

107TH CONGRESS
2^D SESSION

H. R. 3250

IN THE SENATE OF THE UNITED STATES

JUNE 19, 2002

Received; read twice and referred to the Committee on Banking, Housing, and
Urban Affairs

AN ACT

To authorize the presentation of gold medals on behalf of Congress to Native Americans who served as Code Talkers during foreign conflicts in which the United States was involved during the 20th Century in recognition of their service to the Nation.

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. SHORT TITLE.**

4 This Act may be cited as the “Code Talkers Recogni-
5 tion Act”.

6 **SEC. 2. EXPRESSION OF RECOGNITION.**

7 The purpose of the medals authorized by this Act are
8 to express recognition by the United States and its citizens
9 and to honor the Native American Code Talkers who dis-
10 tinguished themselves in performing highly successful
11 communications operations of a unique type that greatly
12 assisted in saving countless lives and in hastening the end
13 of World War I and World War II.

14 **TITLE I—SIOUX CODE TALKERS**

15 **SEC. 101. FINDINGS.**

16 Congress finds the following:

17 (1) Sioux Indians used their native languages,
18 Dakota, Lakota, and Nakota Sioux, as code during
19 World War II.

20 (2) These people, who manned radio commu-
21 nications networks to advise of enemy actions, be-
22 came known as the Sioux Code Talkers.

23 (3) Under some of the heaviest combat action,
24 the Code Talkers worked around the clock to provide
25 information which saved the lives of many Ameri-

1 cans in the Pacific and Europe, such as the location
2 of enemy troops and the number of enemy guns.

3 (4) The Sioux Code Talkers were so successful
4 that military commanders credit the code with sav-
5 ing the lives of countless American soldiers and
6 being instrumental to the success of the United
7 States in many battles during World War II.

8 **SEC. 102. CONGRESSIONAL GOLD MEDAL.**

9 The Speaker of the House of Representatives and the
10 President Pro Tempore of the Senate shall make appro-
11 priate arrangements for the presentation, on behalf of the
12 Congress, of a gold medal of appropriate design, to each
13 Sioux Code Talker, including the following:

- 14 (1) Eddie Eagle Boy.
- 15 (2) Simon Brokenleg.
- 16 (3) Iver Crow Eagle, Sr.
- 17 (4) Edmund St. John.
- 18 (5) Walter C. John.
- 19 (6) John Bear King.
- 20 (7) Phillip “Stoney” LaBlanc.
- 21 (8) Baptiste Pumpkinseed.
- 22 (9) Guy Rondell.
- 23 (10) Charles Whitepipe.
- 24 (11) Clarence Wolfguts.

1 **TITLE II—COMANCHE CODE**
2 **TALKERS**

3 **SEC. 201. FINDINGS.**

4 The Congress finds the following:

5 (1) On December 7, 1941, the Japanese Em-
6 pire attacked Pearl Harbor, Hawaii, and the Con-
7 gress declared war the following day.

8 (2) The military code, developed by the United
9 States for transmitting messages, had been deci-
10 phered by the Axis powers, and United States mili-
11 tary intelligence sought to develop a new means to
12 counter the enemy.

13 (3) The United States Government called upon
14 the Comanche Nation to support the military effort
15 by recruiting and enlisting Comanche men to serve
16 in the United States Army to develop a secret code
17 based on the Comanche language.

18 (4) At the time, the Comanches were second-
19 class citizens, and they were a people who were dis-
20 couraged from using their own language.

21 (5) The Comanches of the 4th Signal Division
22 became known as the “Comanche Code Talkers” and
23 helped to develop a code using their language to
24 communicate military messages during the D-Day

1 invasion and in the European theater during World
2 War II.

3 (6) To the enemy's frustration, the code devel-
4 oped by these Native American Indians proved to be
5 unbreakable and was used extensively throughout
6 the European theater.

7 (7) The Comanche language, discouraged in the
8 past, was instrumental in developing one of the most
9 significant and successful military codes of World
10 War II.

11 (8) The Comanche Code Talkers contributed
12 greatly to the Allied war effort in Europe and were
13 instrumental in winning the war in Europe. Their
14 efforts saved countless lives.

15 (9) Only 1 of the Comanche Code Talkers of
16 World War II remains alive today.

17 (10) The time has come for the United States
18 Congress to honor the Comanche Code Talkers for
19 their valor and their service to the Nation.

20 (11) The congressional gold medals authorized
21 by this title are the recognition and honor by the
22 United States and its citizens of the Comanche Code
23 Talkers who distinguished themselves in performing
24 a unique, highly successful communications oper-
25 ation that greatly assisted in saving countless lives

1 and in hastening the end of World War II in Eu-
2 rope.

3 **SEC. 202. CONGRESSIONAL GOLD MEDAL.**

4 The Speaker of the House of Representatives and the
5 President Pro Tempore of the Senate shall make appro-
6 priate arrangements for the presentation, on behalf of the
7 Congress, of a gold medal of appropriate design to each
8 of the following Comanche Code Talkers of World War
9 II, in recognition of their contributions to the Nation:

- 10 (1) Charles Chibitty.
- 11 (2) Haddon Codynah.
- 12 (3) Robert Holder.
- 13 (4) Forrest Kassinovoid.
- 14 (5) Willington Mihecoby.
- 15 (6) Perry Noyebad.
- 16 (7) Clifford Otitivo.
- 17 (8) Simmons Parker.
- 18 (9) Melvin Permansu.
- 19 (10) Dick Red Elk.
- 20 (11) Elgin Red Elk.
- 21 (12) Larry Saupitty.
- 22 (13) Morris Sunrise.
- 23 (14) Willie Yackeschi.

1 **TITLE III—CHOCTAW CODE**
2 **TALKERS**

3 **SEC. 301. FINDINGS.**

4 Congress finds the following:

5 (1) On April 6, 1917, the United States, after
6 extraordinary provocations, declared war on Ger-
7 many, thus the United States entered World War I,
8 the War to End All Wars.

9 (2) At the time of this declaration of war, In-
10 dian people in the United States, including members
11 of the Choctaw Nation, were not accorded the status
12 of citizens of the United States.

13 (3) Without regard to this lack of citizenship,
14 many members of the Choctaw Nation joined many
15 members of other Indian tribes and nations in enlist-
16 ing in the Armed Forces to fight on behalf of their
17 native land.

18 (4) Members of the Choctaw Nation were en-
19 listed in the force known as the American Expedi-
20 tionary Force, which began hostile actions in France
21 in the fall of 1917, and specifically, members of the
22 Choctaw Nation were incorporated in a company of
23 Indian enlistees serving in the 142d Infantry Com-
24 pany of the 36th Division.

1 (5) A major impediment to Allied operations in
2 general, and American operations in particular, was
3 the fact that the German forces had deciphered all
4 codes used for transmitting information between Al-
5 lied commands, leading to substantial loss of men
6 and materiel during the first year of American ac-
7 tion.

8 (6) Because of the proximity and static nature
9 of the battle lines, a method to communicate without
10 the knowledge of the enemy was needed.

11 (7) An American commander realized the fact
12 that he had under his command a number of men
13 who spoke a native language. While the use of such
14 native languages was discouraged by the American
15 Government, the commander sought out and re-
16 cruited 18 Choctaw Indians to use for transmission
17 of field telephone communications during an upcom-
18 ing campaign.

19 (8) Because the language used by the Choctaw
20 soldiers in the transmission of information was not
21 based on a European language or on a mathematical
22 progression, the Germans were unable to understand
23 any of the transmissions.

1 (9) The Choctaw soldiers were placed in dif-
2 ferent command positions, to achieve the widest pos-
3 sible area for communications.

4 (10) The use of the Choctaw Code Talkers was
5 particularly important in the movement of American
6 soldiers in October of 1918 (including securing for-
7 ward and exposed positions), in the protection of
8 supplies during American action (including pro-
9 tecting gun emplacements from enemy shelling), and
10 in the preparation for the assault on German posi-
11 tions in the final stages of combat operations in the
12 fall of 1918.

13 (11) In the opinion of the officers involved, the
14 use of Choctaw Indians to transmit information in
15 their native language saved men and munitions, and
16 was highly successful. Based on this successful expe-
17 rience, Choctaw Indians were being withdrawn from
18 frontline units for training in transmission of codes
19 so as to be more widely used when the war came to
20 a halt.

21 (12) The Germans never succeeded in breaking
22 the Choctaw code.

23 (13) This was the first time in modern warfare
24 that such transmission of messages in a native

1 American language was used for the purpose of con-
2 fusing the enemy.

3 (14) This action by members of the Choctaw
4 Nation is another example of the commitment of
5 American Indians to the defense of our great Nation
6 and adds to the proud legacy of such service.

7 (15) The Choctaw Nation has honored the ac-
8 tions of these 18 Choctaw Code Talkers through a
9 memorial bearing their names located at the en-
10 trance of the tribal complex in Durant, Oklahoma.

11 **SEC. 302. CONGRESSIONAL GOLD MEDAL.**

12 The Speaker of the House of Representatives and the
13 President Pro Tempore of the Senate shall make appro-
14 priate arrangements for the presentation, on behalf of the
15 Congress, of a gold medal of appropriate design honoring
16 the Choctaw Code Talkers.

17 **TITLE IV—GENERAL**
18 **PROVISIONS**

19 **SEC. 401. MEDALS FOR OTHER CODE TALKERS.**

20 (a) PRESENTATION AUTHORIZED.—In addition to
21 the gold medals authorized to be presented under section
22 102, 202, and 302, the Speaker of the House of Rep-
23 resentatives and the President Pro Tempore of the Senate
24 shall make appropriate arrangements for the presentation,
25 on behalf of the Congress, of a gold medal of appropriate

1 design to any other Native American Code Talker identi-
2 fied by the Secretary of Defense pursuant to subsection
3 (b) who has not previously received a congressional gold
4 medal.

5 (b) IDENTIFICATION OF OTHER NATIVE AMERICAN
6 CODE TALKERS.—

7 (1) IN GENERAL.—Any Native American mem-
8 ber of the United States Armed Forces who served
9 as a Code Talker in any foreign conflict in which the
10 United States was involved during the 20th Century
11 shall be eligible for a gold medal under this section.

12 (2) DETERMINATION.—Eligibility under para-
13 graph (1) shall be determined by the Secretary of
14 Defense and such Secretary shall establish a list of
15 the names of such eligible individuals before the end
16 of the 120-day period beginning on the date of the
17 enactment of this Act.

18 **SEC. 402. PROVISIONS APPLICABLE TO ALL MEDALS**
19 **UNDER THIS ACT.**

20 (a) MEDALS AWARDED POSTHUMOUSLY.—Medals
21 authorized by this Act may be awarded posthumously on
22 behalf of, and presented to the next of kin or other rep-
23 resentative of, a Native American Code Talker.

24 (b) DESIGN AND STRIKING.—

1 (1) IN GENERAL.—For purposes of any presen-
2 tation of a gold medal under this Act, the Secretary
3 of the Treasury shall strike gold medals with suit-
4 able emblems, devices, and inscriptions, to be deter-
5 mined by the Secretary.

6 (2) DESIGNS EMBLEMATIC OF TRIBAL AFFILI-
7 ATION.—The design of the gold medals struck under
8 this Act for Native American Code talkers of the
9 same Indian tribe shall be emblematic of the partici-
10 pation of the Code Talkers of such Indian tribe.

11 (3) INDIAN TRIBE DEFINED.—For purposes of
12 this subsection, the term “Indian tribe” has the
13 same meaning as in section 4 of the Indian Self-De-
14 termination and Education Assistance Act.

15 **SEC. 403. DUPLICATE MEDALS.**

16 The Secretary of the Treasury may strike and sell
17 duplicates in bronze of the gold medals struck under this
18 Act in accordance with such regulations as the Secretary
19 may prescribe, and at a price sufficient to cover the costs
20 thereof, including labor, materials, dies, use of machinery,
21 and overhead expenses, and the cost of the bronze medal.

22 **SEC. 404. STATUS AS NATIONAL MEDALS.**

23 The medals struck pursuant to this Act are national
24 medals for purposes of chapter 51 of title 31, United
25 States Code.

1 **SEC. 405. FUNDING.**

2 (a) **AUTHORITY TO USE FUND AMOUNTS.**—There is
3 authorized to be charged against the United States Mint
4 Public Enterprise Fund such amounts as may be nec-
5 essary to pay for the costs of the medals authorized by
6 this Act.

7 (b) **PROCEEDS OF SALE.**—Amounts received from the
8 sale of duplicate bronze medals under section 403 shall
9 be deposited in the United States Mint Public Enterprise
10 Fund.

Passed the House of Representatives June 18, 2002.

Attest:

JEFF TRANDAHL,

Clerk.