

107TH CONGRESS
2D SESSION

S. 2028

To authorize the President to award the Medal of Honor posthumously to Henry Johnson, of Albany, New York, for acts of valor during World War I and to direct the Secretary of the Army to conduct a review of military service records to determine whether certain other African American World War I veterans should be awarded the Medal of Honor for actions during that war.

IN THE SENATE OF THE UNITED STATES

MARCH 19, 2002

Mr. SCHUMER (for himself and Mrs. CLINTON) introduced the following bill;
which was read twice and referred to the Committee on Armed Services

A BILL

To authorize the President to award the Medal of Honor posthumously to Henry Johnson, of Albany, New York, for acts of valor during World War I and to direct the Secretary of the Army to conduct a review of military service records to determine whether certain other African American World War I veterans should be awarded the Medal of Honor for actions during that war.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “World War I Veterans
3 Medal of Honor Justice Act”.

4 **SEC. 2. AUTHORITY FOR AWARD OF MEDAL OF HONOR TO**
5 **HENRY JOHNSON.**

6 (a) INAPPLICABILITY OF TIME LIMITATIONS.—Not-
7 withstanding the time limitations in section 3744(b) of
8 title 10, United States Code, or any other time limitation,
9 the President may award the Medal of Honor under sec-
10 tion 3741 of such title posthumously to Henry Johnson
11 (service number 10–33–48), of Albany, New York, for the
12 actions referred to in subsection (b), the Secretary of the
13 Army having determined that by those actions Henry
14 Johnson distinguished himself conspicuously by gallantry
15 and intrepidity at the risk of his life above and beyond
16 the call of duty.

17 (b) ACTIONS.—The actions referred to in subsection
18 (a) are the actions of Henry Johnson during World War
19 I in repulsing an attack by a superior enemy force and
20 rescuing a badly wounded comrade, notwithstanding his
21 own serious wounds, on the night of May 14–15, 1918,
22 while serving as a private in the 369th Infantry Regiment
23 of the United States Army.

1 **SEC. 3. REVIEW REGARDING AWARD OF CONGRESSIONAL**
2 **MEDAL OF HONOR TO CERTAIN ADDITIONAL**
3 **AFRICAN AMERICAN WORLD WAR I VET-**
4 **ERANS.**

5 (a) REVIEW REQUIRED.—The Secretary of the Army
6 shall review the service records of each African American
7 World War I Army veteran described in subsection (b) to
8 determine whether that veteran should be awarded the
9 Medal of Honor.

10 (b) COVERED AFRICAN AMERICAN VETERANS.—The
11 African American World War I Army veterans whose serv-
12 ice records are to be reviewed under subsection (a) are
13 the following:

14 (1) Any African American World War I veteran
15 who was awarded the Distinguished Service Cross.

16 (2) Any African American World War I veteran
17 who was awarded the French Legion of Merit or the
18 Croix de Guerre by the government of France.

19 (c) CONSULTATIONS.—In carrying out the review
20 under subsection (a), the Secretary of the Army shall con-
21 sult with the 369th Veterans' Association and with such
22 other veterans service organizations as the Secretary con-
23 siders appropriate.

24 (d) RECOMMENDATION BASED ON REVIEW.—If the
25 Secretary determines, based upon the review under sub-
26 section (a) of the service records of any African American

1 World War I Army veteran, that the award of the Medal
2 of Honor to that veteran is warranted, the Secretary shall
3 submit to the President a recommendation that the Presi-
4 dent award the Medal of Honor to that veteran.

5 (e) AUTHORITY TO AWARD MEDAL OF HONOR.—A
6 Medal of Honor may be awarded to an African American
7 World War I veteran in accordance with a recommenda-
8 tion of the Secretary concerned under subsection (a).

9 (f) WAIVER OF TIME LIMITATIONS.—An award of
10 the Medal of Honor may be made under subsection (e)—

11 (1) without regard to section 3744 of title 10,
12 United States Code; and

13 (2) without regard to any regulation or other
14 administrative restriction on—

15 (A) the time for awarding the Medal of
16 Honor; or

17 (B) the awarding of the Medal of Honor
18 for service for which a Distinguished Service
19 Cross has been awarded.

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