

SGT Andrew John Moreno; SFC Timothy Allen Morrison; SPC Joe Abel Munoz; SSG Robert Franklin Nelson, JR.; PFC Allen Michael Odom; SGT William Donald Olli; PFC Javier Ortizrivera; PFC Raymond Andrew Palmer; PV2 Jacob Edward Peterson; 1LT Michael Robert Podojil; SPC Nathan William Possin; PV2 Christopher Chase Pugh; SPC Aaron Robert Rademacher; SGT Richard Austin Raver; CPT Ethan William Richardson; SPC Javier Rivera; SPC Steven James Schnabel; SSG Michael Shane Smithee; SGT John Eugene Sommer, III; PFC Anthony Lloyd Stevens.

PFC Joshua Alling Stezin; SGT Christopher Patrick Stokes; SSG William Eugene Stratford; SPC Clifford Lajoil Summers II; 1LT Lee S. Tilghman; SPC Mark Joseph Travitz; SPC Francisco Javier Trinidad; 2LT James Patrick Wade; SGT Travis Wayne Wagner; SPC Ian Edward Watkins; SSG Patrick Francis White; SGT Deone Lamar Whitehead; PFC Robert John Wilsman; SPC Neil Patrick Woelfel; SGT Peter Ernst Yenter; SPC Peter James Hansen; SGT Jeremiah Steven Hatch; SPC Nicholas Ryan Lester; SPC William Richard Abel II; PFC Alphonso Ronee Alford.

CW2 James Darren Allen; SGT Gabriel James Aquilano; PFC David Lee Arnett; SGT Brian Nicholas Badamy; CPT Jarrod C. Bailey; SGT Mark Angelo Bangcaya; PFC Justin Avery Banks; PFC Irvin Mark Anthony Barnett; SPC Andrew William Barone III; SGT Matthew Wayne Bonnell; PFC Joel Adam Brown; SSG Henry Burden; SGT Keith Anthony Caldwell; SGT Israel Cantu, Jr.; SGT Miguel Cipres, Jr.; SPC James Ernest Clark III; SGT Derek Bernhard Constable; SGT Joshua Lindsey Cook; SGT Ramon O. Crespongron; SPC Jason Tyler Curle.

SPC Tristan Davis; CPL Louis Michael Duran; SGT Robert Stephen Fornier; PFC Savannah Marie Freeman; ISG Brian Keith Fryer; 1LT Brian E. Gavazzi; PFC Christopher Larry Gonzales; SFC Emma Grau; SPC Nathaniel Steven Gray; SPC John Edward Green IV; PFC Tiffany Danielle Hammonds; SGT Marcus Dewayne Holder; SGT Rodney Holland; PFC Steven Anthony Hoover; SPC Shane Patrick Jauck; PFC Bryan Glynn Kelly; SPC Justin Wayne Keys; CPL Christopher Craig Land; SPC Davis Pallyn Laureta; PFC Thomas Lee.

SGT Jonathan Matthew Lehman; CPT Charles David Lewis; SGT Raymond Liddell, Jr.; SPC David Raymond Lopez; PFC Brandon Rainer Mackey; PFC Christopher Scott Mattingly; SGT Michael Reid McCloskey, Jr.; SGT Matthew Linden McGraw; PFC Javier Apolonio Medina; SGT Isaiah Matthew Melendez; SPC Shannon Lee Melendez; SPC Michael Robert Menrath, Jr.; SPC Temukisa Shantel Mewhort; SSG Ricardo Levette Monroe; SGT John Joseph Mutnansky; SGT George Eugene Myers; SSG Jim Jay Nance; SPC Jeremy Gregg Nicholson; SGT Victor Dewayne Odom; SGT Joseph Stephen Opyt.

SGT Jennifer L. Ortizchajon; SFC Marco Antonio Parris; CPL Hrair Petrosyan; SPC Justin William Phillips; SGT Steven Allen Pigg; PFC James Christopher J. Quesada; SFC Alfredo Quintero; SSG Brian Keith Reynolds; SPC Michael James Roberts; SGT Ryan Christopher Ronning; SPC Andrew Charles Ruelle; SPC Tyrone Robert Ruffin; SFC Brian Keith Sanders; SSG Daniel Sartor; SGT David Anthony Schumaker; PV2 Antonio Carlos Sellers; SSG Kyle Patrick Shook; SGT Chase Michael Smagala; SPC Brian Dee Smith; SPC Maurice Alexander Taylor.

SPC Timothy Lee Vanburen, Jr.; SSG Lewis Theodore Vann; SGT Justin Alan Walker; SPC Dustin Phillip Wilburn; SSG Patrick Kenneth Young; SGT Rachel Louise Ackerman; SPC Lorelei Leigh Corominas;

2LT Charles Nathan Davis; SPC Kristina Danielle Hilstad.

TRAUMATIC BRAIN INJURY

Mr. MCCONNELL. Madam President, as you know, the Defense authorization bill passed the Senate last week. Like many of my colleagues, I filed an amendment to the legislation, which had been included in the committee managers' package. Unfortunately, due to procedural matters stemming from the Senate majority's decision to limit amendments, my amendment, No. 5415—and many others like it—was not permitted to move forward. Although my amendment was not able to be considered by the Senate during debate over the Defense bill, I nonetheless want to bring the issue underlying the amendment to the attention of my colleagues.

My amendment was quite simple. It was a sense of the Senate that stated that funding for Department of Defense programs involving traumatic brain injury, TBI, and psychological health should be included in the President's fiscal year 2010 base budget.

Typically, the majority of funding for such programs has been included in supplemental appropriations measures. The reasoning apparently has been that these programs are a cost of war, and therefore they should be addressed through war supplementals.

But TBI and psychological health issues are problems that have been with us for some time and unfortunately are going to be with us for the foreseeable future.

Military personnel often experience health difficulties owing to TBI and psychological injuries long after their combat tour has been completed. Moreover, it has been reported that as many as one in five military personnel returning from Afghanistan and Iraq will suffer from TBI. That is a significant percentage of our military. There are currently nearly 3,000 brave Kentuckians deployed in the war on terror. According to these projections, close to 600 of these brave men and women will suffer from TBI. That figure does not even include those who have already returned from theater.

Considering the long-term health ramifications of TBI and the large number of military personnel who will face these challenges, it seems to me that this reality ought to be reflected in DOD's long-term baseline budgeting rather than through ad hoc supplementals.

My amendment would have put the Senate on record as stating that TBI and psychological health issues reflect a long-term budget priority for our Nation and should be considered as part of the regular order. I believe we owe the brave men and women of our military no less.

NEPAL

Mr. LEAHY. Madam President, I have closely followed developments in

Nepal for several years, and have been encouraged by the progress that tiny Himalayan country is making to end a divisive, bloody conflict and become a more peaceful, just and democratic society.

An enormous amount of work remains to be done, including the writing of a new constitution, demobilization and reintegration of Maoist combatants, restructuring and reform of the Nepali Army, policies and programs to address the legacy of discrimination against women and minority groups, programs of assistance for the millions of impoverished rural Nepali people who are illiterate and lack basic services, and justice for victims of atrocities committed by both sides of the conflict.

As chairman of the State and Foreign Operations Subcommittee I have included additional assistance for Nepal, above the amounts requested by the White House, for these efforts, and I commend the U.S. Ambassador, Nancy Powell, for the way that she has represented our country there. The United States has a strong interest in a democratic, peaceful Nepal, and although the situation remains fragile and the future unpredictable, Ambassador Powell and her staff have worked hard in an even-handed, diplomatic way to help keep the peace process on track.

I have also urged the leaders of Nepal's political parties, including the Maoists, to put partisan and personal interests aside for the greater good of their country at this critical time in Nepal's history. For too long, politics in Nepal have been equated with cronyism, corruption and neglect. The Nepali people who courageously took to the streets and risked their lives—some of whom lost their lives—to oust an abusive monarch, deserve a government that represents them and works to address their needs.

There are three specific issues I want to mention briefly today. The first is the treatment of Tibetan refugees in Nepal. There are disturbing reports that the Nepali Government is taking steps to forcibly return to China, in violation of international law, Tibetan exiles in Nepal, presumably in an effort to curry favor with the Chinese Government. These people have risked their lives to escape Chinese repression, and in the past the Nepali Government has, with rare exceptions, provided them refuge. The Nepali Government has a legal and moral responsibility to continue to respect the rights of Tibetan refugees, and this is an issue that the United States and others will be watching closely.

The second issue is justice, which is fundamental to any democratic society, and that means an independent judiciary and the rule of law. In Nepal, government officials who abuse their authority have too often escaped justice. Impunity has been the rule, including for members of the Nepali Army and Maoist forces.

Recently, the Advocacy Forum and Human Rights Watch jointly published a report entitled "Waiting for Justice: Unpunished Crimes from Nepal's Armed Conflict." The report describes the impunity that continues to shield those who have been credibly alleged to have violated human rights. The report includes a number of recommendations for the Nepali Government to ensure that the perpetrators of these heinous crimes are brought to justice. I urge the Nepali authorities to study the report and implement its recommendations. For the rule of law to prevail in Nepal, it must be demonstrated that human rights crimes are investigated and prosecuted and that no one is above the law.

Finally, I want to mention the issue of the implementation of the Leahy amendment in Nepal. This law, which I sponsored a decade ago, requires, among other things, thorough vetting of candidates for U.S. military or police training to ensure that they have not been involved in violations of human rights. This is important because we do not want to afford the benefits and legitimacy of U.S. training to individuals who have engaged in such crimes, and we want to encourage their governments to bring them to justice. I am concerned with reports that the Leahy amendment is not being adequately implemented in Nepal, and that some Nepali military officers who have been credibly implicated in human rights violations have been approved for U.S. training. This is a matter that must be effectively addressed by the U.S. Embassy.

During the war, the Maoists and the Nepali Army were responsible for widespread atrocities, including arbitrary detention, torture and extrajudicial killings. This eventually led to a suspension of U.S. military assistance to Nepal. After the collapse of the monarchy and the end of the fighting, that suspension was lifted, but any U.S. training of Nepali military officers should be conducted with the utmost caution and only after thorough vetting.

In the past year, the focus has shifted to military reform. The U.S. can assist in this effort, particularly through our expanded international military education and training program, but we need assurance that the Nepali Army command recognizes the need for reform and to be accountable under the law.

Madam President, I ask unanimous consent that the key recommendations in the Advocacy Forum-Human Rights Watch report be printed in the RECORD.

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

WAITING FOR JUSTICE: UNPUNISHED CRIMES
FROM NEPAL'S ARMED CONFLICT
KEY RECOMMENDATIONS

The new government of Nepal needs to ensure that perpetrators of grave human rights violations are brought to justice. Human Rights Watch and Advocacy Forum call on the Nepali government to:

Vigorously investigate and prosecute all persons responsible for abuses, including members of the security forces, in the 49 FIR cases highlighted in this report, as well as other cases of human rights violations.

Suspend all security forces personnel named in the 49 FIRs, or in other complaints, against whom there is prima facie evidence of criminal activity until the investigations and any prosecutions are complete.

Reform the criminal justice system, including by reviewing the role of the Nepal Police and Attorney General's Office to improve their effectiveness in investigations of serious crimes.

Criminalize "disappearances" and torture—whether committed by the security forces, Maoists or other actors—and ensure these offenses when committed by the army will be subject to investigation and prosecution by civilian authorities and courts.

Amend the Police Act, Army Act, and Public Security Act to remove all provisions that grant security forces and government official's immunity from prosecution for criminal acts.

Establish an independent, external oversight body for the Nepal Police.

Strengthen the NHRC by giving it the necessary powers to carry out credible investigations, including the power to require the attendance of witnesses and the production of evidence. The government should ensure that all the NHRC recommendations are speedily implemented by the relevant state authorities. The NHRC should be given clear powers to refer cases for prosecution and to seek legal redress against unlawful acts by state authorities.

Establish a Truth and Reconciliation Commission that does not grant amnesty for serious human rights abuses.

LATIN AMERICA

Mr. SPECTER. Madam President, I have sought recognition to report on a trip I made to Latin America during the August recess. Specifically, from August 17 to 23, I traveled to Mexico and Venezuela to investigate conditions relating to national security, immigration and counterdrug efforts. I also explored the current state of our diplomatic relations with these two important neighbors in the Western Hemisphere. I last visited both countries in 2005, and I was eager to assess firsthand the impact of recent changes in their domestic political landscapes.

On Sunday, August 17, I flew to Mexico City, Mexico. There, I was greeted by Robyn Prinz, a Foreign Service officer from the economic section of our Embassy, who served as my guide in Mexico. That evening, I enjoyed a taste of Mexico's rich cultural heritage by attending the famous Ballet Folklórico, a performance of Mexican folk dances, at the Palacio de Bellas Artes.

On Monday morning, August 18, I began the day by meeting with a large team from our Embassy. Ambassador Antonio Garza was traveling, so the Embassy team was led by Deputy Chief of Mission Leslie Bassett. In addition to Ms. Bassett, my meeting included representatives of the Department of Homeland Security, DHS, Customs and Border Protection, CBP, the Drug Enforcement Agency, DEA, the Defense Attaché Office, the U.S. Agency for

International Development, and the Department of Justice. I explained to the group my interest in learning about current efforts to combat drug trafficking and the attendant violence in Mexico and the extent to which U.S. aid can be of assistance in tackling these problems. In particular, I inquired about the likely impact of the Merida Initiative, a multiyear proposal to provide funding to Latin American countries to support counternarcotics, counterterrorism, and border security efforts, as well as programs designed to build accountable public institutions and ensure the rule of law. Earlier this year Congress approved the initial sum of \$400 million for Mexico and \$65 million for Central America, the Dominican Republic, and Haiti. Finally, I asked our representatives in Mexico about Mexican efforts to stem the flow of illegal immigrants into the United States.

According to Ms. Bassett, in the 18 months since he was elected, Mexican President Felipe Calderón of the center-right Partido Acción Nacional, PAN, has moved quickly to bolster law enforcement and counterdrug efforts. He has also launched economic reforms intended to make Mexico more attractive to Mexicans. Ms. Bassett further noted the importance of our bilateral trade with Mexico. She pointed out that Mexico is now the third largest trading partner of the United States. And, as transportation costs continue to rise, trade between Mexico and the United States will likely become even more important.

David Gaddis, the regional director for DEA in Mexico, explained that President Calderón's efforts to combat drug traffickers have been costly for Mexico—not only in terms of enhanced resources but also in terms of lives lost. The press has taken note of this unfortunate reality. In June 2008, the New York Times wrote, "[s]ince Mr. Calderón came to office in December 2006, he has sent thousands of federal police officers and troops to reclaim cities and states where [drug] traffickers controlled local officials through bribes and threats. The offensive has unleashed a war among different cartels that has killed more than 4,000 people, among them about 450 soldiers, police officers and public officials." Nevertheless, according to Agent Gaddis, Mexico has achieved significant successes against the traffickers, arresting key leaders and extraditing many of them to the United States to stand trial. The DEA has also seen large improvements in the level of information sharing and cooperation from Mexican officials. This interaction directly benefits the United States because the major cartels in Mexico can be tied directly to drug traffickers in the United States. To drive home this point, Agent Gaddis provided a map showing cases in every state with links to Mexican drug trafficking organizations.