

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 1035

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## AN ACT

To authorize the presentation of commemorative 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 the service of those Native Americans to the United States.

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; TABLE OF CONTENTS.**

4       (a) SHORT TITLE.—This Act may be cited as the  
5 “Code Talkers Recognition Act”.

1 (b) TABLE OF CONTENTS.—The table of contents of  
 2 this Act is as follows:

Sec. 1. Short title; table of contents.  
 Sec. 2. Expression of recognition.

TITLE I—SIOUX CODE TALKERS

Sec. 101. Findings.  
 Sec. 102. Congressional commemorative medal.

TITLE II—COMANCHE CODE TALKERS

Sec. 201. Findings.  
 Sec. 202. Congressional commemorative medal.

TITLE III—CHOCTAW CODE TALKERS

Sec. 301. Findings.  
 Sec. 302. Congressional commemorative medal.

TITLE IV—SAC AND FOX CODE TALKERS

Sec. 401. Findings.  
 Sec. 402. Congressional commemorative medal.

TITLE V—GENERAL PROVISIONS

Sec. 501. Definition of Indian tribe.  
 Sec. 502. Medals for other Code Talkers.  
 Sec. 503. Provisions applicable to all medals under this Act.  
 Sec. 504. Duplicate medals.  
 Sec. 505. Status as national medals.  
 Sec. 506. Funding.

3 **SEC. 2. EXPRESSION OF RECOGNITION.**

4 The purpose of the medals authorized by this Act is  
 5 to express recognition by the United States and citizens  
 6 of the United States of, and to honor, the Native Amer-  
 7 ican Code Talkers who distinguished themselves in per-  
 8 forming highly successful communications operations of a  
 9 unique type that greatly assisted in saving countless lives  
 10 and in hastening the end of World War I and World War  
 11 II.

# 1 **TITLE I—SIOUX CODE TALKERS**

## 2 **SEC. 101. FINDINGS.**

3 Congress finds that—

4 (1) Sioux Indians used their native languages,  
5 Dakota, Lakota, and Dakota Sioux, as code during  
6 World War II;

7 (2) those individuals, who manned radio com-  
8 munications networks to advise of enemy actions, be-  
9 came known as the Sioux Code Talkers;

10 (3) under some of the heaviest combat action,  
11 the Code Talkers worked around the clock to provide  
12 information that saved the lives of many Americans  
13 in war theaters in the Pacific and Europe, such as  
14 the location of enemy troops and the number of  
15 enemy guns; and

16 (4) the Sioux Code Talkers were so successful  
17 that military commanders credit the code with sav-  
18 ing the lives of countless American soldiers and  
19 being instrumental to the success of the United  
20 States in many battles during World War II.

## 21 **SEC. 102. CONGRESSIONAL COMMEMORATIVE MEDAL.**

22 The President Pro Tempore of the Senate and the  
23 Speaker of the House of Representatives shall make ap-  
24 propriate arrangements for the presentation, on behalf of

1 Congress, of a commemorative medal of appropriate de-  
2 sign, to each Sioux Code Talker, including—

- 3 (1) Eddie Eagle Boy;
- 4 (2) Simon Brokenleg;
- 5 (3) Iver Crow Eagle, Sr.;
- 6 (4) Edmund St. John;
- 7 (5) Walter C. John;
- 8 (6) John Bear King;
- 9 (7) Phillip “Stoney” LaBlanc;
- 10 (8) Baptiste Pumpkinseed;
- 11 (9) Guy Rondell;
- 12 (10) Charles Whitepipe; and
- 13 (11) Clarence Wolfguts.

## 14 **TITLE II—COMANCHE CODE** 15 **TALKERS**

### 16 **SEC. 201. FINDINGS.**

17 Congress finds that—

18 (1) the Japanese Empire attacked Pearl Har-  
19 bor, Hawaii, on December 7, 1941, and Congress  
20 declared war on Japan the following day;

21 (2) the military code developed by the United  
22 States for transmitting messages had been deci-  
23 phered by the Axis powers, and United States mili-  
24 tary intelligence sought to develop a new means to  
25 counter the enemy;

1           (3) the Federal Government called on the Co-  
2           manche Nation to support the military effort by re-  
3           cruiting and enlisting Comanche men to serve in the  
4           United States Army to develop a secret code based  
5           on the Comanche language;

6           (4) at the time, the Comanches were—

7                   (A) considered to be second-class citizens;

8                   and

9                   (B) discouraged from using their own lan-  
10           guage;

11           (5) the Comanches of the 4th Signal Division  
12           became known as the “Comanche Code Talkers” and  
13           helped to develop a code using their language to  
14           communicate military messages during the D-Day  
15           invasion and in the European theater during World  
16           War II;

17           (6) to the frustration of the enemy, the code de-  
18           veloped by those Native Americans—

19                   (A) proved to be unbreakable; and

20                   (B) was used extensively throughout the  
21           European war theater;

22           (7) the Comanche language, discouraged in the  
23           past, was instrumental in developing 1 of the most  
24           significant and successful military codes of World  
25           War II;

1 (8) the efforts of the Comanche Code Talkers—

2 (A) contributed greatly to the Allied war  
3 effort in Europe;

4 (B) were instrumental in winning the war  
5 in Europe; and

6 (C) saved countless lives;

7 (9) only 1 of the Comanche Code Talkers of  
8 World War II remains alive today; and

9 (10) the time has come for Congress to honor  
10 the Comanche Code Talkers for their valor and serv-  
11 ice to the United States.

12 **SEC. 202. CONGRESSIONAL COMMEMORATIVE MEDAL.**

13 The President Pro Tempore of the Senate and the  
14 Speaker of the House of Representatives shall make ap-  
15 propriate arrangements for the presentation, on behalf of  
16 Congress, of a commemorative medal of appropriate de-  
17 sign to each of the following Comanche Code Talkers of  
18 World War II, in recognition of contributions of those in-  
19 dividuals to the United States:

20 (1) Charles Chibitty.

21 (2) Haddon Codynah.

22 (3) Robert Holder.

23 (4) Forrest Kassinovoid.

24 (5) Willington Mihecoby.

25 (6) Perry Noyebad.

- 1 (7) Clifford Otitivo.
- 2 (8) Simmons Parker.
- 3 (9) Melvin Permansu.
- 4 (10) Dick Red Elk.
- 5 (11) Elgin Red Elk.
- 6 (12) Larry Saupitty.
- 7 (13) Morris Sunrise.
- 8 (14) Willie Yackeschi.

## 9 **TITLE III—CHOCTAW CODE**

### 10 **TALKERS**

#### 11 **SEC. 301. FINDINGS.**

12 Congress finds that—

13 (1) on April 6, 1917, the United States, after  
14 extraordinary provocations, declared war on Ger-  
15 many and entered World War I, the War to End All  
16 Wars;

17 (2) at the time of that declaration of war, In-  
18 dian people in the United States, including members  
19 of the Choctaw Nation, were not accorded the status  
20 of citizens of the United States;

21 (3) without regard to this lack of citizenship,  
22 many members of the Choctaw Nation joined many  
23 members of other Indian tribes and nations in enlist-  
24 ing in the Armed Forces to fight on behalf of the  
25 United States;

1 (4) members of the Choctaw Nation were—

2 (A) enlisted in the force known as the  
3 American Expeditionary Force, which began  
4 hostile actions in France in the fall of 1917;  
5 and

6 (B) incorporated in a company of Indian  
7 enlistees serving in the 142d Infantry Company  
8 of the 36th Division;

9 (5) a major impediment to Allied operations in  
10 general, and operations of the United States in par-  
11 ticular, was the fact that the German forces had de-  
12 ciphered all codes used for transmitting information  
13 between Allied commands, leading to substantial loss  
14 of men and materiel during the first year in which  
15 the military of the United States engaged in combat  
16 in World War I;

17 (6) because of the proximity and static nature  
18 of the battle lines, a method to communicate without  
19 the knowledge of the enemy was needed;

20 (7) a commander of the United States realized  
21 the fact that he had under his command a number  
22 of men who spoke a native language;

23 (8) while the use of such native languages was  
24 discouraged by the Federal Government, the com-  
25 mander sought out and recruited 18 Choctaw Indi-



1       ans to assist in transmitting field telephone commu-  
2       nications during an upcoming campaign;

3               (9) because the language used by the Choctaw  
4       soldiers in the transmission of information was not  
5       based on a European language or on a mathematical  
6       progression, the Germans were unable to understand  
7       any of the transmissions;

8               (10) the Choctaw soldiers were placed in dif-  
9       ferent command positions to achieve the widest prac-  
10      ticable area for communications;

11              (11) the use of the Choctaw Code Talkers was  
12      particularly important in—

13                   (A) the movement of American soldiers in  
14      October of 1918 (including securing forward  
15      and exposed positions);

16                   (B) the protection of supplies during  
17      American action (including protecting gun em-  
18      placements from enemy shelling); and

19                   (C) in the preparation for the assault on  
20      German positions in the final stages of combat  
21      operations in the fall of 1918;

22              (12) in the opinion of the officers involved, the  
23      use of Choctaw Indians to transmit information in  
24      their native language saved men and munitions, and  
25      was highly successful;

1           (13) based on that successful experience, Choctaw  
2           Indians were withdrawn from frontline units for  
3           training in transmission of codes so as to be more  
4           widely used when the war came to an end;

5           (14) the Germans never succeeded in breaking  
6           the Choctaw code;

7           (15) that was the first time in modern warfare  
8           that the transmission of messages in a Native Amer-  
9           ican language was used for the purpose of confusing  
10          the enemy;

11          (16) this action by members of the Choctaw  
12          Nation—

13                 (A) is another example of the commitment  
14                 of Native Americans to the defense of the  
15                 United States; and

16                 (B) adds to the proud legacy of such serv-  
17                 ice; and

18          (17) the Choctaw Nation has honored the ac-  
19          tions of those 18 Choctaw Code Talkers through a  
20          memorial bearing their names located at the en-  
21          trance of the tribal complex in Durant, Oklahoma.

22 **SEC. 302. CONGRESSIONAL COMMEMORATIVE MEDAL.**

23          The President Pro Tempore of the Senate and the  
24          Speaker of the House of Representatives shall make ap-  
25          propriate arrangements for the presentation, on behalf of

1 Congress, of a commemorative medal of appropriate de-  
2 sign honoring the Choctaw Code Talkers.

3 **TITLE IV—SAC AND FOX CODE**  
4 **TALKERS**

5 **SEC. 401. FINDINGS.**

6 Congress finds that—

7 (1) Sac and Fox Indians used their native lan-  
8 guage, Meskwaki, to transmit military code during  
9 World War II;

10 (2) those individuals, who manned radio com-  
11 munications networks to advise of enemy actions, be-  
12 came known as the Sac and Fox Code Talkers; and

13 (3) under heavy combat action, the Code Talk-  
14 ers worked without sleep to provide information that  
15 saved the lives of many Americans.

16 **SEC. 402. CONGRESSIONAL COMMEMORATIVE MEDAL.**

17 The President Pro Tempore of the Senate and the  
18 Speaker of the House of Representatives shall make ap-  
19 propriate arrangements for the presentation, on behalf of  
20 Congress, of a commemorative medal of appropriate de-  
21 sign, to each of the following Sac and Fox Code Talkers  
22 of World War II, in recognition of the contributions of  
23 those individuals to the United States:

24 (1) Frank Sanache.

25 (2) Willard Sanache.

- 1           (3) Dewey Youngbear.  
2           (4) Edward Benson.  
3           (5) Judie Wayne Wabaunasee.  
4           (6) Mike Wayne Wabaunasee.  
5           (7) Dewey Roberts.  
6           (8) Melvin Twin.

## 7 **TITLE V—GENERAL PROVISIONS**

### 8 **SEC. 501. DEFINITION OF INDIAN TRIBE.**

9           In this title, the term “Indian tribe” has the meaning  
10 given the term in section 4 of the Indian Self-Determina-  
11 tion and Education Assistance Act (25 U.S.C. 4506).

### 12 **SEC. 502. MEDALS FOR OTHER CODE TALKERS.**

13           (a) PRESENTATION AUTHORIZED.—In addition to  
14 the commemorative medals authorized to be presented  
15 under sections 102, 202, 302, and 402, the President Pro  
16 Tempore of the Senate and the Speaker of the House of  
17 Representatives shall make appropriate arrangements for  
18 the presentation, on behalf of Congress, of a commemora-  
19 tive medal of appropriate design to any other Native  
20 American Code Talker identified by the Secretary of De-  
21 fense under subsection (b) who has not previously received  
22 a congressional commemorative medal.

23           (b) IDENTIFICATION OF OTHER NATIVE AMERICAN  
24 CODE TALKERS.—

1           (1) IN GENERAL.—Any Native American mem-  
2           ber of the United States Armed Forces who served  
3           as a Code Talker in any foreign conflict in which the  
4           United States was involved during the 20th Century  
5           shall be eligible for a commemorative medal under  
6           this section.

7           (2) DETERMINATION.—The Secretary of De-  
8           fense shall—

9                   (A) determine eligibility under paragraph  
10                  (1); and

11                   (B) not later than 120 days after the date  
12                  of enactment of this Act, establish a list of the  
13                  names of individuals eligible to receive a medal  
14                  under paragraph (1).

15 **SEC. 503. PROVISIONS APPLICABLE TO ALL MEDALS**  
16 **UNDER THIS ACT.**

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

21           (b) DESIGN AND STRIKING.—

22                   (1) IN GENERAL.—For purposes of any presen-  
23                  tation of a commemorative medal under this Act, the  
24                  Secretary of the Treasury shall strike gold medals

1 with suitable emblems, devices, and inscriptions, to  
2 be determined by the Secretary of the Treasury.

3 (2) **DESIGNS EMBLEMATIC OF TRIBAL AFFILI-**  
4 **ATION.**—The design of the commemorative medals  
5 struck under this Act for Native American Code  
6 Talkers who are members of the same Indian tribe  
7 shall be emblematic of the participation of the Code  
8 Talkers of that Indian tribe.

9 **SEC. 504. DUPLICATE MEDALS.**

10 The Secretary of the Treasury may strike and sell  
11 duplicates in bronze of the commemorative medals struck  
12 under this Act—

13 (1) in accordance with such regulations as the  
14 Secretary may promulgate; and

15 (2) at a price sufficient to cover the costs of the  
16 medals (including labor, materials, dies, use of ma-  
17 chinery, and overhead expenses, and the cost of the  
18 bronze medal).

19 **SEC. 505. STATUS AS NATIONAL MEDALS.**

20 Medals struck pursuant to this Act are national med-  
21 als for purposes of chapter 51 of title 31, United States  
22 Code.

23 **SEC. 506. FUNDING.**

24 (a) **AUTHORITY TO USE FUND AMOUNTS.**—There is  
25 authorized to be charged against the United States Mint

1 Public Enterprise Fund such amounts as are necessary  
2 to strike and award medals authorized by this Act.

3 (b) PROCEEDS OF SALE.—All amounts received from  
4 the sale of duplicate bronze medals under section 504 shall  
5 be deposited in the United States Mint Public Enterprise  
6 Fund.

Passed the Senate September 20, 2006.

Attest:

*Secretary.*

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

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To authorize the presentation of commemorative 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 the service of those Native Americans to the United States.