

108TH CONGRESS
1ST SESSION

H. R. 2875

To establish procedures for consideration of applications for award of the Purple Heart medal to veterans who were held as prisoners of war before April 25, 1962.

IN THE HOUSE OF REPRESENTATIVES

JULY 24, 2003

Mr. JONES of North Carolina introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To establish procedures for consideration of applications for award of the Purple Heart medal to veterans who were held as prisoners of war before April 25, 1962.

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. PROCEDURES FOR CONSIDERATION OF APPLI-**
4 **CATIONS FOR AWARD OF THE PURPLE**
5 **HEART MEDAL TO VETERANS HELD AS PRIS-**
6 **ONERS OF WAR BEFORE APRIL 25, 1962.**

7 Subsection (b) of section 521 of the National Defense
8 Authorization Act for Fiscal Year 1996 (Public Law 104—

1 106; 110 Stat. 309; 10 U.S.C. 1129 note) is amended to
2 read as follows:

3 “(b) STANDARDS AND PROCEDURES FOR AWARD.—
4 In determining whether a former prisoner of war is eligible
5 for the award of the Purple Heart under subsection (a),
6 the Secretary concerned shall apply the following proce-
7 dures:

8 “(1) The standard to be used by the Secretary
9 concerned for awarding the Purple Heart under this
10 section shall be to award the Purple Heart in any
11 case in which a prisoner of war (A) was wounded
12 while in captivity, or (B) while in captivity was sub-
13 jected to systematic and prolonged deprivation of
14 food, medical treatment, and other forms of depriva-
15 tion or mistreatment likely to have prolonged
16 aftereffects on the individual concerned.

17 “(2) When a former prisoner of war applies for
18 the Purple Heart under subsection (a), the Secretary
19 concerned may request the former prisoner of war to
20 provide any documentation that the Secretary would
21 otherwise require, but failure of the former prisoner
22 of war to provide such documentation shall not by
23 itself be a disqualification for award of the Purple
24 Heart.

1 “(3) The Secretary concerned shall inform the
2 former prisoner of war that historical information as
3 to the prison camp or other circumstances in which
4 the former prisoner of war was held captive and
5 other information as to the circumstances of the
6 former prisoner of war’s captivity may be considered
7 by the Secretary in evaluating the application for the
8 award of the Purple Heart and that the former pris-
9 oner of war may submit such information.

10 “(4) The Secretary concerned shall provide as-
11 sistance to the applicant for the Purple Heart in ob-
12 taining information referred to in paragraph (3).

13 “(5) The Secretary shall review a completed ap-
14 plication under this section based upon the totality
15 of the evidence presented and shall take into account
16 the length of time between the period during which
17 the applicant was held as a prisoner of war and the
18 date of the application.

19 “(6) In considering an application under this
20 section, the Secretary shall take into account the
21 length of time that the applicant was held in cap-
22 tivity, which while not in itself establishing entitle-
23 ment of the applicant to award of the Purple Heart,
24 can and should be a factor in determining whether
25 a former prisoner of war was likely to have been

1 wounded, starved, or denied medical treatment to
2 the extent likely to have prolonged aftereffects on
3 the individual concerned.”.

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