall  
4 make one payment out of the compensation fund in the  
5 amount of \$25,000 to an eligible individual. The Secretary  
6 shall make such a payment to eligible individuals in the  
7 order in which the Secretary receives the applications of  
8 the eligible individuals.

9 “(d) AUTHORIZATION OF APPROPRIATIONS.—There  
10 is authorized to be appropriated for fiscal year 2024  
11 \$125,000,000 for the compensation fund. Such amount  
12 shall remain available until expended.

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

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

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

5           (c) CLERICAL AMENDMENT.—The table of sections  
6 at the beginning of such chapter is amended by inserting  
7 after the item related to section 532 the following new  
8 item:

“533. Merchant Mariner Equity Compensation Fund.”.

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