

103^D CONGRESS
1ST SESSION

H. R. 1415

To provide veterans benefits to certain individuals serving in the United States merchant marine in a combat zone during a period of war, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 18, 1993

Mr. HOCHBRUECKNER introduced the following bill; which was referred jointly to the Committees on Veterans' Affairs and Merchant Marine and Fisheries

A BILL

To provide veterans benefits to certain individuals serving in the United States merchant marine in a combat zone during a period of war, 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. SHORT TITLE.**

4 This Act may be cited as the "Combat Merchant
5 Mariners Benefits Act of 1993".

6 **SEC. 2. ELIGIBILITY OF CERTAIN MERCHANT MARINERS**

7 **FOR VETERANS BENEFITS.**

8 Subject to section 3, the service of an individual in
9 the United States merchant marine during a period of war

1 for a total period equal to at least 12 months shall be
2 considered to be active duty in determining the individ-
3 ual's eligibility for veterans benefits under all laws admin-
4 istered by the Secretary of Veterans Affairs.

5 **SEC. 3. LIMITATIONS.**

6 (a) **QUALIFIED SERVICE.**—The service referred to in
7 section 2 is the following:

8 (1) **OCEAN, COASTAL, OR INTERCOASTAL VOY-**
9 **AGES.**—Service on a vessel of the United States on
10 ocean, coastwise, or intercoastal voyages, during a
11 period of war in a combat zone of such war that was
12 rendered to the Armed Forces in a capacity consid-
13 ered civilian employment or contractual service at
14 the time the service was rendered.

15 (2) **FORCIBLE DETENTION OR INTERNMENT.**—
16 Any period of forcible detention or internment by an
17 enemy government or hostile force as a result of hos-
18 tile action against a vessel of the United States
19 while the individual was performing service referred
20 to in paragraph (1) on the vessel.

21 (3) **OTHER SERVICE.**—Any period of service in
22 the War Shipping Administration, the United States
23 Maritime Service, or a maritime training program
24 conducted or recognized by the Armed Forces, ex-
25 cept that not more than six months of such service

1 may be included in calculating the period of service
2 referred to in section 2.

3 (b) APPLICABILITY OF MINIMUM ACTIVE-DUTY
4 SERVICE REQUIREMENTS.—Any minimum active-duty
5 service requirement of any law administered by the Sec-
6 retary of Veterans Affairs shall apply in determining an
7 individual's eligibility for veterans benefits under this Act.

8 **SEC. 4. WAIVER OF PERIOD OF SERVICE REQUIREMENT**
9 **FOR DISABILITY INCURRED DURING QUALI-**
10 **FIED SERVICE.**

11 The requirement of section 2 that the period of serv-
12 ice referred to in such section be equal to at least 12
13 months shall not apply to an individual who is perma-
14 nently disabled in the performance of the service referred
15 to in such section while the vessel of the United States
16 on which the individual is performing the service is sub-
17 jected to hostile action.

18 **SEC. 5. VERIFICATION OF SERVICE.**

19 The service referred to in section 2 may be verified
20 by entries in a continuous discharge book, a certificate of
21 discharge to merchant seamen, a certificate of substan-
22 tially continuous service, or other documentation available
23 from the Secretary of Transportation or the head of any
24 other Federal agency.

1 **SEC. 6. DEFINITIONS.**

2 For purposes of this Act:

3 (1) The term “Armed Forces” has the meaning
4 given such term in section 101(10) of title 38,
5 United States Code.

6 (2) The term “combat zone” means an area in
7 which the Armed Forces are engaged in combat, as
8 determined by the Secretary of Defense.

9 (3) The term “individual in the United States
10 merchant marine” means any citizen or resident
11 alien of the United States serving as a civilian or
12 civil service member of the United States merchant
13 marine.

14 (4) The term “period of war” has the meaning
15 given such term in section 101(11) of title 38,
16 United States Code.

17 (5) The term “vessel of the United States” has
18 the meaning given such term in section 2101(46) of
19 title 46, United States Code.

20 **SEC. 7. APPLICABILITY AND PROHIBITION OF RETRO-**
21 **ACTIVE BENEFITS.**

22 Section 2 applies with respect to service rendered be-
23 fore, on, or after the date of the enactment of this Act.
24 An individual who performs such service before the date
25 of the enactment of this Act may not be paid benefits that

1 accrue as a result of the enactment of this Act for any
2 period before the date of the enactment of this Act.

3 **SEC. 8. AWARD OF MERCHANT MARINE MEDALS USING AP-**
4 **PROPRIATED FUNDS.**

5 The Secretary of Transportation may, to the extent
6 that appropriated funds are available for such purpose,
7 provide that any medal awarded by the United States to
8 an individual in the United States merchant marine for
9 service during a period of war be provided without any
10 charge to that individual.

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