

116TH CONGRESS
1ST SESSION

H. R. 5044

To grant a Congressional Gold Medal, collectively, to the men and women of the United States Armed Forces and Merchant Marine, as well as citizen and non-citizen civilians who served honorably with the U.S. military, who were surrendered, captured, or abandoned to become prisoners of war (POWs) of Imperial Japan throughout the Japanese Empire in the Pacific Theater of World War II from December 7, 1941 to September 2, 1945.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 12, 2019

Mr. BOST (for himself, Mr. LOWENTHAL, Mr. BRINDISI, Mr. BANKS, Mr. CISNEROS, Mr. BILIRAKIS, Mr. PAPPAS, Mr. COX of California, and Mr. RODNEY DAVIS of Illinois) introduced the following bill; which was referred to the Committee on Financial Services, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To grant a Congressional Gold Medal, collectively, to the men and women of the United States Armed Forces and Merchant Marine, as well as citizen and non-citizen civilians who served honorably with the U.S. military, who were surrendered, captured, or abandoned to become prisoners of war (POWs) of Imperial Japan throughout the Japanese Empire in the Pacific Theater of World War II from December 7, 1941 to September 2, 1945.

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 “World War II Pacific
5 War Heroes Congressional Gold Medal Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) The United States POWs held by Imperial
9 Japan in the Pacific Theater during World War II,
10 with most held in captivity for more than three
11 years, are Pacific War heroes who represent the
12 American spirit of courage, tenacity, and faith.

13 (2) Imperial Japan did not abide by the Geneva
14 and Hague Conventions for the humane treatment
15 of POWs.

16 (3) The United States POWs held by Imperial
17 Japan during World War II numbered more than
18 27,000 with more than 11,000 or 40 percent per-
19 ishing before the end of War.

20 (4) On December 7, 1941, Imperial Japan at-
21 tacked not only Pearl Harbor in the United States
22 Territory of Hawaii, but also the other United
23 States possessions and military installations in the
24 Pacific of the Philippines, Guam, Wake Island,
25 Howland Island, and Midway as preludes to full-

1 scale invasions and military occupation throughout
2 the Asia-Pacific region.

3 (5) By the end of day, December 8, 1941, more
4 than 300 United States Marines, sailors, diplomats,
5 and Mariners in China became the first United
6 States prisoners of war of Imperial Japan with most
7 held for the full duration of the war;

8 (6) Ninety-eight percent of the United States
9 POWs of Imperial Japan fought in the heroic battles
10 of Guam, Wake Island, Sunda Strait, Halsey-Doo-
11 little Raid, Bataan, and Corregidor, all within the
12 first six months of World War II.

13 (7) Most of the United States airmen, infantry-
14 men, sailors, and Marines surrendered in defense of
15 the Netherlands East Indies in March 1942 were
16 sent to be slave laborers on the Thai-Burma Death
17 Railway or at construction projects in Changi,
18 Singapore.

19 (8) On April 9, 1942, approximately 12,000
20 United States military personnel and 66,000 Fili-
21 pino soldiers became POWs with the surrender of
22 the American-Filipino forces on the Bataan Penin-
23 sula in the Philippines.

24 (9) April 9, 1942, marked the beginning of the
25 infamous Bataan Death March where the Imperial

1 Japanese Army forced all American and Filipino
2 forces from Marviveles or Bagac up the Bataan Pe-
3 ninsula on a three-part, three-province, nearly 100-
4 mile trek north to the makeshift POW facility Camp
5 O'Donnell at Capas, Tarlac. An estimated 650
6 American and 5,000–10,000 Filipino soldiers died
7 on the Bataan Death March, while hundreds of men
8 remain unaccounted for.

9 (10) On May 6, 1942, Corregidor Island, then
10 operating as the military command center for all the
11 Philippines, United States Forces in the Philippines
12 (USFIP), was surrendered. Nearly 10,000 American
13 soldiers, sailors, airmen, and Marines as well as
14 more than 3,000 Filipino soldiers and nurses became
15 POWs of Imperial Japan.

16 (11) The May 6, 1942, fall of Corregidor Island
17 and subsequent surrender of all the Philippines Is-
18 lands marked the end of the U.S. Asiatic Fleet; the
19 U.S. Army Forces in the Far East (USAFFE), and
20 the U.S. Far East Air Force (USFEAF).

21 (12) Included in the surrenders the Philippines
22 were female nurses of United States Army, Navy,
23 Philippine Army, and civilian volunteers who became
24 the first large group of American women in combat
25 and, counted with the Army and Navy nurses sur-

1 rendered on Guam in December 1941, comprised the
2 first group of American military women taken cap-
3 tive and imprisoned by an enemy.

4 (13) More than 14,000 Americans POWs were
5 transported aboard “hellships”—in the holds of un-
6 marked merchant ships—from Pacific battle sites to
7 be used as slave laborers; one-third of all POW
8 deaths resulted from attacks on the “hellships” by
9 “friendly fire” from American submarines or air-
10 craft.

11 (14) More than 600 members of the United
12 States Merchant Marine including one female Mar-
13 iner, became prisoners of Imperial Japan, many of
14 whom were turned over to Japanese control after
15 being first captured by Nazi Germany’s naval forces.
16 Fifteen percent were killed by either Imperial Japan
17 Navy officers during capture or died in Japanese
18 POW camps.

19 (15) Throughout World War II, the Imperial
20 Japanese military maintained approximately 775
21 POW camps throughout the Empire: 185 POW
22 camps on the Home Islands of Japan and 590 in
23 other areas of the Pacific Theater, which includes an
24 unknown number of temporary camps.

1 (16) A priority of International Military Tri-
2 bunal for the Far East (IMTFE), also known as the
3 Tokyo War Crimes Tribunal and the ad hoc Amer-
4 ican and Allied military tribunals throughout the
5 Asia Pacific from 1945 to 1951 was to obtain justice
6 for the maltreatment of POWs. Approximately sev-
7 enty-five percent of the more than 5,600 defendants
8 were charged with offenses against POWs. This re-
9 flects the July 26, 1945, Potsdam Declaration’s
10 warning that, “stern justice shall be meted out to all
11 war criminals, including those who have visited cru-
12 elties upon our prisoners”.

13 (17) President Ronald Reagan first proclaimed
14 National Former Prisoner of War Recognition Day
15 in 1988, which was established to coincide with April
16 9, the anniversary of the start of the Bataan Death
17 March.

18 (18) In 2009, the Government of Japan issued
19 an official, Cabinet of Japan approved apology say-
20 ing “We extend a heartfelt apology for our country
21 having caused tremendous damage and suffering to
22 many people, including prisoners of wars, those who
23 have undergone tragic experiences in the Bataan Pe-
24 ninsula, Corregidor Island, in the Philippines, and
25 other places”.

1 (19) In 2010, the Government of Japan initi-
2 ated an annual visitation program for former United
3 States POWs of Japan and family members to visit
4 Japan for remembrance, reconciliation, and healing.

5 (20) It is time to recognize the ordinary men
6 and women who found uncommon courage in ex-
7 traordinary circumstances to fight the impossible
8 and endure the unimaginable for freedom from tyr-
9 anny and oppression.

10 (21) The Congressional Gold Medal is an ap-
11 propriate way to honor the service of the United
12 States POWs held by Imperial Japan in World War
13 II and to highlight the unique imprisonment of these
14 Pacific War heroes and their poignant history of
15 sacrifice, perseverance, patriotism, and faith.

16 **SEC. 3. DEFINITIONS.**

17 In this Act—

18 (a) the term “prisoners of war of Imperial Japan”
19 includes any individual who—

20 (1) was taken prisoner—

21 (A) by Japan while serving honorably in
22 the service of the United States at any time
23 during the period beginning on December 8,
24 1941, and ending on September 2, 1945;

1 (B) was taken prisoner by the Japanese
2 while serving in an active-duty status under the
3 command of the United States Army Forces in
4 the Far East (USAFFE), United States Forces
5 in the Philippines (USFIP), American-British-
6 Dutch-Australian (ABDA) Command, South-
7 west Pacific Area (SWPA), Pacific Ocean Area
8 (POA), China-Burma-India (CBI), Southeast
9 Asia Command (SEAC), 1st Defense Battalion,
10 Wake Island (Marines), Guam Battalion (Ma-
11 rines), 4th Marines, Marine Raiders, U.S. Asi-
12 atic Fleet, Twentieth Air Force, Far East Air
13 Force, United States Army Air Forces, and the
14 War Shipping Administration; or

15 (C) was taken prisoner on Attu Island in
16 the Aleutians part of Alaska on June 7, 1942;

17 (2) was not granted “parole” (release) by Impe-
18 rial Japanese forces during World War II; and

19 (3) holds “veterans’ status” or a “certificate of
20 honorable service” for their service in the Pacific
21 Theater of World War II when taken prisoner by
22 Japan;

23 (b) the term “Pacific Theater” means China, the
24 Central Pacific, Southeast Asia, and the Southwest Pacific
25 of World War II; and

1 (c) the term “Secretary” means the Secretary of the
2 Treasury.

3 **SEC. 4. CONGRESSIONAL GOLD MEDAL.**

4 (a) PRESENTATION AUTHORIZED.—The Speaker of
5 the House of Representatives and the President pro tem-
6 pore of the Senate shall make appropriate arrangements
7 for the award, on behalf of Congress, of a single gold
8 medal of appropriate design to the United States to the
9 men and women of the United States military and mer-
10 chant marine as well as citizen and non-citizen civilians
11 who fought with the U.S. military and were surrendered,
12 captured, or abandoned to become prisoners of war of Im-
13 perial Japan during World War II, in recognition of their
14 dedicated and vital service during World War II.

15 (b) DESIGN AND STRIKING.—For the purposes of the
16 award described in subsection (a), the Secretary of the
17 Treasury (in this Act referred to as the “Secretary”) shall
18 strike the gold medal with suitable emblems, devices, and
19 inscriptions, to be determined by the Secretary.

20 (c) SMITHSONIAN INSTITUTION.—

21 (1) IN GENERAL.—Following the award of the
22 gold medal under subsection (a), the gold medal
23 shall be given to the Smithsonian Institution’s Na-
24 tional Museum of American History, where it shall

1 be displayed as appropriate and made available for
2 research.

3 (2) SENSE OF CONGRESS.—It is the sense of
4 Congress that the Smithsonian Institution’s Na-
5 tional Museum of American History should make
6 the gold medal received under paragraph (1) avail-
7 able for display at other locations, particularly at lo-
8 cations that are associated with the prisoners of war
9 of Imperial Japan during World War II, such as
10 The Harry S. Truman Library and Museum, The
11 MacArthur Memorial, National Prisoner of War Mu-
12 seum; National Museum of the Pacific War, and
13 New Mexico Military Museum.

14 **SEC. 5. DUPLICATE MEDALS.**

15 Under such regulations as the Secretary may pre-
16 scribe, the Secretary may strike and sell duplicates in
17 bronze of the gold medal struck under section 4, at a price
18 sufficient to cover the costs of the medals, including labor,
19 materials, dies, use of machinery, and overhead expenses.

20 **SEC. 6. STATUS OF MEDALS.**

21 (a) NATIONAL MEDALS.—Medals struck under this
22 Act are national medals for purposes of chapter 51 of title
23 31, United States Code.

24 (b) NUMISMATIC ITEMS.—For purposes of section
25 5134 and 5136 of title 31, United States Code, all medals

1 struck under this Act shall be considered to be numismatic
2 items.

○