

107TH CONGRESS
1ST SESSION

S. 1302

To authorize the payment of a gratuity to members of the Armed Forces and civilian employees of the United States who performed slave labor for Japan during World War II, or the surviving spouses of such members, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 2, 2001

Mr. BINGAMAN (for himself and Mr. HATCH) introduced the following bill;
which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To authorize the payment of a gratuity to members of the Armed Forces and civilian employees of the United States who performed slave labor for Japan during World War II, or the surviving spouses of such members, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. AUTHORITY TO PAY GRATUITY TO MEMBERS**
2 **OF THE ARMED FORCES AND CIVILIAN EM-**
3 **PLOYEES OF THE UNITED STATES FOR SLAVE**
4 **LABOR PERFORMED FOR JAPAN DURING**
5 **WORLD WAR II.**

6 (a) FINDINGS.—Congress makes the following find-
7 ings:

8 (1) During World War II, members of the
9 United States Armed Forces fought valiantly against
10 Japanese military forces in the Pacific. From De-
11 cember 1941 until May 1942, United States military
12 personnel fought valiantly against overwhelming
13 Japanese military forces on Wake Island, Guam, the
14 Philippine Islands, including the Bataan Peninsula
15 and Corregidor, and the Dutch East Indies, thereby
16 preventing Japan from accomplishing strategic ob-
17 jectives necessary for achieving a preemptive mili-
18 tary victory in the Pacific during World War II.

19 (2) In military action in the Philippines, United
20 States troops were ordered to surrender on April 9,
21 1942, and were forced to march 65 miles to prison
22 camps at Camp O'Donnell, Cabanatuan, and Bilibid.
23 More than 10,000 Americans died during the march,
24 known as the “Bataan Death March”, and during
25 subsequent imprisonment as a result of starvation,
26 disease, and executions.

1 (3) Beginning in January 1942, the Japanese
2 military began to transport United States prisoners
3 of war to Japan, Taiwan, Manchuria, and Korea to
4 perform slave labor to support their war industries.
5 Many of the unmarked merchant vessels in which
6 the prisoners were transported, called “Hell Ships”,
7 were attacked by American naval and air forces,
8 which, according to some estimates, resulted in more
9 than 3,600 American fatalities.

10 (4) Following the conclusion of World War II,
11 the United States Government agreed to pay com-
12 pensation to United States ex-prisoners of war
13 amounting to \$2.50 per day of imprisonment. This
14 compensation was paid from Japanese assets frozen
15 by the United States Government and do not begin
16 to fully compensate those ex-prisoners of war for the
17 short-term and long-term costs of the slave labor
18 they endured. Neither the Government of Japan nor
19 any Japanese corporations admit any liability for
20 further payment of such compensation.

21 (5) Other nations, including Canada, the
22 United Kingdom, and the Netherlands, have author-
23 ized payment of gratuities to their surviving veterans
24 who were captured by the Japanese during World
25 War II and required to perform slave labor.

1 (b) PURPOSE.—The purpose of this section is to rec-
 2 ognize, by the provision of compensation, the heroic con-
 3 tributions of the members of the Armed Forces and civil-
 4 ian employees of the United States who were captured by
 5 the Japanese military during World War II and denied
 6 their basic human rights by being made to perform slave
 7 labor by the Imperial Government of Japan or by Japa-
 8 nese corporations during World War II.

9 (c) PAYMENT OF GRATUITY AUTHORIZED.—The Sec-
 10 retary of Veterans Affairs may pay a gratuity to a covered
 11 veteran or civilian internee, or to the surviving spouse of
 12 a covered veteran or civilian internee, in the amount of
 13 \$20,000.

14 (d) COVERED VETERAN OR CIVILIAN INTERNEE DE-
 15 FINED.—In this section, the term “covered veteran or ci-
 16 vilian internee” means any individual who—

17 (1) was a member of the Armed Forces, a civil-
 18 ian employee of the United States, or an employee
 19 of a contractor of the United States during World
 20 War II;

21 (2) served in or with United States combat
 22 forces during World War II;

23 (3) was captured and held as a prisoner of war
 24 or prisoner by Japan in the course of such service;
 25 and

1 (4) was required by the Imperial Government of
2 Japan, or one or more Japanese corporations, to
3 perform slave labor during World War II.

4 (e) RELATIONSHIP TO OTHER PAYMENTS.—Any
5 amount paid a person under this section for activity de-
6 scribed in subsection (d) is in addition to any other
7 amount paid such person for such activity under any other
8 provision of law.

9 (f) INAPPLICABILITY OF TAXATION OR ATTACH-
10 MENT.—Any amount paid a person under this section
11 shall not be subject to any taxation, attachment, execu-
12 tion, levy, tax lien, or detention under any process what-
13 ever.

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