

104TH CONGRESS
1ST SESSION

S. 215

For the relief of Bertha Berg, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 12 (legislative day, JANUARY 10), 1995

Mr. INOUE introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

For the relief of Bertha Berg, 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,*

3 **SECTION 1. FINDINGS.**

4 Congress finds that Bertha Berg—

5 (1) was born of German parents on Lihue,
6 Kauai in December of 1897;

7 (2) received United States citizenship through
8 the annexation of the Territory of Hawaii by the
9 United States;

10 (3) lost her United States citizenship through
11 marriage to a German citizen;

1 (4) renounced her German citizenship in 1930
2 and was repatriated;

3 (5) was arrested in Honolulu on December 8,
4 1941, and detained as an alien enemy at the Sand
5 Island Detention Camp on Oahu, on suspicion of
6 being dangerous to the internal security of the Unit-
7 ed States and the territory of Hawaii;

8 (6) was found to be engaged in subversive ac-
9 tivities and to be disloyal to the United States by the
10 Board of Officers and Civilians on December 26,
11 1941;

12 (7) was confined to the Sand Island Detention
13 Camp until March 3, 1943, whereupon she was
14 moved to the Honouliuli Internment Camp;

15 (8) was paroled from the Honouliuli Internment
16 Camp on June 26, 1943;

17 (9) was released from parole on February 2,
18 1944; and

19 (10) as compensation for being interned by the
20 United States Government at the Sand Island De-
21 tention Camp and the Honouliuli Internment Camp
22 between 1941 and 1943, and subject to conditions of
23 parole between 1943 and 1944, should receive the
24 same amount of compensation that eligible interns of
25 Japanese descent are awarded under section 105 of

1 the Civil Liberties Act of 1988 (50 U.S.C. App.
2 1989b-4).

3 **SEC. 2. SATISFACTION OF CLAIM AGAINST THE UNITED**
4 **STATES.**

5 (a) PAYMENT.—The Secretary of the Treasury shall
6 pay, out of any money in the Treasury not otherwise ap-
7 propriated, the sum of \$20,000 to Bertha Berg.

8 (b) BASIS.—Payment under subsection (a) shall be
9 full compensation for any physical, psychological, and eco-
10 nomic injuries sustained by Bertha Berg as a result of
11 being—

12 (1) involuntarily detained at the Sand Island
13 Detention Camp and the Honouliuli Internment
14 Camp between 1941 and 1943; and

15 (2) subject to conditions of parole between 1943
16 and 1944.

17 **SEC. 3. LIMITATION ON ATTORNEY AND AGENT FEES.**

18 (a) IN GENERAL.—Not more than 10 percent of the
19 payment specified in section 2 may be paid to or received
20 by an agent or attorney as consideration for a service ren-
21 dered in connection with this Act.

22 (b) ENFORCEABILITY OF CONTRACT.—A contract
23 that violates subsection (a) is unenforceable.

1 (c) CRIMINAL PENALTY.—Violation of subsection (a)
2 is a misdemeanor punishable by a fine of not more than
3 \$1,000.

○