AMENDMENT TO H.R. 5620, AS REPORTED
OFFERED BY MS. HAHN OF CALIFORNIA

Page 54, after line 2, insert the following:

SEC. 11. PAYMENTS TO INDIVIDUALS WHO SERVED DURING
WORLD WAR II IN THE UNITED STATES MERCHANT MARINE.

(a) Establishment of Compensation Fund.—
Subchapter II of chapter 5 of title 38, United States Code, is amended by adding at the end the following new section:

“§ 533. Merchant Mariner Equity Compensation Fund

“(a) Compensation Fund.—(1) There is in the general fund of the Treasury a fund to be known as the ‘Merchant Mariner Equity Compensation Fund’ (in this section referred to as the ‘compensation fund’).

“(2) Subject to the availability of funds for such purpose, amounts in the compensation fund shall be available to the Secretary without fiscal year limitation to make payments to eligible individuals in accordance with this section.

“(b) Eligible Individuals.—(1) An eligible individual is an individual who—

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

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

“(C) has engaged in qualified service.

“(2) For purposes of paragraph (1), a person has en-
gaged in qualified service if, between December 7, 1941,
and December 31, 1946, the person—

“(A) was a member of the United States mer-
chant marine (including the Army Transport Service
and the Naval Transport Service) serving as a crew-
member of a vessel that was—

“(i) operated by the War Shipping Admin-
istration or the Office of Defense Transpor-
tation (or an agent of the Administration or Of-

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

“(iii) under contract or charter to, or prop-
erty of, the Government of the United States;

“(iv) serving the Armed Forces; and
“(B) while so serving, was licensed or otherwise documented for service as a crewmember of such a vessel by an officer or employee of the United States authorized to license or document the person for such service.

“(3) In determining the information and assurances required in the application pursuant to paragraph (1)(A), the Secretary shall accept a DD–214 form as proof of qualified service.

“(c) PAYMENTS; AMOUNT; EXCLUSION FROM GROSS INCOME.—(1) Subject to the availability of appropriations for such purpose, amounts in the compensation fund shall be available to the Secretary without fiscal year limitation to make one payment to each eligible individual in accordance with this section.

“(2) Each such payment shall be in an amount equal to the appropriated funds divided by the total number of eligible individuals.

“(3) Any payment under this subsection shall not be considered gross income as that term is defined in section 61 of the Internal Revenue Code of 1986.

“(d) REPORTS.—The Secretary shall include, in documents submitted to Congress by the Secretary in support of the President’s budget for each fiscal year, detailed information on the operation of the compensation fund, in-
cluding the number of applicants, the number of eligible individuals receiving benefits, the amounts paid out of the compensation fund, and the administration of the compensation fund for that fiscal year and each of the three subsequent fiscal years.

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

(b) REGULATIONS.—Not later than 180 days after the date of the enactment of this section, the Secretary shall prescribe the regulations required under section 533(e) of title 38, United States Code, as added by subsection (a).

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

“533. Merchant Mariner Equity Compensation Fund.”.

(d) AUTHORIZATION OF SALE OF PERSHING HALL.—Section 403 of the Veterans’ Benefits Programs Improvement Act of 1991 (Public Law 102–86; 38 U.S.C. 2400 note) is amended by adding at the end the following new subsection:

“(f) AUTHORIZATION OF SALE.—(1) The Secretary may sell for fair market value Pershing Hall and transfer and convey to the purchaser all right, title, and interest of the United States in or to such property. The Secretary
shall determine fair market value based on an independent assessment conducted by another department or agency of the Federal Government or a nongovernmental entity. The Secretary may only accept money as consideration for such sale.

“(2) If the Secretary sells Pershing Hall pursuant to paragraph (1), the Secretary shall return to the entity from which the United States acquired Pershing Hall pursuant to the Act of June 28, 1935 (Chapter 323; 49 Stat. 426), any personal property (including memorabilia regarding General Pershing and the American Expeditionary Forces in France during World War I) in the possession of the Department of Veterans Affairs as of the date of the enactment of this subsection that was located in Pershing Hall (or otherwise associated with Pershing Hall) on the date of such acquisition.

“(3) The funds received by the Secretary pursuant to the sale of Pershing Hall under paragraph (1) shall be deposited in the Merchant Mariner Equity Compensation Fund of the Treasury and be made available, subject to appropriation and without fiscal year limitation, for the purposes of such account.

“(4)(A) Effective on the day after the date of the sale of Pershing Hall authorized under paragraph (1), the authority of the Secretary to carry out subsections (a), (b),
(c), and (e) shall terminate except for purposes of carrying out paragraph (2) of this subsection.

“(B) Effective on the date that is one year after the date of the sale of Pershing Hall authorized under paragraph (1), the Pershing Hall Revolving Fund shall be abolished and the corpus of the fund, including accrued interest, shall be deposited in the Merchant Mariner Equity Compensation Fund of the Treasury and be made available, without fiscal year limitation, for the purposes of such account.”.