

Chaddock was founded in 1853 as a college. Over the years, it has been a boys school and a treatment center for at-risk young people. It opened its doors to girls in 1982.

Chaddock is proud of its history, but it is not bound by that history.

One of the hallmarks of Gene Simon's leadership is his commitment to continual learning and innovation. You can see that at Chaddock.

Chaddock's school and treatment programs are national models for dealing with changing emotional and behavioral needs of children and their families. Chaddock offers a residential treatment program for adolescents with severe trauma and attachment disorders—one of only a handful of such centers in America.

Chaddock also has an outstanding program that works with families who have adopted children, helping the children and their new families to develop strong, loving bonds. I understand that this program has helped families from more than 20 States.

In recent years, Chaddock has risen to meet another critical need: helping children and adolescents move from foster care to adoption.

Gene Simon was born and raised on a family farm in Farmersville, IL. His parents, Eldon and Beryl Simon, owned a grain and livestock farm.

Dr. Simon holds a bachelor of science degree in agriculture from Southern Illinois University in Carbondale, a master's degree in human development counseling from the University of Illinois-Springfield, a master's of divinity degree from Garrett Evangelical Theological Seminary at Northwestern University in Evanston, IL, and a doctoral degree from Nova Southeastern University in Fort Lauderdale, FL.

From 1959-1971, he served as a United Methodist minister in the Illinois communities of Iroquois, Pontiac, Moweaqua, and Decatur.

With the importance Gene Simon places on family, it should come as no surprise that he is deeply committed to his own family, including his wife Peggy, who has been a constant partner in his work at Chaddock. Gene and Peggy Simon take great pride in their two sons, Chris and Paul, and four grandchildren.

The outstanding work of Gene Simon and the Chaddock staff has brought the agency much praise and many awards.

In 2001, the United Methodist Association of Health and Welfare Ministries honored Dr. Simon as one of the association's Administrators of the Year. And this year, the United Methodist Association named Chaddock its Organization of the Year—so Dr. Simon is going out on a high note.

But the testimonials that mean the most to Gene Simon are not from professional committees; they are from the young men and women who have found new hope at Chaddock.

I would like to close with a quote from one of those testimonials—from a former student of Chaddock. "Gene

Simon and this Chaddock family were here for me when I needed them most. The lessons I learned at Chaddock, such as dealing with emotions and just the everyday needs for love, care, and concern for myself and others, have helped me to become me . . . a good husband, father, employee, and a great friend to many."

Imagine thousands of similar testimonials and you begin to see the tremendous amount of good he has done and the positive difference he has made in the lives of so many young people and families who have walked through the doors at Chaddock over the years.

On a personal note, Gene has been a source of friendship and inspiration to me for many years. He has helped me understand the reality of the human condition and he has reminded me never to give up on a person in need.

I wish Gene Simon well in his retirement, and I know that the difference his life has made will continue to be felt by the many people he has helped

### HONORING OUR ARMED FORCES

SPECIALIST JEREMY JONES

Mr. HAGEL. Mr. President, I rise to express my sympathy over the loss of U.S. Army SPC Jeremy Jones from Nebraska. Specialist Jones died of wounds received from a roadside bomb in Iskandariyah, Iraq on June 27. He was 25 years old.

Specialist Jones was a resident of Omaha and graduated from Millard West High School in 1999, where he competed in football and wrestling. He enlisted in the Army in 2003, shortly after being married to his wife Jenny. He was deployed to Iraq in November, serving with the Army's 1st Battalion, 67th Armored Regiment of Fort Hood, TX. Specialist Jones hoped to make a career in the Army. In April, he reenlisted for another 6 years.

In February, Specialist Jones flew from Iraq to Omaha to see his newborn daughter Mackenzie for the first time. He was a proud father, and he was proud of his service to his country. Thousands of brave Americans like Specialist Jones are currently serving in Iraq.

In addition to his daughter and wife, Specialist Jones is survived by his son Anthony; his mother Diane; his father Scott; and his sister Abbi. Our thoughts and prayers are with them at this difficult time. America is proud of Specialist Jones' heroic service and mourns his loss.

I ask my colleagues to join me and all Americans in honoring SPC Jeremy Jones.

### HAMDAN V. RUMSFELD

Mr. LEVIN. Mr. President, today the Supreme Court ruled in the case of Hamdan v. Rumsfeld that Congress did not intend to strip Federal courts of jurisdiction over pending habeas corpus

cases when it passed the Detainee Treatment Act of 2005. The Court got it right.

The original amendment offered by Senator GRAHAM on the Senate floor, and which passed the Senate by a vote of 49 to 42, contained language that would have stripped the Federal courts of habeas corpus jurisdiction in both pending and future cases brought by detainees at Guantanamo. The amendment specifically stated that the jurisdiction-stripping provision "shall apply to any application or other action that is pending on or after the date of the enactment of this Act."

However, this language was removed from the provision by the subsequently adopted Graham-Levin amendment. The Graham-Levin amendment passed the Senate by a vote of 84 to 14, and replaced the earlier Graham amendment in the bill. The legislative history makes clear that the jurisdiction-stripping provisions did not apply to pending habeas corpus cases.

The day before the Senate adopted the Graham-Levin modification, I said on the Senate floor: "The amendment will not strip the courts of jurisdiction over [pending] cases. For instance, the Supreme Court jurisdiction in Hamdan is not affected." Despite efforts by the House of Representatives during our conference with the House to reinsert language stripping the courts of jurisdiction over pending habeas corpus cases, the final text of the Detainee Treatment Act retained the language of the Graham-Levin amendment.

In today's decision, the Supreme Court, applying "ordinary principles of statutory construction," determined that Congress did not intend to strip the courts of jurisdiction in pending habeas cases. The Court held that "Congress' rejection of the very language that would have achieved the result the Government urges here weighs heavily against the Government's" argument that the jurisdiction-stripping language should be interpreted to be retroactive. That was, indeed, the only conclusion that is supported by the language and legislative history of the Detainee Treatment Act.

The substance of the ruling in Hamdan establishes that the President, acting alone, lacks the power to unilaterally determine the legal rights of detainees at Guantanamo Bay, Cuba. Only Congress and the President, acting together, have the power to make such a determination, the Court ruled. Today's decision demonstrates once again the vital constitutional role of the Supreme Court as a check on the actions of the executive and legislative branches of Government.

I believe that Congress should give this issue careful deliberation, including full committee hearings, before we act. I look forward to thorough hearings in the Armed Services Committee this summer in anticipation of consideration of possible legislation in the fall.

# IMPORTANCE OF CRIME GUN TRACE DATA

Mr. LEVIN. Mr. President, over the past decade, through the gathering and dissemination of crime gun trace data, the need has been highlighted for stronger measures to stem the flow of guns into the illegal market and too often, into the hands of criminals.

One of the responsibilities of the Bureau of Alcohol, Tobacco, Firearms and Explosives, ATF, is to trace firearms recovered by local law enforcement at crime scenes. The gun is traced from its manufacturer to the first purchase using records maintained by firearms manufacturers and sellers. The process begins when law enforcement recovers a gun in the course of a criminal investigation and contacts the ATF with information on the crime being investigated, the name of the gun's manufacturer, the caliber and serial number. The ATF first checks its records of out-of-business dealers and its multiple sales records. If the traced gun is not located in these records, the ATF will then contact the manufacturer for the name of the dealer or distributor to whom the manufacturer first sold the gun. The dealer is then contacted for information on who originally purchased the gun.

This information provides an invaluable investigative tool for law enforcement. Analysis of crime gun traces allows the ATF, as well as State and local law enforcement, to not only investigate specific gun crimes but also to work to identify the sources of guns used in crimes. Crime gun traces can link a suspect to a firearm in a criminal investigation, identify gun traffickers whether they are licensed or unlicensed sellers, and detect both in-state and interstate patterns in the sources and types of crime guns.

It was not until the most recent decade that law enforcement agencies have routinely traced guns recovered in crimes. Initially, crime gun traces amounted to about 100,000 a year. Today, gun tracing has resulted in a database of over 2 million crime guns. The database has become a rich source of information for guiding public policy and the work of law enforcement officers.

The rapid expansion of crime gun tracing and the resulting trace database has produced a great deal of valuable information on how the illegal gun market is supplied. It is this information that helps point the way to policies to keep guns out of the hands of criminals.

Mr. LEAHY. Mr. President, I want to make the Senate aware of a report I recently became aware of by the Advocacy Forum, a respected organization which documents human rights violations in Nepal by both government security forces and the Maoists.

The Forum's latest report, released this week, describes the widespread use of torture on persons in custody. The overwhelming majority of documented cases are attributed to the Nepalese po-

lice, military and armed police. There are also cases attributed to the Maoists.

The descriptions of the use of torture in this report are difficult to read. It is appalling that such barbaric acts of cruelty occur in the 21st century. Unfortunately, we know that this is not unique to Nepal. Torture is routine in dozens of countries.

Nepal today is at a crossroads. Since popular demonstrations forced King Gyanendra to back away from his foolhardy power grab last February 1, there has been progress towards strengthening Nepal's fledgling democratic institutions and beginning a dialog to resolve the conflict. The future is unpredictable, however, and we continue to receive disturbing reports of extortion and abductions by the Maoists, and of resistance by the Nepalese military to much needed reform.

Addressing these issues, and ending the use of torture and other human rights violations, will require new laws to protect the rights of detainees in accordance with international norms, reform of the judiciary so it is fully independent and has the resources to effectively carry out its responsibilities, reform of the military and police so they are placed fully under civilian authority and subject to the rule of law, and prosecutions of those responsible for violations. The international community can and should help support Nepal in taking these difficult, essential steps.

All Senators should be aware of the cases documented by the Advocacy Forum, and I ask unanimous consent that a summary of the report be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

## [Advocacy Forum—Nepal]

### SHARING EXPERIENCES OF TORTURE SURVIVORS—SUMMARY OF DATA

Advocacy Forum is a non-profit making non-governmental organization working to promote the rule of law and human rights in Nepal. Our core activities are documentation of cases of human rights violations, monitoring of detention centres, providing legal aid to the victims of human rights violations and involving advocacy in contesting impunity. As part of our on-going work to address human rights violations and denials of access to justice, through our central, regional and district-based offices, we make daily visits to a number of police detention centres in 9 districts and document and monitor human rights violations. We do not have access to military detention centres, but victims of torture at these centres have contacted us to report their experiences, as have victims of the Maoists. Evidence of human rights' abuse is systematically and thoroughly documented.

Over a period of five years (July 2001 to April 2006) Advocacy Forum documented 5682 cases of human rights violations focusing on extra-judicial killings (198), forced disappearances (335), torture (2,271), rape of women (41); and illegal detention (2,837) committed by the state security forces and the Maoists. During this period we were put under extreme threatening pressure by the State, Maoist and vigilantes in carrying out our ac-

tivities. Similarly we observed the great security risk experienced by victims and witnesses.

Last year Advocacy Forum issued a press statement on 26 June covering the cases that we had documented up to March 2005. Because of the political situation we could not provide details of the torture and experiences of the victims. Between March 2005 to April 2006, we documented 951 cases of torture and 17 cases of rape committed by the State and Maoists. This report sets out some of the experiences of those torture victims who managed to survive and want to share their experiences. Some of the victims' names have been changed to protect their safety.

When Advocacy Forum intensified the challenge against illegal detention, last year alone (March 05-April 06) through habeas corpus, 418 people who had been detained illegally for a prolonged period of time were released from different detention centres. We were shocked to learn that every single person arrested by army soldiers and held in military detention reported that they had been severely tortured. Their torture experiences varied from deprivation of food to electric shock and rape of women. We do not have the capacity to measure the psychological torture and its effect on the victims and their families. Many of the victims reported that they were threatened not to share their experiences with anyone, in particular human rights groups. Many said that they were ordered to report to the barracks regularly. There was a complete absence of any protection for the victims. So, they were forced into silence, and no survivor could dare to challenge these atrocities.

Despite all these difficulties, even putting their lives at risk, some victims who had been released from detention played a significant role in the release of others who were languishing in different detention centres undergoing severe torture for a prolonged period of time. By sharing their experiences as to how other fellow detainees were treated in detention and their conditions, they helped us to coordinate our efforts and publicize the whereabouts of some missing people and to release many others.

From July 2001 to April 2006 Advocacy Forum documented 2271 cases of torture. Last year alone (March 2005-April 2006), we documented 951 cases of torture and 17 rape cases. Out of these 951 torture cases, 511 were committed by the police, 371 by the military and 11 by the armed police. We also documented 12 cases of torture by the state sponsored vigilantes and 46 cases of torture inflicted by the Maoists. Because of the security risk, 177 survivors released from military detention did not want to share the full details of their torture with us. Excluding those cases, we have thoroughly documented the details of torture in 774 cases. Children as young as 14 years old were also arrested and detained. Out of 951 torture survivors 349 (37%) were juveniles (below the age of 18 years old).

It should be borne in mind that, due to the limitations on our access to victims, our records only cover a small proportion of the victims of torture. It is impossible to estimate how many victims of torture there are in total in Nepal, but we would guess that we have recorded only 10% of the current cases.

Analyzing the 774 cases documented last year, we have found that the commonly used methods of torture in barracks include blindfolding for a prolonged period of time (up to 21 months), electric shocks, suffocating the victims by pouring water into the nose and mouth, hanging upside down, rape and sexual abuse, piercing under nails, burying, keeping in an abnormal position, tying hands and feet around a stick and swinging the body