

114TH CONGRESS  
1ST SESSION

# H. R. 2561

To authorize the President to award the Medal of Honor posthumously to Paul A. Smithhisler for acts of valor in November 1918 during World War I.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 21, 2015

Mr. STIVERS (for himself, Mrs. BEATTY, Mr. TIBERI, Mr. GIBBS, Mr. JOHNSON of Ohio, Ms. FUDGE, Ms. KAPTUR, Mr. JORDAN, Mr. JOYCE, Mr. CHABOT, Mr. WENSTRUP, Mr. LATTA, Mr. RYAN of Ohio, Mr. RENACCI, and Mr. TURNER) introduced the following bill; which was referred to the Committee on Armed Services

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## A BILL

To authorize the President to award the Medal of Honor posthumously to Paul A. Smithhisler for acts of valor in November 1918 during World War I.

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 “Paul A. Smithhisler  
5 Medal of Honor Act”.

1 **SEC. 2. AUTHORIZATION FOR POSTHUMOUS AWARD OF THE**  
2 **MEDAL OF HONOR TO PAUL A. SMITHISLER**  
3 **FOR ACTS OF VALOR DURING WORLD WAR I.**

4 (a) FINDINGS.—Congress makes the following find-  
5 ings:

6 (1) Paul A. Smithhisler was born in Mount  
7 Vernon, Ohio, on November 2, 1889, and served in  
8 the United States Army during World War I as a  
9 sergeant in the Ohio Army National Guard’s 37th  
10 Infantry Division, nicknamed the “Buckeye Divi-  
11 sion”.

12 (2) In late October 1918, heavily fortified Ger-  
13 man defenses repelled several Allied attempts to  
14 cross the Escaut River in Belgium before the mis-  
15 sion was assigned to the 37th Infantry Division.

16 (3) In preparation for an attack by the 37th In-  
17 fantry Division across the Escaut River against the  
18 German defenses, the 112th Engineer Regiment of  
19 the Division requested volunteers to conduct a recon-  
20 naissance of the German positions.

21 (4) Aware of the tremendous risk to his life  
22 presented by the entrenched German forces, includ-  
23 ing machine gun positions and artillery, Sergeant  
24 Smithhisler volunteered to conduct the reconnais-  
25 sance mission.

1           (5) Just before midnight on November 1, 1918,  
2           Sergeant Smithhisler swam the 100-foot wide icy  
3           cold water of the Escaut River as Private Frank  
4           Burke, another volunteer, remained prepared to as-  
5           sist him if necessary.

6           (6) Sergeant Smithhisler successfully mapped  
7           the precise location of German machine gun and ar-  
8           tillery positions and then swam back to the Allied-  
9           held side of the river under heavy fire, which in-  
10          cluded a barrage of poison gas shells.

11          (7) Private Burke came to Sergeant Smithhis-  
12          ler's rescue when he reached the steep river bank,  
13          placing a protective mask on Sergeant Smithhisler  
14          while exposing himself to toxins that may have con-  
15          tributed to his death from influenza on December 3,  
16          1918.

17          (8) Sergeant Smithhisler's information was vital  
18          to the success of the subsequent Allied attack and  
19          the capture of the enemy's defenses.

20          (9) For his bravery, Smithhisler was awarded  
21          the Distinguished Service Cross and the French  
22          Croix de Guerre with Silver Star.

23          (b) WAIVER OF TIME LIMITATIONS.—Notwith-  
24          standing the time limitations specified in section 3744 of  
25          title 10, United States Code, or any other time limitation

1 with respect to the awarding of certain medals to persons  
2 who served in the Armed Forces, the President may award  
3 the Medal of Honor posthumously under section 3741 of  
4 such title to Sergeant Paul A. Smithhisler for the acts of  
5 valor during World War I described in subsection (a) for  
6 which Sergeant Smithhisler originally was awarded the  
7 Distinguished Service Cross.

8       (c) SENSE OF CONGRESS.—It is the sense of Con-  
9 gress that, should the President exercise the discretion  
10 provided by subsection (b) to award the Medal of Honor  
11 to Sergeant Paul A. Smithhisler, November 11, 2018, the  
12 100th anniversary of the armistice that ended formal hos-  
13 tilities in western Europe during World War I, would be  
14 an appropriate occasion upon which to make the award.

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