

care. And I should note that this bipartisanship is palpable at the staff level as well and the fine staff of the Finance Committee also deserve our thanks for making this agreement possible.

The children at risk of abuse and neglect in their own homes are among our most vulnerable children. Over the years, progress has been made to promote each child's safety, health and need for a permanent, safe home. But with 518,000 in foster care, there is clearly more work to be done for our children.

The 2006 Deficit Reduction Act included an additional \$40 million per year provided for the Promoting Safe and Stable Families Program. Our legislation will target this new money to clear needs for our child welfare system. One priority will be to create new competitive grants to support regional partnership to combat methamphetamine, "meth," or other drug abuses that are affecting the child welfare system. Meth is devastating areas in West Virginia and around our country. When law enforcement breaks up a home meth lab, child welfare workers are often needed on site to deal with the children as their parents are taken to jail. Such children have been exposed to toxins and are at risk of having been abused or neglected when their parents were high on meth. Substance abuse is a huge problem for families in the child welfare system, but there is hope that prevention and treatment can help. Family-based comprehensive long term treatment facilities are reporting some impressive results in helping children and families. Other innovative court projects and law enforcement programs are being developed. This bill invests real dollars to promote and evaluate the most effective programs.

The other priority of this legislation will be to make new investments to help states achieve what is considered the best practice of having monthly caseworker visits to 90 percent of the children in foster care. This standard helps improve outcomes for our most vulnerable children, and it is a worthy goal.

The bill will also reauthorize and expand the Mentoring Children of Prisoners Program, created in 2002 as part of the reauthorization. The expansion is a 3-year pilot program to use vouchers as a new delivery mechanism for services in the hope of helping children in rural and underserved areas. Three States, West Virginia, Vermont and Utah, do not have any Mentoring Children of Prisoners grants, but there are children living there and in rural areas who need a mentor. Under the voucher program, qualified mentoring programs in local communities could get funding to serve such children. This is worth trying as a new model.

Earlier this year, I hosted a roundtable in Beckley, WV on adoption, foster care and child welfare. I met with a judge, local officials and parents involved in our system. I heard an inspiring story of a young man who was

adopted from foster care and has become a spokesperson for other children. Following this roundtable, it was very clear to me that we need to provide support and services to families in the system, and this new legislation should help.

For years, I have worked with my colleagues to try and improve our child welfare system and foster care. This bill is our next step forward. Its costs have been offset, and the priorities of combating meth and substance abuse, as well as more caseworker visits are goals that we all can rally to support. My hope is that this bill will provide the incentives and push for West Virginia and every state to do more for our most vulnerable children.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate concur in the House amendments, with amendments; the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 5024) was agreed to.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The amendment (No. 5025) was agreed to, as follows:

In lieu of the matter proposed to be inserted by the amendment of the House to the title of the Act, insert the following: "An Act to amend part B of title IV of the Social Security Act to reauthorize the promoting safe and stable families program, and for other purposes."

CODE TALKERS RECOGNITION ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be discharged from further consideration of S. 1035 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1035) to authorize the presentation of commemorative medals on behalf of Congress to Native Americans who served as Code Talkers during foreign conflicts in which the United States was involved during the 20th century in recognition of the service of those Native Americans to the United States.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the measure be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1035) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1035

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Code Talkers Recognition Act".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Expression of recognition.

TITLE I—SIOUX CODE TALKERS

Sec. 101. Findings.

Sec. 102. Congressional commemorative medal.

TITLE II—COMANCHE CODE TALKERS

Sec. 201. Findings.

Sec. 202. Congressional commemorative medal.

TITLE III—CHOCTAW CODE TALKERS

Sec. 301. Findings.

Sec. 302. Congressional commemorative medal.

TITLE IV—SAC AND FOX CODE TALKERS

Sec. 401. Findings.

Sec. 402. Congressional commemorative medal.

TITLE V—GENERAL PROVISIONS

Sec. 501. Definition of Indian tribe.

Sec. 502. Medals for other Code Talkers.

Sec. 503. Provisions applicable to all medals under this Act.

Sec. 504. Duplicate medals.

Sec. 505. Status as national medals.

Sec. 506. Funding.

SEC. 2. EXPRESSION OF RECOGNITION.

The purpose of the medals authorized by this Act is to express recognition by the United States and citizens of the United States of, and to honor, the Native American Code Talkers who distinguished themselves in performing highly successful communications operations of a unique type that greatly assisted in saving countless lives and in hastening the end of World War I and World War II.

TITLE I—SIOUX CODE TALKERS

SEC. 101. FINDINGS.

Congress finds that—

(1) Sioux Indians used their native languages, Dakota, Lakota, and Dakota Sioux, as code during World War II;

(2) those individuals, who manned radio communications networks to advise of enemy actions, became known as the Sioux Code Talkers;

(3) under some of the heaviest combat action, the Code Talkers worked around the clock to provide information that saved the lives of many Americans in war theaters in the Pacific and Europe, such as the location of enemy troops and the number of enemy guns; and

(4) the Sioux Code Talkers were so successful that military commanders credit the code with saving the lives of countless American soldiers and being instrumental to the success of the United States in many battles during World War II.

SEC. 102. CONGRESSIONAL COMMEMORATIVE MEDAL.

The President Pro Tempore of the Senate and the Speaker of the House of Representatives shall make appropriate arrangements for the presentation, on behalf of Congress, of a commemorative medal of appropriate design, to each Sioux Code Talker, including—

- (1) Eddie Eagle Boy;
- (2) Simon Brokenleg;
- (3) Iver Crow Eagle, Sr.;
- (4) Edmund St. John;
- (5) Walter C. John;
- (6) John Bear King;
- (7) Phillip "Stoney" LaBlanc;
- (8) Baptiste Pumpkinseed;
- (9) Guy Rondell;
- (10) Charles Whitepipe; and

(11) Clarence Wolfguts.

TITLE II—COMANCHE CODE TALKERS

SEC. 201. FINDINGS.

Congress finds that—

(1) the Japanese Empire attacked Pearl Harbor, Hawaii, on December 7, 1941, and Congress declared war on Japan the following day;

(2) the military code developed by the United States for transmitting messages had been deciphered by the Axis powers, and United States military intelligence sought to develop a new means to counter the enemy;

(3) the Federal Government called on the Comanche Nation to support the military effort by recruiting and enlisting Comanche men to serve in the United States Army to develop a secret code based on the Comanche language;

(4) at the time, the Comanches were—

(A) considered to be second-class citizens; and

(B) discouraged from using their own language;

(5) the Comanches of the 4th Signal Division became known as the “Comanche Code Talkers” and helped to develop a code using their language to communicate military messages during the D-Day invasion and in the European theater during World War II;

(6) to the frustration of the enemy, the code developed by those Native Americans—

(A) proved to be unbreakable; and

(B) was used extensively throughout the European war theater;

(7) the Comanche language, discouraged in the past, was instrumental in developing 1 of the most significant and successful military codes of World War II;

(8) the efforts of the Comanche Code Talkers—

(A) contributed greatly to the Allied war effort in Europe;

(B) were instrumental in winning the war in Europe; and

(C) saved countless lives;

(9) only 1 of the Comanche Code Talkers of World War II remains alive today; and

(10) the time has come for Congress to honor the Comanche Code Talkers for their valor and service to the United States.

SEC. 202. CONGRESSIONAL COMMEMORATIVE MEDAL.

The President Pro Tempore of the Senate and the Speaker of the House of Representatives shall make appropriate arrangements for the presentation, on behalf of Congress, of a commemorative medal of appropriate design to each of the following Comanche Code Talkers of World War II, in recognition of contributions of those individuals to the United States:

(1) Charles Chibitty.

(2) Haddon Codynah.

(3) Robert Holder.

(4) Forrest Kassinovoid.

(5) Willington Mihecoby.

(6) Perry Noyebad.

(7) Clifford Otitivo.

(8) Simmons Parker.

(9) Melvin Permansu.

(10) Dick Red Elk.

(11) Elgin Red Elk.

(12) Larry Saupitty.

(13) Morris Sunrise.

(14) Willie Yackeschi.

TITLE III—CHOCTAW CODE TALKERS

SEC. 301. FINDINGS.

Congress finds that—

(1) on April 6, 1917, the United States, after extraordinary provocations, declared war on Germany and entered World War I, the War to End All Wars;

(2) at the time of that declaration of war, Indian people in the United States, including

members of the Choctaw Nation, were not accorded the status of citizens of the United States;

(3) without regard to this lack of citizenship, many members of the Choctaw Nation joined many members of other Indian tribes and nations in enlisting in the Armed Forces to fight on behalf of the United States;

(4) members of the Choctaw Nation were—

(A) enlisted in the force known as the American Expeditionary Force, which began hostile actions in France in the fall of 1917; and

(B) incorporated in a company of Indian enlistees serving in the 142d Infantry Company of the 36th Division;

(5) a major impediment to Allied operations in general, and operations of the United States in particular, was the fact that the German forces had deciphered all codes used for transmitting information between Allied commands, leading to substantial loss of men and materiel during the first year in which the military of the United States engaged in combat in World War I;

(6) because of the proximity and static nature of the battle lines, a method to communicate without the knowledge of the enemy was needed;

(7) a commander of the United States realized the fact that he had under his command a number of men who spoke a native language;

(8) while the use of such native languages was discouraged by the Federal Government, the commander sought out and recruited 18 Choctaw Indians to assist in transmitting field telephone communications during an upcoming campaign;

(9) because the language used by the Choctaw soldiers in the transmission of information was not based on a European language or on a mathematical progression, the Germans were unable to understand any of the transmissions;

(10) the Choctaw soldiers were placed in different command positions to achieve the widest practicable area for communications;

(11) the use of the Choctaw Code Talkers was particularly important in—

(A) the movement of American soldiers in October of 1918 (including securing forward and exposed positions);

(B) the protection of supplies during American action (including protecting gun emplacements from enemy shelling); and

(C) in the preparation for the assault on German positions in the final stages of combat operations in the fall of 1918;

(12) in the opinion of the officers involved, the use of Choctaw Indians to transmit information in their native language saved men and munitions, and was highly successful;

(13) based on that successful experience, Choctaw Indians were withdrawn from front-line units for training in transmission of codes so as to be more widely used when the war came to an end;

(14) the Germans never succeeded in breaking the Choctaw code;

(15) that was the first time in modern warfare that the transmission of messages in a Native American language was used for the purpose of confusing the enemy;

(16) this action by members of the Choctaw Nation—

(A) is another example of the commitment of Native Americans to the defense of the United States; and

(B) adds to the proud legacy of such service; and

(17) the Choctaw Nation has honored the actions of those 18 Choctaw Code Talkers through a memorial bearing their names located at the entrance of the tribal complex in Durant, Oklahoma.

SEC. 302. CONGRESSIONAL COMMEMORATIVE MEDAL.

The President Pro Tempore of the Senate and the Speaker of the House of Representatives shall make appropriate arrangements for the presentation, on behalf of Congress, of a commemorative medal of appropriate design honoring the Choctaw Code Talkers.

TITLE IV—SAC AND FOX CODE TALKERS

SEC. 401. FINDINGS.

Congress finds that—

(1) Sac and Fox Indians used their native language, Meskwaki, to transmit military code during World War II;

(2) those individuals, who manned radio communications networks to advise of enemy actions, became known as the Sac and Fox Code Talkers; and

(3) under heavy combat action, the Code Talkers worked without sleep to provide information that saved the lives of many Americans.

SEC. 402. CONGRESSIONAL COMMEMORATIVE MEDAL.

The President Pro Tempore of the Senate and the Speaker of the House of Representatives shall make appropriate arrangements for the presentation, on behalf of Congress, of a commemorative medal of appropriate design, to each of the following Sac and Fox Code Talkers of World War II, in recognition of the contributions of those individuals to the United States:

(1) Frank Sanache.

(2) Willard Sanache.

(3) Dewey Youngbear.

(4) Edward Benson.

(5) Judie Wayne Wabaunasee.

(6) Mike Wayne Wabaunasee.

(7) Dewey Roberts.

(8) Melvin Twin.

TITLE V—GENERAL PROVISIONS

SEC. 501. DEFINITION OF INDIAN TRIBE.

In this title, the term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 4506).

SEC. 502. MEDALS FOR OTHER CODE TALKERS.

(a) PRESENTATION AUTHORIZED.—In addition to the commemorative medals authorized to be presented under sections 102, 202, 302, and 402, the President Pro Tempore of the Senate and the Speaker of the House of Representatives shall make appropriate arrangements for the presentation, on behalf of Congress, of a commemorative medal of appropriate design to any other Native American Code Talker identified by the Secretary of Defense under subsection (b) who has not previously received a congressional commemorative medal.

(b) IDENTIFICATION OF OTHER NATIVE AMERICAN CODE TALKERS.—

(1) IN GENERAL.—Any Native American member of the United States Armed Forces who served as a Code Talker in any foreign conflict in which the United States was involved during the 20th Century shall be eligible for a commemorative medal under this section.

(2) DETERMINATION.—The Secretary of Defense shall—

(A) determine eligibility under paragraph (1); and

(B) not later than 120 days after the date of enactment of this Act, establish a list of the names of individuals eligible to receive a medal under paragraph (1).

SEC. 503. PROVISIONS APPLICABLE TO ALL MEDALS UNDER THIS ACT.

(a) MEDALS AWARDED POSTHUMOUSLY.—A medal authorized by this Act may be awarded posthumously on behalf of, and presented to the next of kin or other representative of, a Native American Code Talker.

(b) DESIGN AND STRIKING.—

(1) IN GENERAL.—For purposes of any presentation of a commemorative medal under this Act, the Secretary of the Treasury shall strike gold medals with suitable emblems, devices, and inscriptions, to be determined by the Secretary of the Treasury.

(2) DESIGNS EMBLEMATIC OF TRIBAL AFFILIATION.—The design of the commemorative medals struck under this Act for Native American Code Talkers who are members of the same Indian tribe shall be emblematic of the participation of the Code Talkers of that Indian tribe.

SEC. 504. DUPLICATE MEDALS.

The Secretary of the Treasury may strike and sell duplicates in bronze of the commemorative medals struck under this Act—

(1) in accordance with such regulations as the Secretary may promulgate; and

(2) at a price sufficient to cover the costs of the medals (including labor, materials, dies, use of machinery, and overhead expenses, and the cost of the bronze medal).

SEC. 505. STATUS AS NATIONAL MEDALS.

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

SEC. 506. FUNDING.

(a) AUTHORITY TO USE FUND AMOUNTS.—There is authorized to be charged against the United States Mint Public Enterprise Fund such amounts as are necessary to strike and award medals authorized by this Act.

(b) PROCEEDS OF SALE.—All amounts received from the sale of duplicate bronze medals under section 504 shall be deposited in the United States Mint Public Enterprise Fund.

REAUTHORIZING THE LIVESTOCK MANDATORY REPORTING ACT OF 1999

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Agriculture Committee be discharged and the Senate proceed to the immediate consideration of H.R. 3408.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 3408) to reauthorize the Livestock Mandatory Reporting Act of 1999 and to amend the swine reporting provisions of that Act.

There being no objection, the Senate proceeded to consider the bill.

Mr. HARKIN. Mr. President, the Livestock Mandatory Reporting Act was enacted by Congress in 1999 to level the playing field for independent producers. This Act is important because it improves market transparency by requiring packers, processors, and importers to provide critical price, contracting, supply and demand information to USDA, which in turn creates price reports for livestock producers.

Since the Livestock Mandatory Reporting program was implemented by USDA, I have heard repeated concerns from producers about the accuracy and overall transparency of the program. Since this law was due to sunset, to get as many facts as possible for purposes of reauthorizing this important law, Senator GRASSLEY and I requested an audit by the Government Accountability Office (GAO) to evaluate the accuracy of the program. This GAO audit found numerous instances of limited

transparency and lengthy lag times by USDA in actions to correct problems when packers failed to report or provide accurate information, and instances where USDA was excluding packer data in price reports but not making information about the exclusions available to the public.

Thus far, USDA has provided very little information to Congress regarding USDA's implementation of the six recommendations made by GAO. In fact, USDA has known of many of the problems described by GAO since 2001, but failed to act. That is why there needs to be strong oversight by the Senate Committee on Agriculture, Nutrition and Forestry to ensure this program is functioning correctly and that GAO's recommendations are fully implemented.

Mr. GRASSLEY. I also call on Chairman CHAMBLISS to help Senator HARKIN and me get much-needed answers to what USDA has done to implement the GAO recommendations. There has been a lack of believability regarding the information generated by the Livestock Mandatory Reporting program, many producers across Iowa and many parts of the Nation feel strongly that the information would be more valuable if the program had more credibility through improved transparency.

Mr. HARKIN. I do believe that some of the GAO recommendations would be better implemented if codified in law. Senator GRASSLEY and I provided numerous farm and livestock groups and the packing industry draft legislation that would address the GAO recommendations and other outstanding producer concerns. This process has been difficult and has taken considerable time given the complexity of issues and diversity of the groups. Since a full consensus was not reached among these parties, the legislative changes will not be approved this year. Senator GRASSLEY and I ask that Chairman CHAMBLISS be willing to help us achieve these needed legislative changes in the next Congress.

Mr. GRASSLEY. Last year, Senator HARKIN and I introduced legislation, that passed the Senate by unanimous consent, that would extend the Livestock Mandatory Reporting Act for one-year to allow additional time to review the GAO recommendations and develop needed modifications to the law to improve the functioning and operation of the program. Unfortunately, the House refused to take up the bill and the law expired. I conditioned my support of any multi-year extension or revision of the Livestock Mandatory Reporting program on carrying out the GAO study results. Now we are at a crucial point with the legislative session coming to a close. Senator HARKIN and I realize that we are facing strong opposition from the packing industry on moving a Senate version that includes the GAO recommendations. I ask for assurances from Chairman CHAMBLISS that he will work with Senator HARKIN and me to move our proposed legislative changes forward.

Mr. CHAMBLISS. Mr. President, I agree with Senators HARKIN and GRASSLEY about the importance of the Livestock Mandatory Reporting Act (LMRA) to producers. For over a year, I have worked with the Senators from Iowa in their attempt to craft consensus language to which all interested parties could agree. I agreed to wait for a report from the Government Accountability Office, GAO, even though there was concern that the report would be released after the expiration of this important mandatory program. Since that time, packers have continued to consistently report on a voluntary basis limiting potential disruptions to the information provided by LMRA to the marketplace. While I understand my colleague's interest in implementing the recommendations from GAO, I am also concerned that all stakeholders—producers and packers—have comfort and assurance in this program and that any changes made to the program will minimize potential litigation and the false reporting of data.

I intend to work with Senators HARKIN and GRASSLEY to ensure that there is another opportunity to find consensus among interested parties in implementing further changes to the program. Next year provides an excellent opportunity to debate this and other issues of importance to the livestock industry during the farm bill reauthorization process. In addition, the Senate Committee on Agriculture, Nutrition and Forestry will conduct a hearing in the spring of 2007 that will focus on livestock issues which will allow us to explore any needed changes to the Livestock Mandatory Reporting Act.

Although the Senators from Iowa and I have worked diligently with livestock groups and the packing industry to address the concerns of all interested parties, we were not able to reach an agreement. Given the limited time before adjournment, I ask my colleagues to support H.R. 3408, which has passed the House, and will reinstate the mandatory provisions of this much needed program. As I said previously, I will continue to work with the Senators from Iowa next year on the farm bill to arrive at consensus legislation that all stakeholders can support.

Finally, I would like to commend all of the industry groups that have worked on this issue for over a year. The countless hours of negotiations, meetings, and debate are healthy and represent the American legislative process at its best. The complexity of this issue has unfortunately made it impossible to accommodate all the changes requested by the Senators from Iowa, but I commend them for recognizing the importance of this program for not only producers in Iowa, but producers across this great Nation. H.R. 3408 will provide price discovery and transparency to the marketplace, allowing all producers to confidently receive fair prices for their livestock.

Mr. HARKIN. I thank Chairman CHAMBLISS for his patience throughout