

106TH CONGRESS  
1ST SESSION

# H. R. 1893

To amend title 10, United States Code, to provide that certain individuals who would be eligible for military retired pay for nonregular service but for the fact that they did not serve on active duty during a period of conflict may be paid such retired pay if they served in the United States merchant marine during or immediately after World War II.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 20, 1999

Mr. LANTOS (for himself and Ms. ESHOO) introduced the following bill; which was referred to the Committee on Armed Services

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## A BILL

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1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. REMOVAL OF LIMITATION ON PAYMENT OF**  
2 **MILITARY RETIRED PAY FOR CERTAIN PER-**  
3 **SONS WHO SERVED IN THE MERCHANT MA-**  
4 **RINE.**

5 (a) REMOVAL OF LIMITATION.—Section 12731(c)(1)  
6 of title 10, United States Code, is amended—

7 (1) by striking out “or” at the end of subpara-  
8 graph (A);

9 (2) by striking out the period at the end of sub-  
10 paragraph (B) and inserting in lieu thereof “; or”;  
11 and

12 (3) by adding at the end the following:

13 “(C) the person served in the United States  
14 merchant marine after May 26, 1940, and before  
15 January 1, 1948—

16 “(i) while documented by an officer or em-  
17 ployee of the United States authorized by law  
18 to do so; and

19 “(ii) as a crew member of a vessel which  
20 at the time of that service—

21 “(I) was documented in the United  
22 States;

23 “(II) was operated under the flag of  
24 the United States in waters other than in-  
25 land waters of the United States; and

1                   “(III) was under contract or charter  
2                   to, or was the property of, the Government  
3                   of the United States.”.

4           (b) LUMP SUM PAYMENT OF ACCRUED RETIRED  
5 PAY.—The Secretary concerned (as defined in section 101  
6 of title 10, United States Code) shall, within 60 days after  
7 the date of the enactment of this Act, make a lump sum  
8 payment to each person eligible for military retired pay  
9 under chapter 1223 of title 10, United States Code, by  
10 reason of the amendments made by subsection (a). Such  
11 payment shall be in the amount equal to the total amount  
12 of retired pay that the person would have received before  
13 the date of the first payment to that person pursuant to  
14 those amendments if those amendments had been in effect  
15 on the date that the person became 60 years of age.

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