

RESOLUTION OF THE
NAABIK'ÍYÁTI' COMMITTEE OF THE
NAVAJO NATION COUNCIL

23RD NAVAJO NATION COUNCIL - First Year, 2015

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES AND NAABIK'ÍYÁTI'; RESPECTFULLY URGING THE UNITED STATES DEPARTMENT OF VETERAN AFFAIRS TO STREAMLINE ITS BENEFIT SERVICES FOR NAVAJO CODE TALKERS AND OTHER VETERANS AND REMOVE OR MINIMIZE THE BARRIERS TO RECEIVING ASSISTANCE

WHEREAS:

- A. The Navajo Nation established the Health, Education and Human Services Committee (HEHSC) as a Navajo Nation Council standing committee and as such empowered HEHSC to review and recommend resolutions regarding veterans and/or veteran services. 2 N.N.C. §§ 164 (A)(9), 400 (A), 401 (B)(6)(a) (2012) *see also* CO-45-12.
- B. The Navajo Nation established the Naabik'íyáti' Committee as a Navajo Nation Council standing committee and as such empowered Naabik'íyáti' to coordinate all federal programs, i.e. Department of Veteran's Affairs and Indian Health Service, to provide efficient services to Navajo veterans. 2 N.N.C. §§ 164 (A)(9), 700 (A), 701 (A)(4) (2012) *see also* CO-45-12.
- C. Historically, Native Americans served in the military at a higher rate than any other ethnic group. U.S. Gov'T ACCOUNTABILITY OFFICE, HEALTH CARE ACCESS: IMPROVED OVERSIGHT, ACCOUNTABILITY, AND PRIORITIZATION CAN IMPROVE ACCESS FOR NATIVE AMERICAN VETERANS 1 (2014).
- D. The Navajo Nation has a government-to-government relationship with the United States of America. Treaty of 1850, Sept. 24, 1850, 9 Stat. 974 and Treaty of 1868, Aug. 12, 1868, 15 Stat. 667.
- E. According to the 2000 Census, there were seven thousand twenty (7,020) Navajo's, living on and off the reservation,

who reported they were veterans; one thousand five hundred seven (1,507) were over the age of 65. U.S. CENSUS BUREAU, U.S. SUMMARY: 2000 SUMMARY SOCIAL, ECONOMIC, AND HOUSING CHARACTERISTICS 907 (2003).

- F. Navajo Code Talkers who are World War II heroes are among those living on the reservation.
- G. "On December 7, 1941, the Japanese Empire attacked Pearl Harbor and war was declared by the Congress the following day." Sen. Jeff Bingaman's Statements on Introduced Bills and Joint Resolutions, Congressional Record April 12, 2000, Senate Bill S. 2408, Honoring the Navajo Code Talkers Act. (Exhibit "A").
- H. "The military code, developed by the United States for transmitting messages, had been deciphered by the Japanese and a search by U.S. Intelligence was made to develop new means to counter the enemy." Sen. Jeff Bingaman's Statements on Introduced Bills and Joint Resolutions, Congressional Record April 12, 2000, Senate Bill S. 2408, Honoring the Navajo Code Talkers Act. (Exhibit "A").
- I. "The United States government called upon the Navajo Nation to support the military effort by recruiting and enlisting twenty-nine (29) Navajo men to serve as Marine Corps Radio Operators; the number of enlistees later increased to over three-hundred and fifty." Sen. Jeff Bingaman's Statements on Introduced Bills and Joint Resolutions, Congressional Record April 12, 2000, Senate Bill S. 2408, Honoring the Navajo Code Talkers Act. (Exhibit "A").
- J. "At the time, the Navajos were second-class citizens, and they were a people who were discouraged from using their own language." Sen. Jeff Bingaman's Statements on Introduced Bills and Joint Resolutions, Congressional Record April 12, 2000, Senate Bill S. 2408, Honoring the Navajo Code Talkers Act. (Exhibit "A").
- K. "The Navajo Marine Corps Radio Operators, who became known as the Navajo Code Talkers, were used to develop a code using their language to communicate military messages in the Pacific." Sen. Jeff Bingaman's Statements on Introduced Bills and Joint Resolutions, Congressional Record April 12, 2000, Senate Bill S. 2408, Honoring the Navajo Code Talkers Act. (Exhibit "A").

- L. "To the enemy's frustration, the code developed by these Native Americans proved to be unbreakable and was used extensively throughout the Pacific theater." Sen. Jeff Bingaman's Statements on Introduced Bills and Joint Resolutions, Congressional Record April 12, 2000, Senate Bill S. 2408, Honoring the Navajo Code Talkers Act. (Exhibit "A").
- M. "The Navajo language, discouraged in the past, was instrumental in developing the most significant and successful military code of the time. At Iwo Jima alone, they passed over 800 error-free messages in a 48-hour period." Sen. Jeff Bingaman's Statements on Introduced Bills and Joint Resolutions, Congressional Record April 12, 2000, Senate Bill S. 2408, Honoring the Navajo Code Talkers Act. (Exhibit "A").
- N. "So successful, that military commanders credited the Code in saving the lives of countless American soldiers and the successful engagements of the U.S. in the battles of Guadalcanal, Tarawa, Saipan, Iwo Jima, and Okinawa." Sen. Jeff Bingaman's Statements on Introduced Bills and Joint Resolutions, Congressional Record April 12, 2000, Senate Bill S. 2408, Honoring the Navajo Code Talkers Act. (Exhibit "A").
- O. "So successful, that some Code Talkers were guarded by fellow marines whose role was to kill them in case of imminent capture by the enemy." Sen. Jeff Bingaman's Statements on Introduced Bills and Joint Resolutions, Congressional Record April 12, 2000, Senate Bill S. 2408, Honoring the Navajo Code Talkers Act. (Exhibit "A").
- P. "So successful, that the code was kept secret for 23 years after the end of World War II." Sen. Jeff Bingaman's Statements on Introduced Bills and Joint Resolutions, Congressional Record April 12, 2000, Senate Bill S. 2408, Honoring the Navajo Code Talkers Act. (Exhibit "A").
- Q. "Following the conclusion of World War II, the U.S. Department of Defense maintained the secrecy of the Navajo code until it was declassified in 1968; only then did a realization of the sacrifice and valor of these brave Native Americans emerge from history." Sen. Jeff Bingaman's Statements on Introduced Bills and Joint Resolutions,

Congressional Record April 12, 2000, Senate Bill S. 2408, Honoring the Navajo Code Talkers Act. (Exhibit "A").

- R. The Navajo Code Talkers provided an invaluable service to the United States of America and now due to their service are experiencing disabilities.
- S. Navajo veterans are eligible for health care services from both the VA and the Indian Health Service (IHS). U.S. Gov't ACCOUNTABILITY OFFICE, HEALTH CARE ACCESS: IMPROVED OVERSIGHT, ACCOUNTABILITY, AND PRIORITIZATION CAN IMPROVE ACCESS FOR NATIVE AMERICAN VETERANS 1 (2014).
- T. Within the last year, reports of excessive and sometimes deadly waiting times for veterans seeking government health care came to light and President Obama promised accountability. Scott Bronstein & Tom Cohen, *Obama: Shinseki stays for now, but VA misconduct will be punished*, CNN (May 23, 2014) available at www.cnn.com.
- U. The Navajo Code Talkers should be honored by U.S. departments like the Department of Veterans Affairs for their services by streamlining benefit services and removing or minimizing the barriers to receive assistance.

NOW THEREFORE, BE IT RESOLVED:

- A. The Navajo Nation respectfully urges the U.S. Department of Veterans Affairs to streamline its benefit services for Navajo Code Talkers and other veterans and remove or minimize the barriers to receiving assistance.
- B. The Navajo Nation hereby authorizes the Navajo Nation Department of Navajo Veterans Affairs, and their designees, to advocate for the changes needed in streamlining the services necessary for Navajo Code Talkers and other veterans by the U.S. Department of Veterans Affairs

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Naabik'iyáti' Committee of the 23rd Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 15 in favor and 0 opposed, this 11th day of June, 2015.

A handwritten signature in black ink, appearing to read 'L. C. Bates', written in a cursive style.

LoRenzo C. Bates, Chairperson
Naabik'iyáti' Committee

Motion : Honorable Raymond Smith, Jr.
Second : Honorable Jonathan Perry

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Congressional Record: April 12, 2000 (Senate)

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STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BINGAMAN (for himself and Mr. Inouye):

S. 2408. A bill to authorize the President to award a gold medal on behalf of the Congress to the Navajo Code Talkers in recognition of their contributions to the Nation; to the Committee on Banking, Housing, and Urban Affairs.

honoring the navajo code talkers act

Mr. BINGAMAN. Mr. President, I rise today to introduce important legislation, recognizing the heroic contributions of a group of Native American soldiers who served in the Pacific theater during the second World War. This legislation will authorize the President of the United States to award a gold medal, on behalf of the Congress, to each of the original twenty-nine Navajo Code Talkers, as well as a silver medal to each man who later qualified as a Navajo Code Talker (MOS 642). These medals are to express recognition by the United States of America and its citizens of the Navajo Code Talkers who distinguished themselves in performing a unique, highly successful communications operation that greatly assisted in saving countless lives and in hastening the end of the war in the Pacific.

It has taken too long to properly recognize these soldiers, whose achievements have been obscured by twin veils

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of secrecy and time. As they approach the final chapter of their lives, it is only fitting that the nation pay them this honor. That's why I am introducing this legislation today--to salute these brave and innovative Native Americans, to acknowledge the great contribution they made to the Nation at a time of war, and to finally give them their rightful place in history.

With each new successive generation of Americans, blessed as we are in this time of relative peace and prosperity, it is easy to forget what the world was like in the early 1940's. The United States was at war in Europe, and on December 7, 1941, we were faced with a second front as the Japanese Empire attacked Pearl Harbor.

One of the intelligence weapons the Japanese possessed was an elite group of well-trained English speaking soldiers, used to intercept U.S. communications, then sabotage the message or issue false commands to ambush American troops. Military code became more and more complex--at Guadalcanal, military leaders complained that it took 2\1/2\ hours to send and decode a single message.

The idea to use Navajo for secure communications came from Philip Johnson. Johnson was the son of a missionary, raised on the Navajo reservation, and one of the few non-Navajos who spoke their language fluently. But he was also a World War I veteran, and knew of the military's search for a code that would withstand all attempts to decipher it. Johnson believed Navajo answered the military requirement for an undecipherable code because Navajo is an unwritten language of extreme complexity. In early 1942, he met with the Commanding General

of Amphibious Corps, Pacific Fleet, and his staff to convince them of the value of the Navajo language as code. In one of his tests, he demonstrated that Navajos could encode, transmit, and decode a three-line English message in 20 seconds. Twenty-seconds!

Convinced, the Marine Corps called upon the Navajo Nation to support the military effort by recruiting and enlisting Navajo men to serve as Marine Corps Radio Operators. These Navajo Marines, who became known as the Navajo Code Talkers, used the Navajo language to develop a unique code to communicate military messages in the South Pacific. True to Phillip Johnson's prediction, and the enemy's frustration, the code developed by these Native Americans proved unbreakable and was used throughout the Pacific theater.

Their accomplishment was even more heroic given the cultural context in which they were operating:

The Navajos were second-class citizens and were discouraged from using their own language; and

They were living on reservations, as many still are today, yet they volunteered to serve, protect, and defend the very power that put them there.

But the Navajo, a people subjected to alienation in their own homeland, who had been discouraged from speaking their own language, stepped forward and developed the most significant and successful military code of the time:

This Code was so successful that military commanders credited the Code in saving the lives of countless American soldiers and the successful engagements of the U.S. in the battles of Guadalcanal, Tarawa, Saipan, Iwo Jima, and Okinawa. At Iwo Jima, Major Howard Connor, 5th Marine Division signal officer, declared, ``Were it not for the Navajos, the Marines would never have taken Iwo Jima.' ' Major Connor had six Navajo code talkers working around the clock during the first 48-hours of the battle. Those six sent and received over 800 messages, all without error;

This Code was so successful that some Code Talkers were guarded by fellow marines whose role was to kill them in case of imminent capture by the enemy; and finally,

It was so successful that the Department of Defense kept the Code secret for 23 years after the end of World War II, when it was finally declassified.

And there, Mr. President, is the foundation of the problem.

If their achievements had been hailed at the conclusion of the war, proper honors would have been bestowed at that time. But the Code Talkers were sworn to secrecy, an oath they kept and honored, but at the same time, one that robbed them of the very accolades and place in history they so rightly deserved. Their ranks include veterans of Guadalcanal, Saipan, Iwo Jima, and Okinawa; they gave their lives at New Britain, Bougainville, Guam, and Peleliu. But, while the bodies of their fallen comrades came home, simple messages of comfort from those still fighting to relatives back home on the reservations were prohibited by the very secrecy of the code's origin. And at the end of the war, these unsung heroes returned to their homes on buses--no parades, no fanfare, no special recognition for what they had truly accomplished--because while the war was over, their duty--their oath of secrecy--continued. The secrecy surrounding the code was maintained until it was declassified in 1968--only then did a realization of the sacrifice and valor of these brave Native Americans emerge from history.

For the countless lives they helped save, for this contribution that helped speed the Allied victory in the Pacific, I believe they succeeded beyond all expectations.

Through the enactment of this bill, the recognition for the Navajo Code Talkers will be delayed no longer, and they will finally take their place in history they so rightly deserve.

To this end, I urge my colleagues to support the bill.

Mr. President, I ask for unanimous consent that the bill be printed in the Record.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 2408

Be it enacted by the Senate and House of Representatives of

the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ``Honoring the Navajo Code Talkers Act''

SEC. 2. FINDINGS.

Congress finds the following:

(1) On December 7, 1941, the Japanese Empire attacked Pearl Harbor and war was declared by the Congress the following day.

(2) The military code, developed by the United States for transmitting messages, had been deciphered by the Japanese and a search by U.S. Intelligence was made to develop new means to counter the enemy.

(3) The United States government called upon the Navajo Nation to support the military effort by recruiting and enlisting twenty-nine (29) Navajo men to serve as Marine Corps Radio Operators; the number of enlistees later increased to over three-hundred and fifty.

(4) At the time, the Navajos were second-class citizens, and they were a people who were discouraged from using their own language.

(5) The Navajo Marine Corps Radio Operators, who became known as the Navajo Code Talkers, were used to develop a code using their language to communicate military messages in the Pacific.

(6) To the enemy's frustration, the code developed by these Native Americans proved to be unbreakable and was used extensively throughout the Pacific theater.

(7) The Navajo language, discouraged in the past, was instrumental in developing the most significant and successful military code of the time. At Iwo Jima alone, they passed over 800 error-free messages in a 48-hour period;

(a) So successful, that military commanders credited the Code in saving the lives of countless American soldiers and the successful engagements of the U.S. in the battles of Guadalcanal, Tarawa, Saipan, Iwo Jima, and Okinawa;

(b) So successful, that some Code Talkers were guarded by fellow marines whose role was to kill them in case of imminent capture by the enemy;

(c) So successful, that the code was kept secret for 23 years after the end of World War II.

(8) Following the conclusion of World War II, the U.S. Department of Defense maintained the secrecy of the Navajo code until it was declassified in 1968; only then did a realization of the sacrifice and valor of these brave Native Americans emerge from history.

SEC. 3. CONGRESSIONAL GOLD MEDAL.

(a) Presentation Authorized.--The President is authorized to award to each of the original twenty-nine Navajo Codes Talkers, or a surviving family member, on behalf of the Congress, a gold medal of appropriate design, honoring the Navajo Codes Talkers. The President is further authorized to award to each man who qualified as a Navajo Code Talker (MOS 642), or a surviving family member, a silver medal with suitable emblems and devices. These medals are to express recognition by the United States of America and its citizens in honoring the Navajo Code Talkers who distinguished themselves in performing a unique, highly successful communications operation that greatly assisted in saving countless lives and in hastening the end of the World War II in the Pacific.

(b) Design and Striking.--For the purposes of the award referred to in subsection (a), the Secretary of the Treasury (in this Act referred to as the `Secretary') shall strike

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a gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

SEC. 4. DUPLICATE MEDALS.

The Secretary may strike and sell duplicates in bronze of the gold medal struck pursuant to section 2 under such regulations as the Secretary may prescribe, and at a price sufficient to cover the costs thereof, including labor, materials, dies, use of machinery, and overhead expenses, and the cost of the gold medal.

SEC. 5. STATUS AS NATIONAL MEDALS.

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

SEC. 6. FUNDING.

(a) Authority To Use Fund Amounts.--There is authorized to be charged against the United States Mint Public Enterprise Fund an amount not to exceed \$30,000 to pay for the cost of the medals authorized by this Act.

(b) Proceeds of Sale.--Amounts received from the sale of duplicate bronze medals under section 3 shall be deposited in the United States Mint Public Enterprise Fund.
