

110TH CONGRESS
1ST SESSION

H. R. 4544

To require the issuance of medals to recognize the dedication and valor
of Native American code talkers.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 13, 2007

Mr. BOREN (for himself, Mr. FRANK of Massachusetts, Mr. KILDEE, Mr. PERLMUTTER, Mr. GENE GREEN of Texas, Mr. KENNEDY, Mr. GUTIERREZ, Mr. KIND, Mr. BARROW, Mr. BOSWELL, Mrs. BOYDA of Kansas, Mr. COLE of Oklahoma, Mr. JONES of North Carolina, Mr. YOUNG of Alaska, Mr. GILCHREST, Ms. FALLIN, Mr. SHULER, Mrs. MALONEY of New York, Mr. BRADY of Texas, Ms. KILPATRICK, Mr. SULLIVAN, Mr. ABERCROMBIE, and Mr. LUCAS) introduced the following bill; which was referred to the Committee on Financial Services, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To require the issuance of medals to recognize the dedication
and valor of Native American code talkers.

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 of 2007”.

1 **SEC. 2. PURPOSE.**

2 The purpose of this Act is to require the issuance
3 of medals to express the sense of the Congress that—

4 (1) the service of Native American code talkers
5 to the United States deserves immediate recognition
6 for dedication and valor; and

7 (2) honoring Native American code talkers is
8 long overdue.

9 **SEC. 3. FINDINGS.**

10 The Congress finds that—

11 (1) when the United States entered World War
12 I, Native Americans were not accorded the status of
13 citizens of the United States;

14 (2) without regard to that lack of citizenship,
15 members of Indian tribes and nations enlisted in the
16 Armed Forces to fight on behalf of the United
17 States;

18 (3) the first reported use of Native American
19 code talkers was on October 17, 1918;

20 (4)(A) during World War I, Choctaw code talk-
21 ers were the first code talkers who played a role in
22 United States military operations by transmitting
23 vital communications that helped defeat German
24 forces in Europe;

25 (B) because the language used by the Choctaw
26 code talkers in the transmission of information was

1 not based on a European language or on a mathe-
2 matical progression, the Germans were unable to un-
3 derstand any of the transmissions;

4 (C) this was the first time in modern warfare
5 that such a transmission of messages in a native
6 language was used for the purpose of confusing an
7 enemy;

8 (5) on December 7, 1941, Japan attacked Pearl
9 Harbor, Hawaii, and the Congress declared war the
10 following day;

11 (6)(A) the Federal Government called on the
12 Comanche Nation to support the military effort dur-
13 ing World War II by recruiting and enlisting Co-
14 manche men to serve in the Army to develop a secret
15 code based on the Comanche language;

16 (B) the Army recruited approximately 50 Na-
17 tive Americans for special native language commu-
18 nication assignments; and

19 (C) the Marines recruited several hundred Nav-
20 ajos for duty in the Pacific region;

21 (7)(A) during World War II, the United States
22 employed Native American code talkers who devel-
23 oped secret means of communication based on native
24 languages and were critical to winning the war; and

1 (B) to the frustration of the enemies of the
2 United States, the code developed by the Native
3 American code talkers proved to be unbreakable and
4 was used extensively throughout the European the-
5 ater;

6 (8) in 2001, the Congress and President Bush
7 honored Navajo code talkers with congressional gold
8 medals for the contributions of the code talkers to
9 the United States Armed Forces as radio operators
10 during World War II;

11 (9) soldiers from the Assiniboine, Cherokee,
12 Cheyenne, Chippewa/Oneida, Choctaw, Comanche,
13 Cree, Crow, Hopi, Kiowa, Menominee, Meskwaki,
14 Mississauga, Muscogee, Osage, Pawnee, Sac and
15 Fox, Seminole, and Sioux (Lakota and Dakota) In-
16 dian tribes and nations also served as code talkers
17 during World War II;

18 (10) the heroic and dramatic contributions of
19 Native American code talkers were instrumental in
20 driving back Axis forces across the Pacific during
21 World War II; and

22 (11) the Congress should provide to all Native
23 American code talkers the recognition the code talk-
24 ers deserve for the contributions of the code talkers

1 to United States victories in World War I and World
2 War II.

3 **SEC. 4. DEFINITIONS.**

4 In this Act, the following definitions shall apply:

5 (1) **CODE TALKER.**—The term “code talker”
6 means a Native American who—

7 (A) served in the Armed Forces during a
8 foreign conflict in which the United States was
9 involved; and

10 (B) during the term of service of the Na-
11 tive American, participated in communication
12 using a native language.

13 (2) **RECOGNIZED TRIBE.**—The term “recog-
14 nized tribe” means any of the following Indian tribes
15 (as defined in section 4 of the Indian Self-Deter-
16 mination and Education Assistance Act (25 U.S.C.
17 450b)):

18 (A) Assiniboine.

19 (B) Chippewa and Oneida.

20 (C) Choctaw.

21 (D) Comanche.

22 (E) Cree.

23 (F) Crow.

24 (G) Hopi.

25 (H) Kiowa.

1 (I) Menominee.

2 (J) Mississauga.

3 (K) Muscogee.

4 (L) Sac and Fox.

5 (M) Sioux.

6 (3) SECRETARY.—The term “Secretary” means
7 the Secretary of the Treasury.

8 **SEC. 5. CONGRESSIONAL GOLD MEDALS.**

9 (a) AWARD AUTHORIZATION.—The Speaker of the
10 House of Representatives and the President pro tempore
11 of the Senate shall make appropriate arrangements for the
12 award, on behalf of the Congress, of gold medals of appro-
13 priate design in recognition of the service of Native Amer-
14 ican code talkers of each recognized tribe.

15 (b) DESIGN AND STRIKING.—

16 (1) IN GENERAL.—The Secretary shall strike
17 the gold medals awarded under subsection (a) with
18 appropriate emblems, devices, and inscriptions, as
19 determined by the Secretary.

20 (2) DESIGNS OF MEDALS EMBLEMATIC OF
21 TRIBAL AFFILIATION AND PARTICIPATION.—The de-
22 sign of a gold medal under paragraph (1) shall be
23 emblematic of the participation of the code talkers
24 of each recognized tribe.

1 (3) TREATMENT.—Each medal struck pursuant
2 to this subsection shall be considered to be a na-
3 tional medal for purposes of chapter 51 of title 31,
4 United States Code.

5 (c) ACTION BY SMITHSONIAN INSTITUTION.—The
6 Smithsonian Institution—

7 (1) shall accept and maintain such gold medals,
8 and such silver duplicates of those medals, as recog-
9 nized tribes elect to send to the Smithsonian Institu-
10 tion;

11 (2) shall maintain the list developed under sec-
12 tion 6(1) of the names of Native American code
13 talkers of each recognized tribe; and

14 (3) is encouraged to create a standing exhibit
15 for Native American code talkers or Native Amer-
16 ican veterans.

17 **SEC. 6. NATIVE AMERICAN CODE TALKERS.**

18 The Secretary, in consultation with the Secretary of
19 Defense and the tribes, shall—

20 (1)(A) determine the identity, to the maximum
21 extent practicable, of each Native American code
22 talker of each recognized tribe;

23 (B) include the name of each Native American
24 code talker identified under subparagraph (A) on a
25 list, to be organized by recognized tribe; and

1 (C) provide the list, and any updates to the list,
2 to the Smithsonian Institution for maintenance
3 under section 5(c)(2); and

4 (2) determine whether any Indian tribe that is
5 not a recognized tribe should be eligible to receive a
6 gold medal under this Act.

7 **SEC. 7. DUPLICATE MEDALS.**

8 (a) SILVER DUPLICATE MEDALS.—

9 (1) IN GENERAL.—The Secretary shall strike
10 duplicates in silver of the gold medals struck under
11 section 5(b), to be awarded in accordance with para-
12 graph (2).

13 (2) ELIGIBILITY FOR AWARD.—

14 (A) IN GENERAL.—A Native American
15 shall be eligible to be awarded a silver duplicate
16 medal struck under paragraph (1) in recogni-
17 tion of the service of Native American code
18 talkers of the recognized tribe of the Native
19 American, if the Native American served in the
20 Armed Forces as a code talker in any foreign
21 conflict in which the United States was involved
22 during the 20th century.

23 (B) DEATH OF CODE TALKER.—In the
24 event of the death of a Native American code
25 talker who had not been awarded a silver dupli-

1 cate medal under this subsection, the Secretary
2 may award a silver duplicate medal to the next
3 of kin or other personal representative of the
4 Native American code talker.

5 (C) DETERMINATION.—Eligibility for an
6 award under this subsection shall be determined
7 by the Secretary in accordance with section 6.

8 (b) BRONZE DUPLICATE MEDALS.—The Secretary
9 may strike and sell duplicates in bronze of the gold medal
10 struck pursuant to section 4 under such regulations as the
11 Secretary may prescribe, at a price sufficient to cover the
12 cost thereof, including labor, materials, dies, use of ma-
13 chinery, and overhead expenses, and the cost of the gold
14 and silver medals.

15 **SEC. 8. AUTHORITY TO USE FUND AMOUNTS; PROCEEDS OF**
16 **SALE.**

17 (a) AUTHORITY TO USE FUND AMOUNTS.—There
18 are authorized to be charged against the United States
19 Mint Public Enterprise Fund such amounts as may be
20 necessary to pay for the cost of the medals struck pursu-
21 ant to this Act.

22 (b) PROCEEDS OF SALE.—Amounts received from the
23 sale of duplicate bronze medals authorized under section

- 1 7(b) shall be deposited into the United States Mint Public
- 2 Enterprise Fund.

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