

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

Page 54, after line 2, insert the following:

1 **SEC. 11. PAYMENTS TO INDIVIDUALS WHO SERVED DURING**
2 **WORLD WAR II IN THE UNITED STATES MER-**
3 **CHANT MARINE.**

4 (a) ESTABLISHMENT OF COMPENSATION FUND.—
5 Subchapter II of chapter 5 of title 38, United States Code,
6 is amended by adding at the end the following new section:

7 **“§ 533. Merchant Mariner Equity Compensation Fund**

8 “(a) COMPENSATION FUND.—(1) There is in the gen-
9 eral fund of the Treasury a fund to be known as the ‘Mer-
10 chant Mariner Equity Compensation Fund’ (in this sec-
11 tion referred to as the ‘compensation fund’).

12 “(2) Subject to the availability of funds for such pur-
13 pose, amounts in the compensation fund shall be available
14 to the Secretary without fiscal year limitation to make
15 payments to eligible individuals in accordance with this
16 section.

17 “(b) ELIGIBLE INDIVIDUALS.—(1) An eligible indi-
18 vidual is an individual who—

19 “(A) during the one-year period beginning on
20 the date of the enactment of this section, submits to

1 the Secretary an application containing such infor-
2 mation and assurances as the Secretary may require;

3 “(B) has not received benefits under the Serv-
4 icemen’s Readjustment Act of 1944 (Public Law
5 78–346); and

6 “(C) has engaged in qualified service.

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

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

14 “(i) operated by the War Shipping Admin-
15 istration or the Office of Defense Transpor-
16 tation (or an agent of the Administration or Of-
17 fice);

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

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

24 “(iv) serving the Armed Forces; and

1 “(B) while so serving, was licensed or otherwise
2 documented for service as a crewmember of such a
3 vessel by an officer or employee of the United States
4 authorized to license or document the person for
5 such service.

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

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

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

19 “(3) Any payment under this subsection shall not be
20 considered gross income as that term is defined in section
21 61 of the Internal Revenue Code of 1986.

22 “(d) REPORTS.—The Secretary shall include, in doc-
23 uments submitted to Congress by the Secretary in support
24 of the President’s budget for each fiscal year, detailed in-
25 formation on the operation of the compensation fund, in-

1 cluding the number of applicants, the number of eligible
2 individuals receiving benefits, the amounts paid out of the
3 compensation fund, and the administration of the com-
4 pensation fund for that fiscal year and each of the three
5 subsequent fiscal years.

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

8 (b) REGULATIONS.—Not later than 180 days after
9 the date of the enactment of this section, the Secretary
10 shall prescribe the regulations required under section
11 533(e) of title 38, United States Code, as added by sub-
12 section (a).

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

“533. Merchant Mariner Equity Compensation Fund.”.

17 (d) AUTHORIZATION OF SALE OF PERSHING
18 HALL.—Section 403 of the Veterans’ Benefits Programs
19 Improvement Act of 1991 (Public Law 102–86; 38 U.S.C.
20 2400 note) is amended by adding at the end the following
21 new subsection:

22 “(f) AUTHORIZATION OF SALE.—(1) The Secretary
23 may sell for fair market value Pershing Hall and transfer
24 and convey to the purchaser all right, title, and interest
25 of the United States in or to such property. The Secretary

1 shall determine fair market value based on an independent
2 assessment conducted by another department or agency
3 of the Federal Government or a nongovernmental entity.
4 The Secretary may only accept money as consideration for
5 such sale.

6 “(2) If the Secretary sells Pershing Hall pursuant to
7 paragraph (1), the Secretary shall return to the entity
8 from which the United States acquired Pershing Hall pur-
9 suant to the Act of June 28, 1935 (Chapter 323; 49 Stat.
10 426), any personal property (including memorabilia re-
11 garding General Pershing and the American Expedi-
12 tionary Forces in France during World War I) in the pos-
13 session of the Department of Veterans Affairs as of the
14 date of the enactment of this subsection that was located
15 in Pershing Hall (or otherwise associated with Pershing
16 Hall) on the date of such acquisition.

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

23 “(4)(A) Effective on the day after the date of the sale
24 of Pershing Hall authorized under paragraph (1), the au-
25 thority of the Secretary to carry out subsections (a), (b),

1 (c), and (e) shall terminate except for purposes of carrying
2 out paragraph (2) of this subsection.

3 “(B) Effective on the date that is one year after the
4 date of the sale of Pershing Hall authorized under para-
5 graph (1), the Pershing Hall Revolving Fund shall be
6 abolished and the corpus of the fund, including accrued
7 interest, shall be deposited in the Merchant Mariner Eq-
8 uity Compensation Fund of the Treasury and be made
9 available, without fiscal year limitation, for the purposes
10 of such account.”

