

109TH CONGRESS
1ST SESSION

S. 72

To amend title 5, United States Code, to require the issuance of a prisoner-of-war medal to civilian employees of the Federal Government who are forcibly detained or interned by an enemy government or a hostile force under wartime conditions.

IN THE SENATE OF THE UNITED STATES

JANUARY 24, 2005

Mr. INOUE introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To amend title 5, United States Code, to require the issuance of a prisoner-of-war medal to civilian employees of the Federal Government who are forcibly detained or interned by an enemy government or a hostile force under wartime conditions.

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. PRISONER-OF-WAR MEDAL FOR CIVILIAN EM-**
4 **PLOYEES OF THE FEDERAL GOVERNMENT.**

5 (a) AUTHORITY TO ISSUE PRISONER-OF-WAR
6 MEDAL.—(1) Subpart A of part III of title 5, United

1 States Code, is amended by inserting after chapter 23 the
 2 following new chapter:

3 **“CHAPTER 25—MISCELLANEOUS AWARDS**

“Sec.

“2501. Prisoner-of-war medal: issue.

4 **“§ 2501. Prisoner-of-war medal: issue**

5 “(a) The President shall issue a prisoner-of-war
 6 medal to any person who, while serving in any capacity
 7 as an officer or employee of the Federal Government, was
 8 forcibly detained or interned, not as a result of such per-
 9 son’s own willful misconduct—

10 “(1) by an enemy government or its agents, or
 11 a hostile force, during a period of war; or

12 “(2) by a foreign government or its agents, or
 13 a hostile force, during a period other than a period
 14 of war in which such person was held under cir-
 15 cumstances which the President finds to have been
 16 comparable to the circumstances under which mem-
 17 bers of the Armed Forces have generally been forc-
 18 ibly detained or interned by enemy governments dur-
 19 ing periods of war.

20 “(b) The prisoner-of-war medal shall be of appro-
 21 priate design, with ribbons and appurtenances.

22 “(c) Not more than one prisoner-of-war medal may
 23 be issued to a person under this section or section 1128
 24 of title 10. However, for each succeeding service that

1 would otherwise justify the issuance of such a medal, the
 2 President (in the case of service referred to in subsection
 3 (a) of this section) or the Secretary concerned (in the case
 4 of service referred to in section 1128(a) of title 10) may
 5 issue a suitable device to be worn as determined by the
 6 President or the Secretary, as the case may be.

7 “(d) For a person to be eligible for issuance of a pris-
 8 oner-of-war medal, the person’s conduct must have been
 9 honorable for the period of captivity which serves as the
 10 basis for the issuance.

11 “(e) If a person dies before the issuance of a prisoner-
 12 of-war medal to which the person is entitled, the medal
 13 may be issued to that person’s representative, as des-
 14 ignated by the President.

15 “(f) Under regulations prescribed by the President,
 16 a prisoner-of-war medal that is lost, destroyed, or ren-
 17 dered unfit for use without fault or neglect on the part
 18 of the person to whom it was issued may be replaced with-
 19 out charge.

20 “(g) In this section, the term ‘period of war’ has the
 21 meaning given such term in section 101(11) of title 38.”.

22 (2) The table of chapters at the beginning of part
 23 III of such title is amended by inserting after the item
 24 relating to chapter 23 the following new item:

“25. Miscellaneous Awards 2501”.

1 (b) APPLICABILITY.—Section 2501 of title 5, United
2 States Code, as added by subsection (a), applies with re-
3 spect to any person who, after April 5, 1917, is forcibly
4 detained or interned as described in subsection (a) of such
5 section.

○