

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 254

To extend eligibility for veterans' burial benefits, funeral benefits, and related benefits for veterans of certain service in the United States merchant marine during World War II.

---

## IN THE SENATE OF THE UNITED STATES

JANUARY 20 (legislative day, JANUARY 10), 1995

Mr. LOTT introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

---

## A BILL

To extend eligibility for veterans' burial benefits, funeral benefits, and related benefits for veterans of certain service in the United States merchant marine 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. 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:

1       **“CHAPTER 112—MERCHANT MARINER**  
 2                                   **BENEFITS**

“Sec.

“11201. Qualified service.

“11202. Documentation of qualified service.

“11203. Eligibility for certain veterans’ benefits.

“11204. Processing fees.

3       **“§ 11201. Qualified service**

4           “For purposes of this chapter, a person engaged in  
 5 qualified service if, between August 16, 1945, and Decem-  
 6 ber 31, 1946, the person—

7                   “(1) was a member of the United States mer-  
 8 chant marine (including the Army Transport Service  
 9 and the Naval Transportation Service) serving as a  
 10 crewmember of a vessel that was—

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

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

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

21                           “(D) serving the Armed Forces; and

22                   “(2) while so serving, was licensed or otherwise  
 23 documented for service as a crewmember of such a

1 vessel by an officer or employee of the United States  
2 authorized to license or document the person for  
3 such service.

4 **“§ 11202. Documentation of qualified service**

5 “(a) The Secretary shall, upon application—

6 “(1) issue a certificate of honorable discharge  
7 to a person who, as determined by the Secretary, en-  
8 gaged in qualified service of a nature and duration  
9 that warrants issuance of the certificate; and

10 “(2) correct, or request the appropriate official  
11 of the Federal Government to correct, the service  
12 records of the person to the extent necessary to re-  
13 flect the qualified service and the issuance of the  
14 certificate of honorable discharge.

15 “(b) The Secretary shall take action on an application  
16 under subsection (a) not later than one year after the Sec-  
17 retary receives the application.

18 “(c) In making a determination under subsection  
19 (a)(1), the Secretary shall apply the same standards relat-  
20 ing to the nature and duration of service that apply to  
21 the issuance of honorable discharges under section  
22 401(a)(1)(B) of the GI Bill Improvement Act of 1977 (38  
23 U.S.C. 106 note).

1       “(d) An official of the Federal Government who is  
2 requested to correct service records under subsection  
3 (a)(2) shall do so.

4       **“§ 11203. Eligibility for certain veterans’ benefits**

5       “(a) The qualified service of an individual who—

6               “(1) receives an honorable discharge certificate  
7 under section 11202 of this title, and

8               “(2) is not eligible under any other provision of  
9 law for benefits under laws administered by the Sec-  
10 retary of Veterans Affairs,

11 is deemed to be active duty in the Armed Forces during  
12 a period of war for purposes of eligibility for benefits  
13 under chapters 23 and 24 of title 38.

14       “(b) The Secretary shall reimburse the Secretary of  
15 Veterans Affairs for the value of benefits that the Sec-  
16 retary of Veterans Affairs provides for an individual by  
17 reason of eligibility under this section.

18       “(c) An individual is not entitled to receive, and may  
19 not receive, benefits under this chapter for any period be-  
20 fore the date on which this chapter takes effect.

21       **“§ 11204. Processing fees**

22       “(a) The Secretary shall collect a fee of \$30 from  
23 each applicant for processing an application submitted  
24 under section 11202(a) of this title.

1       “(b) Amounts received by the Secretary under this  
2 section shall be credited to appropriations available to the  
3 Secretary for carrying out this chapter.”.

4       (b) The table of chapters at the beginning of subtitle  
5 II of title 46, United States Code, is amended by inserting  
6 after the item relating to chapter 111 the following:

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

