

105TH CONGRESS  
1ST SESSION

# H. R. 2946

To provide veterans benefits to individuals who serve in the United States merchant marine during a period of war.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 8, 1997

Mr. FORBES (for himself, Mr. LOBIONDO, Mr. ACKERMAN, Mr. TOWNS, Mr. CLAY, Mr. DELAHUNT, and Mr. LAZIO of New York) introduced the following bill; which was referred to the Committee on Veterans' Affairs

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## A BILL

To provide veterans benefits to individuals who serve in the United States merchant marine during a period of war.

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 Veterans Benefits Act of 1997”.

6 **SEC. 2. ELIGIBILITY FOR VETERANS BENEFITS.**

7 (a) IN GENERAL.—Subject to subsection (b), the  
8 service of an individual in the United States merchant ma-  
9 rine during a period of war for a total period equal to  
10 at least 12 months shall be considered to be active duty

1 in determining the individual's eligibility for veterans ben-  
2 efits under all laws administered by the Secretary of Vet-  
3 erans Affairs.

4 (b) QUALIFIED SERVICE.—The service referred to in  
5 subsection (a) shall be limited to the following:

6 (1) OCEAN, COASTAL, OR INTERCOASTAL VOY-  
7 AGES.—Service on a vessel of the United States on  
8 ocean, coastwise, or intercoastal voyages, during a  
9 period of war in a combat zone of such war. The  
10 service shall be rendered to the Armed Forces in a  
11 capacity considered civilian employment or contrac-  
12 tual service at the time the service was rendered.

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

19 (3) OTHER SERVICE.—Any period of service in  
20 the War Shipping Administration, the United States  
21 Maritime Service, or a maritime training program  
22 conducted or recognized by the Armed Forces, ex-  
23 cept that not more than 6 months of such service  
24 may be included in calculating the period of service  
25 referred to in subsection (a).

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

6 **SEC. 3. WAIVER OF PERIOD OF SERVICE.**

7 The requirement of section 2(a) that the period of  
8 service referred to in that section be equal to at least 12  
9 months shall not apply to an individual who is perma-  
10 nently disabled in the performance of the service referred  
11 to in such section while the vessel of the United States  
12 on which the individual is performing the service is sub-  
13 jected to hostile action.

14 **SEC. 4. VERIFICATION OF SERVICE.**

15 The service referred to in section 2(a) may be verified  
16 by entries in a continuous discharge book, a certificate of  
17 discharge to merchant seamen, a certificate of substan-  
18 tially continuous service, or other documentation available  
19 from the Secretary of Transportation or the head of any  
20 other Federal agency.

21 **SEC. 5. DEFINITIONS.**

22 For purposes of this Act:

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

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

4           (3) The term “individual in the United States  
5           merchant marine” means any citizen or resident  
6           alien of the United States serving as a civilian or  
7           civil service member of the United States merchant  
8           marine.

9           (4) The term “period of war” has the meaning  
10          given such term in section 101(11) of title 38, Unit-  
11          ed States Code.

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

15 **SEC. 6. APPLICABILITY AND PROHIBITION OF RETRO-**  
16 **ACTIVE BENEFITS.**

17          The service referred to in section 2(a) may be ren-  
18          dered before the date of the enactment of this Act. An  
19          individual who performs such service before the date of  
20          the enactment of this Act may not be provided veterans  
21          benefits that accrue as a result of the enactment of this  
22          Act for any period of accrual before the date of the enact-  
23          ment of this Act.

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