

111TH CONGRESS
1ST SESSION

S. 768

To grant the Congressional Gold Medal to the soldiers from the United States who were prisoners of war at Bataan during World War II.

IN THE SENATE OF THE UNITED STATES

APRIL 1, 2009

Mr. UDALL of New Mexico (for himself, Mr. BINGAMAN, Mr. BOND, Mr. INOUE, Mr. KERRY, Mr. LEVIN, Mr. UDALL of Colorado, and Ms. LANDRIEU) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To grant the Congressional Gold Medal to the soldiers from the United States who were prisoners of war at Bataan during World War II.

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. FINDINGS.**

4 Congress makes the following findings:

5 (1) By April 1942, nearly 12,000 soldiers from
6 the United States and 67,000 soldiers from the Phil-
7ippines based at Bataan, Philippines, had bravely
8 and staunchly fought off enemy attacks for more

1 than 4 months under strenuous conditions that re-
2 sulted in starvation and disease.

3 (2) By maintaining their position and engaging
4 the enemy for as long as they did, the soldiers at
5 Bataan were able to redefine the momentum of the
6 war and provide other United States and Allied
7 forces throughout the Pacific with time to plan and
8 prepare for subsequent crucial battles.

9 (3) On April 9, 1942, Major General Edward
10 King surrendered the soldiers from the United
11 States and the Philippines into enemy hands.

12 (4) Over the next week, the soldiers from the
13 United States and the Philippines were taken pris-
14 oner and forced to march 65 miles without any food,
15 water, or medical care in what came to be know as
16 the Bataan Death March.

17 (5) During this forced march, thousands of sol-
18 diers died, either from starvation, lack of medical
19 care, sheer exhaustion, or abuse by their captors.

20 (6) Within the first 40 days at Camp
21 O'Donnell, 1,600 more prisoners from the United
22 States died.

23 (7) The conditions at the camp were sub-
24 standard, leading to increased disease and malnutri-
25 tion among the prisoners.

1 (8) On June 6, 1942, the prisoners from the
2 United States were transferred to Cabanatuan,
3 north of Camp O'Donnell.

4 (9) In July 1942, all prisoners from the Phil-
5 ippines were paroled.

6 (10) The prisoners who remained in the camps
7 suffered from continued mistreatment, malnutrition,
8 lack of medical care, and horrific conditions.

9 (11) The prisoners who remained in these
10 camps were liberated in 1945.

11 (12) Over the subsequent decades, these pris-
12 oners formed support groups, were honored in local
13 and State memorials, and told their story to all peo-
14 ple of the United States.

15 (13) Many of these soldiers have now passed
16 away, and those who remain continue to tell their
17 story.

18 (14) The people of the United States are for-
19 ever indebted to these men for—

20 (A) the courage they demonstrated during
21 the first 4 months of World War II in fighting
22 against enemy soldiers; and

23 (B) the perseverance they demonstrated
24 during 3 years of capture, imprisonment, and

1 atrocious conditions, while maintaining dignity,
2 honor, patriotism, and loyalty.

3 **SEC. 2. CONGRESSIONAL GOLD MEDAL.**

4 (a) AWARD AUTHORIZED.—The Speaker of the
5 House of Representatives and the President pro tempore
6 of the Senate shall make appropriate arrangements for the
7 award, on behalf of the Congress, of a single gold medal
8 of appropriate design in honor of the soldiers from the
9 United States who were prisoners of war at Bataan, collec-
10 tively, in recognition of their personal sacrifice and service
11 to their country.

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

17 (c) SMITHSONIAN INSTITUTION.—

18 (1) IN GENERAL.—Following the award of the
19 gold medal in honor of the prisoners of war at Ba-
20 taan under subsection (a), the gold medal shall be
21 given to the Smithsonian Institution, where it shall
22 be displayed as appropriate and made available for
23 research.

24 (2) SENSE OF THE CONGRESS.—It is the sense
25 of the Congress that the Smithsonian Institution

1 should make the gold medal received under para-
2 graph (1) available for display at other locations,
3 particularly such locations as are associated with the
4 prisoners of war at Bataan.

5 **SEC. 3. DUPLICATE MEDALS.**

6 (a) STRIKING OF DUPLICATES.—Under such regula-
7 tions as the Secretary may prescribe, the Secretary may
8 strike duplicates in bronze of the gold medal struck under
9 section 2.

10 (b) SELLING OF DUPLICATES.—The Secretary may
11 sell such duplicates under subsection (a) at a price suffi-
12 cient to cover the costs of such duplicates, including labor,
13 materials, dies, use of machinery, and overhead expenses.

14 **SEC. 4. NATIONAL MEDALS.**

15 Medals struck pursuant to this Act are National med-
16 als for purposes of chapter 51 of title 31, United States
17 Code.

18 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS; PROCEEDS**
19 **OF SALE.**

20 (a) AUTHORIZATION OF APPROPRIATIONS.—There is
21 authorized to be charged against the United States Mint
22 Public Enterprise Fund, an amount not to exceed \$30,000
23 to pay for the cost of the medal authorized under section
24 2.

1 (b) PROCEEDS OF SALE.—Amounts received from the
2 sale of duplicate bronze medals under section 3 shall be
3 deposited in the United States Mint Public Enterprise
4 Fund.

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