

110TH CONGRESS
1ST SESSION

H. R. 4462

To authorize the award of a congressional gold medal on behalf of the 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 heroic and dramatic contributions to the Nation, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 12, 2007

Ms. GRANGER (for herself, Mr. KIND, Mr. WOLF, and Mr. KENNEDY) introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To authorize the award of a congressional gold medal on behalf of the 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 heroic and dramatic contributions to the Nation, 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. SHORT TITLE.**

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

1 **SEC. 2. EXPRESSION OF RECOGNITION.**

2 The purposes of the medals authorized by this Act
3 are to express recognition by the United States and the
4 Congress and to honor the Native American Code Talkers
5 who distinguished themselves in performing highly suc-
6 cessful communications operations of a unique type that
7 greatly assisted in saving countless lives and in hastening
8 the end of World War I and World War II.

9 **SEC. 3. FINDINGS.**

10 The Congress finds as follows:

11 (1) When the United States entered World War
12 I, Indian people of the United States were not ac-
13 corded the status of citizens of the United States.

14 (2) Without regard to this lack of citizenship,
15 members of Indian Tribes and nations enlisted in
16 the Armed Forces to fight on behalf of their native
17 land.

18 (3) The first reported use of American Indian
19 Code Talkers was on October 17, 1918.

20 (4) The Choctaw Code Talkers in World War I
21 were the first Code Talkers that played a role in
22 American military operations and transmitted vital
23 communications that helped defeat German forces in
24 Europe in World War I.

25 (5) Because the language used by the Choctaw
26 soldiers in the transmission of information was not

1 based on a European language or on a mathematical
2 progression, the Germans were unable to understand
3 any of the transmissions.

4 (6) This was the first time in modern warfare
5 that such transmission of messages in a native lan-
6 guage was used for the purpose of confusing the
7 enemy.

8 (7) On December 7, 1941, the Japanese Em-
9 pire attacked Pearl Harbor, Hawaii and Congress
10 declared war the following day.

11 (8) The United States Government called upon
12 the Comanche Nation to support the military effort
13 during World War II by recruiting and enlisting Co-
14 manche men to serve in the United States Army to
15 develop a secret code based on the Comanche lan-
16 guage.

17 (9) During World War II, the United States
18 employed Native American Code Talkers who devel-
19 oped secret means of communication based on Na-
20 tive languages and who were critical to winning the
21 war.

22 (10) The Army recruited about 50 Native
23 Americans for such special communication assign-
24 ments and the Marines recruited several hundred
25 Navajos for duty in the Pacific.

1 (11) In 2001, Congress and President Bush
2 honored the Navajo Code Talkers with congressional
3 gold medals for their contributions to the United
4 States Armed Forces as radio operators during
5 World War II.

6 (12) It is time for Congress to give all Native
7 American Code Talkers the recognition they deserve
8 for their contributions to United States victories in
9 World War I and World War II.

10 (13) Soldiers from the Assiniboine, Cherokee,
11 Cheyenne, Chippewa/Oneida, Choctaw, Comanche,
12 Cree, Crow, Hopi, Kiowa, Menominee, Meskwaki,
13 Mississauga, Muscogee, Osage, Pawnee, Sac and
14 Fox, Seminole, and Sioux (Lakota and Dakota) In-
15 dian Tribes and nations served as Code Talkers dur-
16 ing World War II.

17 (14) To the enemy's frustration, the code devel-
18 oped by these Native American Indians proved to be
19 unbreakable and was used extensively throughout
20 the European theater.

21 (15) The heroic and dramatic contributions of
22 the Native American Code Talkers was instrumental
23 in driving back Axis forces across the Pacific during
24 World War II.

1 **SEC. 4. CONGRESSIONAL GOLD MEDAL.**

2 (a) AWARDS AUTHORIZED.—The Speaker of the
3 House of Representatives and the President pro tempore
4 of the Senate shall make appropriate arrangements for the
5 award, on behalf of the Congress, of a single gold medal
6 of appropriate design in honor of the Native American
7 members of the United States Armed Forces, collectively,
8 who served as Code Talkers in any foreign conflict in
9 which the United States was involved during the 20th
10 Century.

11 (b) DESIGN AND STRIKING.—

12 (1) IN GENERAL.—For the purposes of the
13 award referred to in subsection (a), the Secretary of
14 the Treasury (hereafter in this Act referred to as the
15 “Secretary”) shall strike a gold medal with suitable
16 emblems, devices, and inscriptions, to be determined
17 by the Secretary.

18 (2) DESIGNS OF MEDALS EMBLEMATIC OF
19 CODE TALKER SERVICE.—The design of the gold
20 medal struck under this subsection in recognition of
21 Native American Code Talkers shall be emblematic
22 of the heroic and dramatic service of such Code
23 Talkers.

24 (3) INDIAN TRIBE DEFINED.—For purposes of
25 this Act, the term “Indian tribe” has the same

1 meaning as in section 4 of the Indian Self-Deter-
2 mination and Education Assistance Act.

3 (c) DISPLAY OF GOLD MEDAL.—Following the award
4 of the gold medal under subsection (a), the gold medal
5 shall be given to the Smithsonian Institution where it will
6 be displayed as appropriate and made available for re-
7 search.

8 (d) PRESENTATION OF DUPLICATE GOLD MEDALS
9 TO TRIBAL GOVERNMENTS.—The Speaker of the House
10 of Representatives and the President pro tempore of the
11 Senate shall make appropriate arrangements for the pres-
12 entation, on behalf of the Congress, of a gold duplicate
13 of the gold medal awarded under subsection (a) to the gov-
14 ernment of each Indian tribe that the Secretary and the
15 Secretary of Defense jointly determine had tribal members
16 who served as Code Talkers in the United States Armed
17 Forces in any foreign conflict in which the United States
18 was involved during the 20th Century.

19 **SEC. 5. SILVER DUPLICATES FOR INDIVIDUAL CODE TALK-**
20 **ERS.**

21 (a) IN GENERAL.—The Secretary shall strike dupli-
22 cates in silver of the gold medals struck under section 4
23 for transmittal, in a manner to be determined by the
24 Speaker of the House of Representatives and the Presi-
25 dent pro tempore of the Senate, to each individual identi-

1 fied under subsection (b) as a Native American member
2 of the United States Armed Forces who served as a Code
3 Talker in any foreign conflict in which the United States
4 was involved during the 20th Century or to the next of
5 kin or other personal representative of any such Native
6 American who has deceased before such presentation.

7 (b) DETERMINATION OF IDENTITY OF CODE TALK-
8 ERS.—For purposes of determining eligibility for a silver
9 duplicate under subsection (a), the Secretary shall consult
10 with the Secretary of Defense who shall make prompt de-
11 terminations of such eligibility.

12 **SEC. 6. BRONZE DUPLICATE MEDALS FOR SALE TO PUBLIC.**

13 Under such regulations as the Secretary may pre-
14 scribe, the Secretary may strike and sell duplicates in
15 bronze of the gold medal struck under section 4, at a price
16 sufficient to cover the costs of the medal, including labor,
17 materials, dies, use of machinery, and overhead expenses.

18 **SEC. 7. NATIONAL MEDALS.**

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

22 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS; PROCEEDS**
23 **OF SALE.**

24 (a) AUTHORIZATION OF APPROPRIATIONS.—There is
25 authorized to be charged against the United States Mint

1 Public Enterprise Fund, such amounts as are necessary
2 to pay for the cost of the medals authorized under sections
3 4 and 5.

4 (b) PROCEEDS OF SALE.—Amounts received from the
5 sale of duplicate bronze medals under this Act shall be
6 deposited in the United States Mint Public Enterprise
7 Fund.

8 **SEC. 9. RULE OF CONSTRUCTION.**

9 No provision of this Act shall be construed as author-
10 izing the award of a duplicate medal to any individual,
11 or any next of kin or personal representative of any indi-
12 vidual, previously honored pursuant to section 1101 of
13 title XI of division B of H.R. 5666, as enacted by ref-
14 erence in Public Law 106–554.

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